



Sicangu Wicoti Awayankapi (SWA) Homeownership Assistance Fund (HAF) Plan

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Background

Purpose

The Homeowner Assistance Fund (HAF) was established to mitigate financial hardships associated with the coronavirus pandemic by providing funds to eligible entities for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing.

Definitions

100% of the area median income for a household means two times the income limit for very low-income families, for the relevant household size, as published by the Department of Housing and Urban Development (HUD) in accordance with 42 U.S.C. 1437a(b)(2) for purposes of the HAF. When determining area median income with respect to tribal members, tribal governments and TDHEs may rely on the methodology authorized by HUD for the Indian Housing Block Grant Program as it pertains to households residing in an Indian area comprising multiple counties (see HUD Office of Native American Programs, Program Guidance No. 2021-01, June 22, 2021).

100% of the median income for the United States means the median income of the United States, as published by HUD for purposes of the HAF.

150% of the area median income for a household means three times the income limit for very low-income families, for the relevant household size, as published by HUD in accordance with 42 U.S.C. 1437a(b)(2) for purposes of the HAF. When determining area median income with respect to tribal members, tribal governments and TDHEs may rely on the methodology authorized by HUD for the Indian Housing Block Grant Program as it pertains to households residing in an Indian area comprising multiple counties (see HUD Office of Native American Programs, Program Guidance No. 2021-01, June 22, 2021).

Dwelling means any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more individuals.

Eligible entity means (1) a State, (2) the Department of Hawaiian Home Lands, (3) each Indian tribe (or, if applicable, the tribally designated housing entity of an Indian tribe) that was eligible for a grant under Title I of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.) for fiscal year 2020, and (4) any Indian tribe that opted out of receiving a grant allocation under the Native American Housing Block Grants program formula in fiscal year 2020.

Financial hardship means a material reduction in income or material increase in living expenses associated with the coronavirus pandemic that has created or increased a risk of mortgage delinquency, mortgage default, foreclosure, loss of utilities or home energy services, or displacement for a homeowner.

HAF participant means an eligible entity that receives funds from the HAF.

Minimum Eligibility Threshold means the household income required to be eligible for HAF program assistance. This includes households with income equal to or less than 150% of the area median income or 100% of the median income for the United States, whichever is greater.

Mortgage means any credit transaction (1) that is secured by a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is (a) a one- to four-unit dwelling, or (b) a residential real property that includes a one- to four-unit dwelling; and (2) the unpaid principal balance of which was, at the time of origination, not more than the conforming loan limit. For purposes of this definition, the conforming loan limit means the applicable limitation governing the maximum original principal obligation of a mortgage secured by a single-family residence, a mortgage secured by a two-family residence, a mortgage secured by a three-family residence, or a mortgage secured by a four-family residence, as determined and adjusted annually under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)). A reverse mortgage, a loan secured by a manufactured home, or a contract for deed (also known as a land contract) may fall within this definition if it satisfies the criteria in this paragraph, in accordance with applicable state law.

Primary Residence means the home (house, apartment, mobile home, etc.) you live in for the majority (9 months or more) of the year. HAF assistance is only available to applicants/owners living in their verified primary residence. The IRS indicates that the most important factor in determining your “primary residence” is where you actually live/spend the most time. In addition to the applicant’s attestation of their primary residence, some other factors to consider when determining where an applicant’s primary residence is located include, but are not limited to:

- The address where the applicant is registered to vote.
- The address the applicant uses on their federal and state tax returns.
- The address listed on the applicant’s driver’s license and/or car registration.
- The address on file with the U.S Postal Service.

