


Housing Authority of the Sac and Fox Nation



Down Payment and Bridge Assistance Policy

Approved by the Board of Commissioners of the Housing Authority of the Sac and Fox Nation on: [December 18, 2023, Resolution 2024-9](#)

Housing Authority of the Sac and Fox Nation Down Payment and Bridge Assistance Policy

	Overview		
	Policy Statement and Sections to Policy	Originated	December 18, 2023, Resolution 2024-9
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Policy Statement

The purpose of the Housing Authority of the Sac and Fox Nation (HASFN) Down Payment and Bridge Assistance Program is to provide the Native American households with affordable homeownership financing opportunities to help improve the quality of life in the tribal communities.


HASFN Down Payment and Bridge Assistance Program shall comply with all applicable regulations of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) along with other applicable rules and regulations. The HASFN Executive Director, with approval of the Board of Commissioners (BOC) shall be responsible for periodically amending this policy to comply with any applicable laws or regulations.

Sections to Policy

- I. Program Description
- II. Assistance Available
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Housing Authority of the Sac and Fox Nation Down Payment and Bridge Assistance Policy

	Section I	
	Program Description	Originated December 18, 2023, Resolution 2024-9
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I. Program Description

The Down Payment and Bridge Assistance Program is specifically designed to increase the availability of affordable housing by addressing homeownership on several levels. It combines HASFN’s Indian Housing Block Grant (IHBG) funds with private first mortgages or other sources; thereby increasing the number of native families that can be assisted with HASFN’s IHBG funds. This program is designed to be a forgivable loan (grant) with no pay back required as long as all of the terms and conditions are satisfied. If the home is sold prior to the loan being fully forgiven, some pay back is required.

• **Eligibility –**

The purpose of this section is to determine who is eligible to participate in the HASFN Down Payment and Bridge Assistance Program.

Applicants must meet all of the following eligibility requirements to be eligible for the HASFN’ Down Payment and Bridge Assistance Program.

A. Family composition (See 24 CFR Part 1000.104 & Section 201(b) of NAHASDA)

An applicant must qualify as a family, defined by the HASFN as two or more persons who are related by blood, marriage, or operation of law; or a single person who lives alone and intends to live alone and does not qualify as an elderly family, displaced person, or remaining member of a tenant family; or a single person who is elderly or near-elderly, disabled, displaced, or the remaining member of a tenant family. The head and spouse must be at least 18 years old at the time of application. Both spouses are required to be on the application.

Two adults who are not legally married may be considered a family under operation of law if they execute a certification statement that they have been living as spouse and/or life partners in the same household for a period of at least two years. If there are any questions about the authenticity of their living arrangement, they may be asked to submit verification and/or additional documentation such as dwelling leases, tax returns, utility bills, etc. If two adults are determined ineligible due to the inability to meet the “two year” requirement, each adult member of the

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household shall be ineligible to re-apply as a single person or with a new partner until after two years from the origin date of the operation of law living arrangement stated in the initial application. This two year waiting period shall not apply in the event there is proof of a legal divorce and it has been properly recorded. A legal divorce decree does not circumvent the two year stable relationship requirement for a new application unless the couple is legally married.

An applicant must qualify as an Indian family, defined by the HASFN as a family whose head of household or spouse is an enrolled member of a federally recognized tribe. Verification of tribal enrollment is required for the head or spouse. A CDIB, Tribal ID, or official correspondence or verification from the Sac and Fox Nation's Enrollment Office are all acceptable forms of documentation.

- B. Non-Indian families (See 24 CFR Part 1000.106,108,118 and Section 201(b)(3) of NAHASDA) (Exception to Indian family requirement)

The Down Payment and Bridge Assistance program does not provide for non-Indian families to receive services.

- C. Income limitations (See Section 205 of NAHASDA)

The HASFN has determined that annual income may be based upon the definition of income that is most advantageous to the family in terms of eligibility and program suitability. Anticipated annual income is used to determine an applicant's eligibility while adjusted annual income may be used in calculating the family's payment/rent or determining if the 30% maximum rent burden is being exceeded (if applicable). HASFN staff shall have the discretion to determine the appropriate definition of annual income to be utilized for each family. Annual income will be the basis for determining eligibility and the starting point for calculating the adjusted monthly income.

- 1. Maximum income

The applicant must qualify as a low income family, defined as a family whose income does not exceed 80% of the median income for the area or the United States, whichever is greater. Income limits are adjusted for family size and updated on an annual basis.

- 2. Minimum income

Under the Down Payment and Bridge Assistance Program, participants are required to satisfy basic obligations of acquiring or constructing a home. The applicant should demonstrate the ability to meet these requirements. It is the determination of HASFN that

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a minimum income level is necessary for the applicant to demonstrate that he/she has the financing or financial resources available to complete the acquisition/construction of the home. Income limits are adjusted for family size and updated on an annual basis.

3. Estimating income

The applicants' annual income will be determined by estimating the anticipated total income from all sources to be received by the head, spouse, and additional members of the family over the next 12 months. For household incomes with a cyclical or seasonal income (i.e. teachers or BIA contract workers), the amount of income received will be annualized. For instance, if their income is earned over a nine-month period, then this amount will be their annual income, unless they work an additional job in the summertime. Then, their summer employment would also be counted toward annual income.

4. Exception to maximum income limits (See 24 CFR Part 1000.106,108, and 110)

HASFN does not provide for a waiver of the maximum income limit for the Down Payment and Bridge Assistance Program.

D. Income verifications (See 24 CFR 1000.128)

In order to determine that data upon which determination of eligibility and selection preference are based are accurate, such data must be verified. The preferred method of verification shall be written verification by a third party. In lieu of third-party verification, HASFN may allow the applicant to submit relevant information provided that the submission contains a notarized statement, certification, or affidavit signed by the applicant, and stating that the information submitted is true and accurate. The ADDsigning of the application is an acceptable certification.

Accurate verification records, consisting of, but not limited to, one or more of the following are to be maintained.

1. Letters or other statements from employers and other pertinent sources giving authoritative information concerning all amounts of income.
2. Copies of documents in the applicant's possession which substantiate his/her statements such as recent check stubs, earnings or benefit statements, or a brief summary

of the pertinent contents of such documents signed and dated by the staff who viewed them.

3. Certified statements, or summary data from bank accounts, from self-employed persons, and from persons whose earnings are irregular, such as salesmen, taxi drivers etc., setting forth gross receipts, itemized expenses and net income. Recent tax returns may also be utilized.
4. Memoranda of verification data obtained by personal interviews, telephone, or other means, with source, date reviewed and the person receiving the information clearly indicated.

E. Social Security number and/or identification requirements

The applicant must furnish the HASFN with social security numbers and/or copies of social security cards or other forms of identification such as Tribal I.D. or driver's license for each family member or person listed on the application. For minor children, a written certification may be submitted in lieu of a social security card. Another form of identification may also be required such as a driver's license, birth certificate, Tribal card, or CDIB. In certain cases such as name changes, the applicant may be required to submit birth certificates, marriage certificates or divorce decrees.

F. Restrictions on assistance to non-citizens

HASFN restricts housing assistance to U. S. citizens and non-citizens who have eligible immigration status. The applicant must verify citizenship or non-citizen eligibility in order to receive assistance. Social security cards, drivers' licenses, Tribal IDs, CDIBs, U.S. Immigration Service form aka "green card" and/or birth certificates are all acceptable forms of documentation.

G. Service area

The service area for Sac and Fox Tribal Members with the Down Payment Program is all property within the United States.

The service area for Non-Sac and Fox Tribal Members with the Down Payment Program is the Sac and Fox Jurisdiction (Pottawatomie, Payne, Lincoln Counties).