Priority Eligibility Threshold means the household income for which 60% of HAF participant funds must be disbursed. This includes households with income equal to or less than 100% of the area median income or 100% of the median income for the United States, whichever is greater

Socially disadvantaged individuals are those whose ability to purchase or own a home has been impaired due to diminished access to credit on reasonable terms as compared to others in comparable economic circumstances, based on disparities in homeownership rates in the HAF participant’s jurisdiction as documented by the U.S. Census. The impairment must stem from circumstances beyond their control. Indicators of impairment under this definition may include being a (1) member of a group that has been subjected to racial or ethnic prejudice or cultural bias within American society, (2) resident of a majority-minority Census tract; (3) individual with limited English proficiency; (4) resident of a U.S. territory, Indian reservation, or Hawaiian Home Land, or (5) individual who lives in a persistent-poverty county, meaning any county that has had 20% or more of its population living in poverty over the past 30 years as measured by the three most recent decennial censuses. In addition, an individual may be determined to be a socially disadvantaged individual in accordance with a process developed by a HAF participant for determining whether a homeowner is a socially disadvantaged individual in accordance with applicable law, which may reasonably rely on self-attestations.

State means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Homeowner Needs and Community Engagement

Data-Driven Assessment of Homeowner Needs

Mortgage Servicers

The planning team consulted a mortgage provider that specializes in the HUD 184 loan guarantee program. They had asked HUD for a report on the number of HUD 184 loans that exist on the Rosebud Sioux Reservation. HUD had informed the lender that they would need to submit a Freedom of Information Act (FOIA) request to get the data. FOIA requests take several months to complete so we do not have any data on the federal loan guarantee program that is specifically designed to serve Native Americans on reservations and for trust land mortgages. U.S. Census data for the Rosebud Sioux Reservation shows there are 107 active mortgages on the reservation.

We have also reached out to the USDA Tribal Relations Team Lead and Tribal Coordinator, Tedd Buelow, for a report on any active USDA loans on the Rosebud Sioux Reservation and Tedd let us know that all they could find was one or two USDA 502 loans on the Rosebud Sioux Reservation in the last 5 to 10 years. They did not know if any of the loans were on trust lands.

Having access to reports that provide information on federal programs that are specifically designed to assist tribal members and other socially disadvantaged individuals is a must. Not having or providing this information contributes to the struggles that Native Americans have in becoming homeowners on their own reservations and using their own trust lands for that purpose.

Outstanding SWA Loans

SWA Corporation maintains 31 Mutual Help and Occupancy Agreements for housing units that are being conveyed into homeownership from SWA's Current Assisted Stock (CAS)¹. A balance of \$311,568.44, averaging approximately \$10,000 per unit is outstanding for these Mutual Help units. SWA also supports homeownership in the community through the use of promissory notes. SWA holds promissory notes for 36 units with a remaining balance of \$111,221.21, averaging \$3,100 per unit.

Utility Providers and/or Property Tax Foreclosure

Under household financial strain, homeowners often fall behind in utility payments while making other ends meet. Despite state and federal programs providing energy assistance for low-income households, not all households are aware or eligible for these programs. The planning team contacted local governments and utility providers to understand the scope and scale of utility arrears and risk of tax foreclosure.

After contacting several of the utility providers on the Rosebud Sioux Reservation it does appear that there is a need to make sure the HAF plan for the SWA Corporation anticipates some level of assistance to the eligible participants of the program for accounts in arrears and or default with utility providers. The Rosebud Sioux tribe and the SWA Corporation have done a good job of assisting their members and customers with utility accounts through the pandemic but there still appears to be a need for assistance directed towards homeowners as most efforts to date are aimed at low-income renters. A summary document of the data received from the utility providers is available in Appendix B.

¹ A unit built under the 1937 Housing Act that is or was counted under the NAHASDA Indian Housing Block Grant as "current assisted stock" or CAS.

Property Tax Delinquency and Foreclosure

The planning team contacted the Treasurer's office for Tripp and Todd Counties in Winner, SD. Todd County does not have its own county seat, so Tripp County serves both counties out of their Winner, SD office. The Treasurer's office reported that they have not seen an increase in property taxes. The office maintains records for approximately 3,200 property taxpayers in Todd County. In order to determine the amount of land covered by the 3,200 property taxpayers, they directed our team to the county assessor's office. The county assessor's office reported that the 3,200 taxpayers in Todd County cover approximately 880,000 acres of primarily agricultural land, and data on residential only land primarily in the town of Mission, SD was not available. As they noted there does not seem to be any noticeable increase in delinquent taxes, but this should not preclude us from being ready to assist with delinquent or past due property taxes.