The service area for all applicants with the Bridge Program is the Sac and Fox Jurisdiction (Pottawatomie, Payne, Lincoln Counties)

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H. Prior HUD assistance or combining other assistance

For the Down Payment and Bridge Assistance Program, HASFN limits assistance to a one-time offering. A certification stating that the applicant (head and/or spouse) has never received any prior (since 1998 or later) down payment or similar type of assistance through any housing authority or tribal entity is required. An applicant who previously received assistance while a part of another family and that previously left the HASFN or other affordable housing program in good standing may be considered for approval on a case-by-case basis. If the applicant/family owes a debt to the HASFN, Sac and Fox Nation or other Tribe from previous participation, or is still in the forgiveness period, applicant is not eligible. Applicants are not allowed to combine similar assistance with HASFN' DPA and Bridge Assistance including but not limited to Tribal, IHBG, USDA, HUD HOME, or other federal or subsidized sources.

I. Primary Residence/Ownership

The applicant must reside in or intend to reside upon receipt of services, within the home to be acquired or constructed. The home must be a primary residence. The applicant is required to obtain the signatures of all co-owners of the property. The applicant is required to obtain all co-owners signature for the limited or lifetime use of real estate property. In the case of manufactured housing, the applicant must also own the land on which the housing structure is located. HASFN reserves the right to make a determination regarding the actual ownership of the property in cases where ownership is unclear or not adequately documented.

J. Proof of Insurance

The applicant must provide proof of dwelling insurance covering the home to be purchased or constructed. The insurance must remain in effect for the useful life/forgiveness period in accordance with HASFN policy/schedule. Insurance is not required if the award is less than \$5,000.


K. Additional criteria for eligibility

HASFN requires proof of tribal enrollment, a driver's license , and a marriage license (if applicable) or co-habitant certification with documentation for the head of household or spouse. For applicants who are members of federally recognized tribes other than the Sac and Fox Nation, HASFN requires a letter or notice from the applicant's tribe as proof that the applicant is not eligible for assistance, or the tribe does not or cannot offer such assistance.

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- **Ineligible Uses** – Refinancing of a home is not an eligible form of Down Payment Assistance nor is mortgage payment or other assistance after closing/purchase or construction completion.
- **Credit** – Down Payment and Bridge Assistance Program borrowers must meet the credit requirements of the first mortgage lender (bank/lender). Applicants may be pre-screened to determine credit worthiness. HASFN will generally rely on the lender’s determination of whether the applicants have a stable income and the ability and willingness to meet financial obligations. HASFN may assist with questions and communications to and from the lender. However, it is the responsibility of the applicant to locate and secure a loan.
- **Affordability** – Down Payment and Bridge Assistance funds are available to buy down the cost of buying or building a home. This results in a lower mortgage amount and lower monthly payments or as an off-set to the total development cost. The funds will be in the form of a forgivable loan (grant) with no monthly payments. The assistance award (grant) is gradually amortized over the affordability period, thus converting it to homeowner equity. Any home assisted with IHBG funds is subject to total development cost standards (TDC) requirements.
- **Closing Costs** – Down Payment and Bridge Assistance may include payment of reasonable loan closing costs associated with the first mortgage and the HASFN’s assistance award amount. This will assist the applicant with cash flow issues that typically deter and hinder successful mortgage financing attempts.
- **Support** – HASFN staff may assist eligible applicants and provide them guidance in successfully working through the process of making an application to a bank/lender for a first mortgage loan.
- **Training** – Borrowers shall be required to participate in homebuyer education classes designed to assist new homeowners in understanding and fulfilling the responsibilities of homeownership.

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	Section II	
	Assistance Available	Originated December 18, 2023, Resolution 2024-9
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II. Assistance Available

HASFN has established and implemented the Down Payment and Bridge Assistance Program to assist creditworthy low-income households in purchasing or constructing a home. The Down Payment and Bridge Assistance loan may help with down payment, closing costs and/or other related development costs and is designed to make the home cost or mortgage payments more affordable. Bridge Assistance is broader in scope and may be used to assist eligible applicants as bridge or gap financing in building or acquiring a home regardless of whether a mortgage is involved. The following is a list of the types of assistance offered and for which the funds may be utilized:

a. Down payment

HASFN may provide funds to buy down the amount of the first mortgage to a level that is affordable to the homeowner. Down payment assistance may be provided up to a maximum of \$7,000. Eligible applicants who are enrolled with other federally recognized Tribes other than the Sac and Fox Nation may receive Down Payment Assistance in an amount of up to \$3,000 provided that all other eligibility and program requirements/restrictions are met. Nearly all lenders will require a down payment when purchasing a home. Part of this down payment may be provided by HASFN, however, homebuyers should provide a small portion from their own cash. HASFN requires that the homebuyer pay at least one percent (1%) of the sales price toward the down payment. The 1% requirement is applicable for all transactions regardless of whether or not a mortgage is involved. The required homebuyer furnished down payment amount may increase, depending on the requirements of the first mortgage lender. The recipient shall not be allowed to use Tribal funds or other subsidies toward the 1% required contribution. The homebuyer's (applicant's) mortgage must be a fixed rate mortgage and HASFN shall not fund assistance for use with an adjustable rate mortgage (ARM).

b. Closing Costs

HASFN funds may be used to pay all, or a substantial part of, the closing costs of the first mortgage loan. This assistance is limited to actual, reasonable closing costs. The amount available for closing costs is contingent upon the amount of down payment assistance received. The total amount paid for closing costs and down payment assistance combined

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is limited to \$7,000 per applicant or less if funding is not sufficient to pay the maximum. The maximum amount of assistance available to applicants who are members of other federally recognized Tribes other than the Sac and Fox Nation is \$3,000.

c. Maximum Assistance Amount

The maximum amount of assistance for each homeowner will be \$ 7,000 including down payment and closing costs. Applicants will generally receive the maximum amount of assistance or \$7,000 with the exceptions noted below in Section 2(d). Non-Sac and Fox applicants shall only receive up to \$3,000. Bridge Assistance amounts are identified below in section 2(e). Due to issues encountered in dealing with the Bureau of Indian Affairs and land/title records, the assistance amount for manufactured or mobile home housing to be placed upon trust/restricted property shall be limited to \$4,999.99 or less.

d. Minimum Assistance Amount

The minimum assistance amount for this program is \$ 1,000. HASFN reserves the right to fund applicants in an amount up to \$7,000 (Sac and Fox) or \$3,000 (other Tribes) for Down Payment or Bridge assistance or some other reasonable amount if funding availability is limited such as at the end of the program year or budget. In no such case will assistance of less than \$1,000 per applicant be awarded.

e. Bridge Assistance


HASFN may provide funds for use as personal gap or bridge financing in certain cases where a mortgage may or may not be involved. The 1% requirement is applicable for all transactions regardless of whether or not a mortgage is involved. Certain non-mortgage scenarios and uses of funds may include but are not limited to new construction, acquisition, acquisition with rehab, purchase of home sites, developer's fees, building materials, contractor services/labor, and basic appliances. The applicant shall be in the process of building or acquiring the home. Some cases may be more suited for a Rehabilitation Program for existing homeowners. HASFN shall not reimburse homebuyers or homeowners after the fact or after a cost has already been incurred prior to award or approval. The homeowner must document ownership of the home, land or provide evidence of a construction contract. For an applicant that is constructing his/her own home, proof of land ownership is required. If funds are to be used on a manufactured unit, the applicant must also own the land on which the home is located. Funds shall not be used to purchase or construct luxury items such as swimming pools, spas, saunas, decks, cooking pits, decorative ponds, etc. Bridge Assistance funds are available in Lincoln, Payne and Pottawatomie Counties. The maximum amount available for Bridge Assistance funds is \$7,000 (Sac and Fox) and \$3,000 (other Tribes). HASFN may fund at a lesser amount. Due to issues encountered in dealing with the Bureau of Indian Affairs and land/title records, the assistance amount for a home constructed or purchased without a mortgage, or manufactured or mobile home housing to be placed upon trust/restricted property shall be limited to \$4,999.99 or less. This will allow HASFN to be able to record and maintain the Useful Life Agreement/ Binding Commitment in-house rather than recording and filing at the BIA office.