Housing Condition

Maintaining the habitability of existing units is critical to ensuring stable, affordable housing. A significant portion of the on-reservation housing stock for homeownership comes from former-CAS units that have been conveyed into homeownership. On the Rosebud Reservation, this includes 316 homes, which were conveyed between 1978 and 1999. Because CAS units become eligible for conveyance to the homebuyer 25 years after they are put into service, this housing stock ranges from 47 to 68 years in age. This older housing stock is in need of rehabilitation from wear over time alone, though advances in building technology, namely weatherization, are also driving the need for many home repairs. In addition, a 2018 housing needs assessment on the Reservation showed that 19.5% of households experience overcrowding. The addition of space to alleviate overcrowding is a valid and necessary form of rehabilitation to maintain continued habitability of the aging housing stock.

Housing Discrimination

Evidence from across Indian Country and on the Rosebud Indian Reservation specifically show significant barriers to stable homeownership. Data from the Home Mortgage Disclosure Act shows that American Indian or Alaska Native (AIAN) households in South Dakota were disproportionately less likely to apply for a home loan in 2020, making up only 1.3% of applicants but 11.2% of the state's population. At the same time, AIAN households who did apply for home loans were nearly twice as likely to be denied a loan (30%) as White applicants (16.8%).

Discrimination in the housing market manifests itself in the form of large disparities in homeownership, as well. The 2019 American Community Survey (5-Year Estimates) showed that in South Dakota, 38.4% of AIAN (Single-race) households owned their home, and on the Rosebud Indian Reservation 42.8% of AIAN single-race households owned their home, while the homeownership rate in South Dakota was 67.8% for the general population.

In addition, for households in tribal areas, the challenges of stable housing for AIAN households are much more severe than for U.S. households overall². However, the impacts of housing instability may not be as visible as in other places in the U.S., showing up as overcrowding rather than street

² Pindus et al. (2017) Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report From the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs, <https://www.huduser.gov/portal/sites/default/files/pdf/HNAIHousingNeeds.pdf>

homelessness³. The 2018 Needs Assessment conducted by Big Water Consulting on the Rosebud Indian Reservation found as much: 27.2% of on-reservation households were overcrowded or severely overcrowded.

The potential for Native homeownership is further complicated by the distinction between trust land and fee land on reservations. Most home loans are provided for homes on fee land, because trust land lacks the ability to be held as collateral except in leasehold status. These properties may be located within reservation boundaries, in checkerboarded areas of fee and off-reservation trust land (in Todd County and others), or in nearby towns and cities off-reservation, such as Valentine (NE), Winner, Pierre, and Rapid City (SD). The wide variety of loan structures and dispersed nature of tribal households makes anticipating the total amount of need for assistance difficult or impossible. This reflects just one of the challenges that Tribes and tribal members face in terms of growing homeownership within their lands.

Community Engagement

Engagement is critical to this plan, ensuring that resources are allocated where they are most needed and improving awareness and participation among community members. The Rosebud Sioux Tribe (RST) government has been closely involved in the development of this plan, and the Tribal Council issued a statement of support at its November 5, 2021 meeting. In addition, SWA and RST will be collaborating to support home rehabilitation work on the reservation. The Tribal government is managing a home rehabilitation program funded through the American Rescue Plan Act, which will be accessible to a similar range of homeowners. The Tribal program and the SWA HAF program will be coordinated to ensure an appropriate distribution of resources. The Tribe has already developed relationships with local contractors through their rehab program, and SWA will leverage these relationships to streamline the construction and inspection process.