f. One-time Assistance

The HASFN Down Payment and Bridge Assistance Program funds are for one-time use only. This restriction extends to the head of household and spouse in case an applicant attempts to apply with a new family unit due to death, divorce, separation, or other reason.

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	Section III	
	Borrower/Applicant Eligibility and Guidelines	Originated December 18, 2023, Resolution 2024-9
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The one-time restriction does not apply to other household members.

III. Borrower/Applicant Eligibility and Guidelines

a. Tribal Preference

HASFN provides preference with assistance to Indian families whose head of household or spouse is an enrolled member of the Sac and Fox Nation. Applicants who are enrolled with other federally recognized Tribes other than the Sac and Fox Nation may be eligible for some types of assistance and a lesser award amount in accordance with this Policy but will not receive any preference. An applicant must qualify as an Indian family as described above in the Program Description and Eligibility section.

b. Income Limitations

Participation in the Down Payment and Bridge Assistance Program is limited to low-income families as detailed in the HASFN established income limits and the definition of annual income attached as appendices to HASFN' Program Policies. HASFN has determined that it may use the definition of income that is most advantageous to the applicant in accordance with NAHASDA. Participants will be required to provide documentation to verify the determination of low-income status.

c. Homeownership Classes

The applicant shall be required to successfully complete a HASFN approved home ownership-education curriculum. HASFN may provide the training or outsource as necessary. The lender may also require homebuyer training as a part of their approval process.

d. First Mortgage Loan

1. In cases where a mortgage is involved, the applicant must be able to obtain a mortgage loan with an eligible lender for the necessary amount. The lending institution must be willing to participate in the Down Payment and Bridge Assistance Program and its requirements. The borrower may be required to sign a Release of Information form so that HASFN is able to share information with the lending institution. HASFN may request loan application documents as needed.
2. The lending institution must, as a part of its mortgage loan, require purchase of

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property insurance, and must escrow the insurance payments and any property taxes.

e. Cash Down Payment

The applicant must be able to provide at least 1% of the sales price in the form of a cash contribution or down payment from his or her own assets. This cash payment shall not be borrowed.


f. Assets

The applicant shall not own any other residential property and this assistance shall only be allowed for a primary residence. An exception may be made for inherited property that is not owned free and clear of encumbrances or is substandard. The applicant shall be required to sign a certification statement that the home to be purchased will be a principal residence. HASFN shall make an attempt to document other residential property currently owned by the applicant. Proof of ownership of another home or residence, not including mobile homes, shall be grounds for a determination that the applicant is not eligible for Down Payment or Bridge Assistance.

g. Employees

Employees, agents, officers or elected or appointed officials of the Sac and Fox Nation or HASFN are eligible for assistance under this program provided all qualification requirements are met. Employees, agents, officers or elected or appointed officials must comply with 24CFR 1000.30, 1000.32, and 1000.34 regarding conflict of interest, which requires that HUD and the general public be provided notice and disclosure prior to any anticipated assistance being provided.

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	Section IV		
	Ineligibility	Originated	December 18, 2023, Resolution 2024-9
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IV. Ineligibility

- a. Applicants will be considered ineligible for not meeting items in Sections 1, 2 or 3 above or for any of one or more of the following:
- Providing false information on the application.
 - Failing to complete required forms or to supply requested information.
 - Committing fraud in connection with any HASFN program, or failing to disclose previously committed fraud in connection with any HASFN or tribal program.
 - Attempting to use assistance funds in a deceptive manner that does not involve a valid “arms length” transaction. HASFN may require an appraisal in certain cases and also reserves the right to determine whether or not a transaction is valid and “arms length”. An example of a deceptive transaction would be selling to an immediate family member to gain income for a family member (seller).