The HAF Plan framework, including types of assistance and criteria for assistance were published to the SWA website for public review February 17, 2022. A virtual public forum was held February 23, 2022, to receive feedback on the proposed plan and make necessary alterations. Feedback on the proposed plan was focused on understanding the distinctions in eligibility for on- versus off-reservation households and addressed confusion over the difference between the SWA and RST programs. These distinctions were clarified during the public forum and the application forms and other materials were revised to ensure clarity and understanding for applicants.

In addition, SWA and RST published the HAF application form ahead of plan submission to gauge the level of interest in various program elements and ensure that funds are ready to be issued once received from the Department of Treasury. As of March 3, 2022, the SWA/RST application portal received 165 applications for assistance, including 64 applications for the SWA Homeowner Assistance Fund and 101 applications for the RST Home Repair Program. Of the SWA HAF applicants, 30 requested assistance with mortgage payments, 11 requested assistance with utility payments, nine requested assistance with home repair, and 3 requested assistance in receiving clear title to their property.

Households who requested assistance with mortgage or other home-related payments indicated a total of \$189,664 in past-due mortgage, property tax, or insurance payments. Households requesting assistance with utility or internet payments indicated a total of \$4,143 in past-due payments. The nine

³ Ibid.

households requesting home rehabilitation assistance indicated multiple types of home rehabilitation needed. Assuming that each applicant would be eligible for the full allocation of rehab assistance, this would total to \$67,500.

SWA will continue to assess community needs and address the changing needs of potential homeowners by monitoring home loan applications and denials by Rosebud Sioux Tribe households, and assessing homeowner expense burden from mortgage and utilities.

During the development of this plan, SWA has reviewed HAF Plans from the state of South Dakota and other nearby states to understand how its distribution of funds may overlap with the availability of other funding, and to gain insight from similar plan development processes. In addition, SWA collaborated with other Tribally-designated housing entities (TDHEs) in the state through the South Dakota Native Homeownership Coalition (SDNHOC) to share best practices on community engagement and plan creation.

Program Design

General Eligibility Requirements

According to the HAF Guidance issued by the Department of the Treasury, homeowners are eligible to receive amounts allocated to a HAF participant under the HAF if they experienced a financial hardship after January 21, 2020 (including a hardship that began before January 21, 2020, but continued after that date) and meeting a Minimum Eligibility Criteria of incomes equal to or less than 150% of the area median income or 100% of the median income for the United States, whichever is greater.

While all households meeting the minimum eligibility criteria are eligible to receive assistance, the HAF Guidance requires that 60% of funds support homeowners with incomes below 100% of the US Median Income. Table 1 lists the applicable income thresholds for Rosebud Reservation and its surroundings, including Gregory, Lyman, Mellette, Todd, and Tripp Counties as provided by HUD at https://www.huduser.gov/portal/datasets/il/il2021/select_Geography_haf.odn.

Table 1: Income Eligibility Thresholds for Rosebud Reservation and Surroundings

	1-Person	2-Person	3-Person	4-Person	5-Person	6-Person	7-Person*
Minimum Eligibility Threshold	\$79,900	\$84,150	\$94,650	\$105,150	\$113,600	\$122,000	\$130,400
Priority Eligibility Threshold	\$79,900	\$79,900	\$79,900	\$79,900	\$79,900	\$81,350	\$86,950

*For households with greater than 7 persons, add \$8,412 to the Minimum Eligibility Threshold and \$5,608 to the Priority Eligibility Threshold for each additional household member.

In addition to meeting the income thresholds, homeowners must provide proof of homeownership, proof/self-attestation that the home requiring assistance is the homeowner's primary residence, proof of Rosebud Sioux Tribe enrollment, and documentation of income for all adult (18 & over) persons in the home.

Specific Terms and Criteria

Each applicant household will be eligible for ONLY ONE type of assistance described in in Table 2. More detailed information on the documentation required to apply and specific eligible expenses can be found in Appendix A.

Table 2: Assistance Terms Summary

Type of Assistance	Eligible Households	Maximum Assistance per Household	Notes
Mortgage Assistance	On- and Off-reservation households	\$7,500	Includes payment assistance, mortgage reinstatement, principal reduction, achieving clear title to homes
Mortgage/ Promissory Note Payoffs	On- and Off-reservation households	\$7,500	Includes mortgage reduction or promissory note payoff, achieving clear title to homes
Property Tax/ Insurance/Lease Assistance	On- and Off-reservation households	\$1,500	Includes homeowner, flood, and mortgage insurance; homeowner's association fees; delinquent property taxes
Utility Assistance	On-reservation households only	\$2,000	Includes electric, gas, home energy, water, wastewater, solid waste, and internet service
Rehab and Repair	On-reservation households only	\$7,500	Repairs to maintain habitability, including addition of space to alleviate overcrowding

Procedural Elements

Eligibility Determination

In applying for assistance, each household will indicate their household size and approximate income level as an initial screening for eligibility. Following the initial screening, SWA staff will request supporting documentation including W2,, check stubs or wage verification from an employer for the last two months, Social Security Income, TANF, child support or any other income disclosed in the application. Households with at least one resident with a disability will be eligible to waive the documentation of income requirement.

In addition, applicants will be required to additional documentation according to the requirements of the HAF terms. These are summarized below:

- Proof of homeownership in the form of a mortgage, deed, bill of sale, conveyance document or other legal documentation
- Proof of primary residence through attestation or other documentation

- Proof of Rosebud Sioux Tribe enrollment through a Tribal ID or Enrollment form

Documentation requirements specific to the type of assistance are detailed in the Appendix.

Methods of Targeting

All of the homeowners eligible for assistance under SWA's HAF program must be enrolled members of the Rosebud Sioux Tribe. Through this criterion, SWA ensures that all homeowners served by its program meet the definition of "socially disadvantaged," due to the historical and continued discrimination against American Indian peoples.

SWA will ensure that HAF program funds are prioritized for homeowners in the greatest need. By using the Priority Eligibility Threshold outlined in the HAF Guidance, SWA will allow homeowners who meet this stricter criterion to receive immediate support and placing those who meet only the Minimum Eligibility Threshold on a waiting list until priority homeowners have been served. In addition, SWA will collect information on the presence of elders or household members with a disability among applicant households. SWA will ensure that these households are the first to receive assistance within each of the eligible income groups.

Performance Goals

SWA will measure performance by evaluating the following:

- The speed by which an applicant receives assistance through the program, from receipt of full application to disbursement of funds (or denial of application, if applicable). Note that submission of documentation does not constitute a full application until all required documentation has been received. If the submitted documentation does not constitute a full application, three attempts will be made to contact the applicant.
- The number and percentage of applicants that receive assistance through the program (versus the number and percentage denied assistance)
- The number of households served and the dollar amount of HAF assistance provided for mortgage loans with HUD Section 184 loan guarantees
- The percentage of households served with elderly or disabled household members
- Effectiveness at serving households at or below 100% AMI, 80% AMI, and 50% AMI, respectively

Readiness

Staffing

SWA has demonstrated the capacity to distribute HAF program funds through the actions taken to implement the Emergency Rental Assistance Program (ERAP) and American Rescue Plan Act (ARPA). In order to distribute funds for those programs, SWA hired four (4) additional staff members who assisted in the processing of 914 applications for assistance accounting for over \$3.5 million distributed as of November 18, 2021.

Three of the ERAP staff have been reassigned to assist with income eligibility verification and documentation of HAF requirements. In addition, SWA hired a dedicated staff member to process the HAF applications and connect applicants to the appropriate form of assistance.

SWA will deploy significant resources to manage the rehabilitation and repair program, which has been identified as a critical need of member households. In addition to the administrative staff, rehabilitation projects will require initial inspections to verify the scope of work needed and estimate cost, as well as a post-construction inspection to verify the quality of work completed. Depending on the scale of the project, SWA may authorize mid-construction inspections. SWA currently retains two (2) inspectors for the existing housing stock, who will be utilized to conduct HAF-related inspections. SWA also has reassigned one (1) additional inspector from the construction department to accommodate the increase in demand for inspections.