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	Section V	
	Waiting List/Applicant Pool	Originated December 18, 2023, Resolution 2024-9
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V. Waiting List/Applicant Pool

- a. The Down Payment and Bridge Assistance Program is operated on a first-come first-served basis with Sac and Fox preference subject to the availability of funds.
- b. HASFN will maintain a list of eligible applicants based on the date and time the completed application is received by the HASFN.
- c. If funds are unavailable for the Down Payment and Bridge Assistance Program, HASFN may suspend or discontinue accepting applications until funds become available.

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	Section VI		
	Reservation of Funds	Originated	December 18, 2023, Resolution 2024-9
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VI. Reservation of Funds

- a. Funds will be reserved for each applicant when the application is completed and the applicant is determined eligible. A copy of the real property contract and/or a copy of the mortgage application or some other form of information documenting that the homebuyer is actively engaged in the mortgage lending or home acquisition/construction process shall be required prior to any assistance being awarded. Other information may be required by the first mortgage lender.
- b. Funds will be reserved for up to 90 days and may be extended for additional days if the mortgage lending or other process is still not finalized. If the process is not completed and the homebuyer is not able to get a first mortgage or the construction/acquisition process is otherwise terminated, the reserved funds shall be placed back into the budget and made available to other eligible Native Americans and/or tribal members.

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	Section VII		
	Property Requirements	Originated	December 18, 2023, Resolution 2024-9
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VII. Property Requirements


- a. The owner must meet the following property requirements during the affordability period:
 - 1. The home must continue to be the primary residence of the owner.
 - 2. The service area for Sac and Fox Tribal Members with the Down Payment Program is all property within the United States.
 - 3. The service area for Non-Sac and Fox Tribal Members with the Down Payment Program is the Sac and Fox Jurisdiction (Pottawatomie, Payne, Lincoln Counties).
 - 4. The service area for all applicants with the Bridge Program is the Sac and Fox Jurisdiction (Pottawatomie, Payne, Lincoln Counties)
 - 5. The property must be a single-family residence, including condominiums and townhouses. HASFN has determined that manufactured homes also qualify for the program in accordance with HASFN’s Housing Standards Policy.
 - 6. The initial purchase price of the home may not exceed the Total Development Cost limits established by HASFN for the type of single-family housing for the area. HASFN shall use HUD established Total Development Cost limits which are periodically updated.
 - 7. HASFN has established its Housing Quality Standards and the house must be in compliance with these standards. HASFN shall require that a home inspection be conducted prior to closing. The inspection cost is an eligible cost item under this program. An appraiser’s report or other independent inspection report may be used. HASFN reserves the right to determine if HQS requirements are met.
 - 8. This activity (down payment and bridge assistance) shall be reviewed by HASFN and the Sac and Fox Nation as the Responsible Entity for environmental impact

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in accordance with the National Environmental Policy Act (NEPA), 24 CFR Part 58 and all other applicable statutes, regulations and Executive Orders.

9. Lead-based paint prevention requirements apply to housing acquired under this program. Generally, the seller must disclose and certify that the home is free from lead-based paint hazards. The homebuyer may determine that it is in his/her best interest to conduct lead-based paint testing and risk assessment. This is an eligible cost item under this program. HASFN reserves the right to determine if a home meets all applicable LBP requirements.
10. If the buyer/owner selects a home in a flood plain, flood insurance must be obtained in an amount adequate to cover the first and second mortgage loan (if applicable) and assistance award in compliance with 24 CFR 1000.38. The owner must provide a certification of insurance to the HASFN annually.
11. The homebuyer/owner shall be responsible for insurance coverage required by HASFN or the lending institution. HASFN and NAHASDA regulations require that insurance be provided during the useful life period (affordability and forgiveness period).
12. The homebuyer /owner shall be responsible for providing proof that property taxes are paid and current for all fee simple property annually.

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	Section VIII	
	Repayment of the Assistance	Originated December 18, 2023, Resolution 2024-9
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VIII. Repayment of the Assistance

- a. There are no monthly payments or interest associated with HASFN' Down Payment and Bridge Assistance Program loans.
- b. One thirty-sixth (1/36) of the original down payment assistance amount (if \$5,000 or more) will be forgiven on each monthly anniversary of the award. If the property is sold (or the title is otherwise transferred) and ceases to be the borrower's primary residence, the unforgiven portion of the assistance will be due and payable. If the amount of the assistance is less than \$5,000 the affordability period is six months and the entire amount shall be forgiven on the expiration date of the forgiveness period.

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	Section IX					
	Recertification of Residency	<table border="1"> <tr> <td>Originated</td> <td>December 18, 2023, Resolution 2024-9</td> </tr> <tr> <td>Revised</td> <td></td> </tr> </table>	Originated	December 18, 2023, Resolution 2024-9	Revised	
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IX. Re-certification of Residency

- a. The property must remain the applicant’s/borrowers’ primary residence throughout the term of this loan. Borrowers/Recipients may be required to periodically sign an affidavit stating the amount of time they lived in the house as their primary residence during the previous year. If they did not live in the house for at least 11 of the previous 12 months, the loan will be considered to be in default. HASFN staff shall use its own discretion in determining the appropriate timing of the affidavit requirement. In no case shall the requirement be enforced any more frequently than annually. HASFN will review each default and consider the appropriate course of action.

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	Section X		
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X. Resale Restrictions

- a. Documents for the Down Payment and Bridge Assistance program shall include the binding commitment and/or second mortgage with resale restrictions and the rationale for payback required (forgiveness period).
- b. If, at any time, the owner sells or transfers title to the home, the owner must repay HASFN any balance due. An exception for immediate family members may be allowed in accordance with NAHASDA guidelines. (See Item 12. b. below)

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	Section XI		
	Assumption of Grant Obligations	Originated	December 18, 2023, Resolution 2024-9
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XI. Assumption of Grant Obligations

- a. If the property is sold during the term of HASFN' assistance award (grant forgiveness period), the HASFN grant obligations may be assumed by a qualified borrower/applicant. Generally, the assumption approval will be based on the following:
 1. The new owners must assume the first mortgage and be contractually obligated to satisfy the mortgage and must be subject to any useful life agreement and/or binding commitment.
 2. The new owners must be low income, as defined by HASFN. The definition of low-income shall be the same as defined in the HASFN' other program policies. The new owner shall meet all requirements of this policy and the DPA program.
 3. The property must be the new owner's primary residence.
 4. The new owners (head or spouse) must be an enrolled member of a federally recognized Tribe.

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	Section XII		
	Transfer of Home	Originated	December 18, 2023, Resolution 2024-9
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XII. Transfer of Home

a. Generally, the homebuyer shall not be allowed to transfer the rights and responsibilities of the HASFN’s Down Payment or Bridge Assistance program agreement (forgivable loan) except as described below. Any title transfer shall be by sale and conveyance and in accordance with the resale and payback requirements.

b. Permitted Transfer by Owner

The following transfers are not prohibited. In anticipation of one of these situations occurring, the homebuyer/owner should notify HASFN of such occurrence (see item #6):


1. Transfer by gift or inheritance to the homebuyer’s/owner’s spouse or children
2. Transfer of title by a homebuyer’s death to a surviving joint tenant, tenant by entireties, or surviving spouse of community property
3. Transfer of title to a spouse as part of divorce or dissolution proceedings;
4. Transfer of title or interest in the residence to the spouse in conjunction with marriage.
5. The above transfers are allowable if the Useful Life Binding Commitment Document covenants continue to run with the title to the property following said transfers, and any transfer documents must contain the following covenant or similar statement:

This residence is subject to the Resale Restrictions Agreement and other HASFN program requirements and Transferee, on behalf of Transferee and Transferee’s successors and assigns, covenants and agrees to be bound by and perform the Agreement, and to include in any further transfer of the residence the covenant required by the Agreement.