In addition to the in-house staff, SWA has contracted with Big Water Consulting to assist in the initial analysis of need, HAF Plan preparation, and creation of the intake application. SWA contracted Wagenlander Heisterkamp to provide legal assistance and policy development for program operations. Factor 360 provides website maintenance to ensure the application materials are accessible to households visiting the SWA website.

Application & Intake Process

SWA created a streamlined application process to screen applicants and collect information on need from homeowners on the Rosebud Reservation and surrounding areas. The form has been made available through the Tribe's website and shared through the Tribe's communication channels. The intake form allows applicants to apply for assistance through either the Tribe's home repair program or SWA's Homeowner Assistance Fund.

Once applications are received, SWA's dedicated intake staff will divert applications for the Tribal home repair program to the RST intake staff. The remaining applications will be reviewed for completeness and eligibility by the SWA staff. This process is detailed in Appendix C. Following an initial eligibility screening, SWA staff will contact applicants to obtain the necessary income and ownership documentation. Once receiving all necessary paperwork, SWA will issue requested funds or coordinate inspections for rehabilitation and repair requests.

For rehabilitation and repair projects, payments will be issued directly to contractors upon inspection and verification of the needed repairs. These payments will be issued in three phases: mobilization, partial completion, and final close-out, each accompanied with an inspection by SWA staff. SWA will

collaborate with the Tribe to identify preferred contractors, as the Tribe will be running its home repair program in parallel.

Pilot Program

Prior to receiving the full distribution of HAF funds from the Department of Treasury, SWA will use the initial 10% of funds to assist homeowners with mortgage payment assistance, ensuring that SWA can optimize the application review process prior to beginning the complex rehabilitation and repair verification process. SWA will adjust the intake process as needed to improve the delivery of assistance for homeowner and minimize the administrative burden on staff and applicants.

Budget

The budget shown in Table 1 indicates the total amount allocated to each type of assistance and the limits associated with each. The terms and allocated funds are used to estimate the number of households that will be assisted in each category assuming full allocation of funds. SWA will monitor the disbursement of funds during program implementation to ensure that funds meet homeowner needs and full allocation is achieved.

Table 3: SWA HAF Plan Budget

	<u>Totals</u>	<u>Per-household Limits</u>	<u># of Households Assisted (estimated)</u>
Mortgage	\$ 700,000.00	\$ 7,500.00	93
Rehabs	\$ 2,879,816.85	\$ 7,500.00	384
Utilities/Internet	\$ 700,000.00	\$ 2,000.00	350
Payoffs	\$ 300,000.00	\$ 7,500.00	40
Lease/ins/tax	\$ 300,000.00	\$ 1,500.00	200
Administrative Costs	\$ 861,144.15	--	
Total	<u>\$ 5,740,961.00</u>		<u>1067</u>

Appendix A: Term Sheets

Mortgage Assistance

Brief Description

Provide assistance to on- and off-reservation households for the purpose of preventing homeowner mortgage delinquencies, homeowner mortgage defaults, homeowner mortgage foreclosures and displacements of homeowners experiencing financial hardship, i.e.,

1. Mortgage payment assistance
2. Financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing-related costs related to a period of forbearance, delinquency, or default
3. Mortgage principal reduction, including with respect to a second mortgage provided by a nonprofit or government entity
4. Assistance to enable households to receive clear title to their homes

Maximum Assistance Per Household

Funds may be used to pay prospective charges for up to 24 months , not to exceed \$7,500 following approval.

Eligibility Criteria and Documentation Requirements

Homeowner eligibility requirements include:

1. Proof of homeownership (mortgage, deed, bill of sale, conveyance documents or other legal documentation)
2. Must provide proof /written attestation home is homeowner's primary residence
3. Proof of Rosebud Sioux Tribe enrollment for any adult household member
4. Income for ALL adult (18 & over) persons in the home
5. Current Mortgage statement/bill

Form of Assistance

Assistance will be structured as a non-recourse grant.

Payment Requirements

Funds will be paid directly to the Mortgage provider, or other applicable third party authorized to collect eligible charges.

Mortgage/Promissory Note Payoffs

Brief Description

Provide assistance to on- and off-reservation households for the purpose of Mortgage reduction/payoffs and/or Promissory notes.

1. Mortgage reduction
2. Financial assistance to allow a homeowner to pay other housing-related costs such as promissory notes related to a period of forbearance, delinquency, or default

3. Assistance to enable households to receive clear title to their homes

Maximum Assistance Per Household

Funds may be used to pay prospective charges for up to 24 months , not to exceed \$7,500 following approval.

Eligibility Criteria and Documentation Requirements

Homeowner eligibility requirements include:

1. Proof of homeownership (mortgage, deed, bill of sale, conveyance documents or other legal documentation)
2. Must provide proof /written attestation home is homeowner's primary residence
3. Proof of Rosebud Sioux Tribe enrollment for any adult household member
4. Income for ALL adult (18 & over) persons in the home
5. Current Mortgage statement/bill/promissory note

Form of Assistance

Assistance will be structured as a non-recourse grant.

Payment Requirements

Funds will be paid directly to the Mortgage provider, promissory note holder, or other applicable third party authorized to collect eligible charges.

Property Taxes/Insurance/Lease

Brief Description

Provide funds to on- and off-reservation households for:

1. Homeowner's insurance, flood insurance, and mortgage insurance
2. homeowner's association fees or liens, condominium association fees, or common charges, and similar costs payable under a unit occupancy agreement by a resident member/shareholder in a cooperative housing development
3. payment assistance for delinquent property taxes to prevent homeowner tax foreclosures

Maximum Assistance Per Household

Funds may be used to pay prospective charges for up to 24 months , not to exceed \$1,500 following approval.

Eligibility Criteria and Documentation Requirements

Homeowner eligibility requirements include:

1. Proof of homeownership (mortgage, deed, bill of sale, conveyance documents or other legal documentation)
2. Must provide proof /written attestation home is homeowner's primary residence
3. Proof of Rosebud Sioux Tribe enrollment for any adult household member

4. Income for ALL adult (18 & over) persons in the home
5. Current statement/bill

Form of Assistance

Assistance will be structured as a non-recourse grant.

Payment Requirements

Funds will be paid directly to the provider, or other applicable third party authorized to collect eligible charges.

Utility Assistance

Brief Description

Provide funds to on-reservation households to resolve delinquent payments for utility and/or internet access services. HAF Funds may be used to pay delinquent amounts in full, including interest. Examples may include:

1. homeowner's utilities, including electric, gas, home energy (including firewood and home heating oil), water, wastewater and solid waste.
2. homeowner's internet service, including broadband internet access service, as defined in 47 CFR 8.1(b) (or any successor regulation)⁴

Maximum Assistance Per Household

Funds may be used to pay prospective charges for up to 24 months , not to exceed \$2,000 following approval.

Eligibility Criteria and Documentation Requirements

Homeowner eligibility requirements include:

1. Proof of homeownership (mortgage, deed, bill of sale, conveyance documents or other legal documentation)
2. Must provide proof /written attestation home is homeowner's primary residence
3. Proof of Rosebud Sioux Tribe enrollment for any adult household member
4. Income for ALL adult (18 & over) persons in the home
5. Current utility statement/bill
6. Households must be located within the exterior boundaries of the Rosebud Reservation

Form of Assistance

Assistance will be structured as a non-recourse grant.

⁴ The definition of "broadband internet access service" in 47 CFR 8.1(b) is "a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service. This term also encompasses any service that the [Federal Communications] Commission finds to be providing a functional equivalent of the service described in the previous sentence or that is used to evade the protections set forth in this part."