6. The homebuyer must notify HASFN at least thirty (30) business days prior to the sale or transfer of the property. HASFN will approve or disapprove of the proposed Transferee within thirty (30) business days after receiving the notification.

Approved by the Board of Commissioners of the Housing Authority of the Sac and Fox Nation on: **December 18, 2023, Resolution 2024-9**

Housing Authority of the Sac and Fox Nation Down Payment and Bridge Assistance Policy


	Section XIII		
	Education	Originated	December 18, 2023, Resolution 2024-9
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XIII. Education

- a. Applicants shall be required to attend a HASFN approved homebuyer training class prior to approval of an assistance award. This requirement may be waived for Bridge Assistance at the discretion of HASFN. The purpose of this requirement is:
 - 1. To enable the applicant to understand the responsibilities that accompany participation in HASFN Down Payment and Bridge Assistance Program.
 - 2. To enable the applicant to understand the home buying process,
 - 3. To enable the applicant to understand and prepare to assume homeownership responsibilities and tasks,
 - 4. To develop an understanding of the Down Payment and Bridge Assistance program with a goal of promoting feelings of self-respect, pride and community responsibility.
- b. If available and as an option, applicants may elect to attend post-occupancy homebuyer education. The cost of this counseling may be included in closing costs paid by the HASFN if the homeowner makes arrangements before the loan closing. If the homebuyer elects to attend after the loan closing, the costs of the training will be at the owner’s expense. Post-Occupancy counseling may include the following:
 - 1. Budget Counseling
 - 2. Home Maintenance
 - 3. Refresher review of HASFN’ Down Payment and Bridge Assistance Program requirements.
- c. Any homebuyer education or training conducted by HASFN staff shall be at no cost to the homebuyer. Additional training provided by consultants or other third parties may include a cost.

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Housing Authority of the Sac and Fox Nation Down Payment and Bridge Assistance Policy


	Section XIV		
	Payment Oversight	Originated	December 18, 2023, Resolution 2024-9
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XIV. Payment Oversight

- a. HASFN shall work with the homebuyers/applicants/awardees to ensure the success of their home ownership endeavor. If, for any reason, the first mortgage loan becomes delinquent, the lender may contact HASFN. Upon receipt of any delinquent notices, HASFN staff may contact the homebuyer to assist in resolving the problem. This intervention does not, in any way, diminish the homeowner’s responsibilities to the first mortgage lender.
- b. If a homebuyer is found to be in default of any portion of the first mortgage documents, the HASFN may provide or refer the home buyer to financial counseling in an effort to resolve the problem, and may:
 - 1. Arrange a meeting with the home buyer to discuss the default;
 - 2. Work with the home buyer to develop a specific plan of action to correct the default;
 - 3. Monitor the homebuyer’s plan of action until the default is corrected.
- c. HASFN shall generally make payments to third parties only. For Down Payment Assistance, HASFN normally makes payment to the closing agent. For Bridge Assistance, vendors, contractors, or other service providers are preferred payees. HASFN may request any such documentation that it deems necessary to establish and verify that the payment is an eligible and legitimate cost.

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Housing Authority of the Sac and Fox Nation Down Payment and Bridge Assistance Policy

	Section XV		
	Appeals Process	Originated	December 18, 2023, Resolution 2024-9
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XV. Appeals Process

- a. Individuals or families who have applied for the Down Payment and Bridge Assistance program and who, for any reason, have been determined to be ineligible or otherwise do not meet program requirements will be notified by HASFN in writing. The notification shall state the reasons for ineligibility. All information relative to the rejection of the applicant shall be documented and placed in the applicant's file.
- b. An applicant will be provided with the Grievance Policy with the notification of being ineligible for the program.