Payment Requirements

Funds will be paid directly to the utility provider, or other applicable third party authorized to collect eligible charges.

Rehabilitation and Repair

Brief Description

Provide assistance to on-reservation households to prevent homeowner displacement, such as home repairs to maintain the habitability of a home, including the reasonable addition of habitable space to alleviate overcrowding.

Maximum Assistance Per Household

Funds must be expended by 9/30/25, not to exceed \$7,500 following approval.

Eligibility Criteria and Documentation Requirements

Homeowner eligibility requirements include:

1. Proof of homeownership (mortgage, deed, bill of sale, conveyance documents or other legal documentation)
2. Must provide proof /written attestation home is homeowner's primary residence
3. Proof of Rosebud Sioux Tribe enrollment for any adult household member
4. Income for ALL adult (18 & over) persons in the home
5. Estimate/quote to be reviewed and approved by SWA Inspectors
6. Proposed work must be sufficient to restore habitability in the home
7. Must have not received assistance from any other rehab program (HIP, Private Home Repair, ROCCS, Rosebud Sioux Tribe, etc.) in the last five years, unless approved under an extreme emergency
8. Household must be located within the exterior boundaries of the Rosebud Reservation
9. Written attestation that property will continue to be the homeowner's owner-occupied primary residence once the repairs are made.

Form of Assistance

Assistance will be structured as a non-recourse grant.

Payment Requirements

Funds will be paid directly to the general contractor or entity responsible for the repairs upon satisfactory completion of the work. HAF technical assistance funds will be utilized to ensure reasonable oversight/inspection of the quality and completion of work will be performed before full payment is made.

Appendix B: Utility company information for Rosebud Sioux Reservation

The Rosebud Sioux Reservation has three electric utility companies that provide service on or near it. All three utility companies were contacted to inquire of the number of accounts that they have that are in arrears and if they have seen an increase in account delinquencies over the last 18 months during the COVID-19 pandemic. The utility companies were asked for general information -- however, information specifically for members of the Rosebud Sioux Tribe was not available as the companies do not maintain that data. Also, we did not ask, and the electric utility companies did not offer information by specific customer name, or we did not inquire, and the utility companies did not have information specific to homeowners versus renters.

The first electric utility company that was contacted was Cherry-Todd Electric. Cherry-Todd Electric stated that they have not seen an increase in delinquent accounts due to the Rosebud Sioux tribal Low Income Home Energy Assistance Program (LIHEAP) keeping accounts current for tribal members that they serve. They also mentioned that they understood that the SWA Corporation was also utilizing Emergency Rental Assistance Program (ERAP) and American Rescue Plan Act (ARPA) funds to assist with maintaining accounts. They did give us the following information: In Todd County, which is part of the Rosebud Sioux Reservation, they have a total of 4416 accounts that are billed monthly. There are approximately 453 accounts that currently owe Cherry-Todd Electric some amount on their account. Of the 453 accounts, 43 are thirty days old, 13 are 60 days old, and 6 are ninety days old. The rest are current until the next months' billing cycle. They have a total of 1525 accounts that they deem as uncollectible and have accumulated over the years.

The second electric utility company was Lacreek Electric. They offered that they serve approximately 515 accounts that they state are on the Rosebud Sioux Reservation. Again, they did not offer that this information was specific to enrolled members of the Tribe. They stated that of the 515 accounts they were made up as follows: 71 businesses, 1 irrigation, 66 wells, and 377 homes. Of the 377 homes, 45 were in arrears. The total balance owing for the 45 accounts was \$4,786.97.

The last electric utility company contacted was Rosebud Electric. We had talked to several staff and finally the general manager responded and stated that they were not going to offer information that was being requested regarding their customers. It should be noted that it does not appear that their service area goes onto the Rosebud Sioux Reservation, but the service area does include areas within the original boundaries of the Reservation in Tripp, Gregory, and Lyman Counties.

We also contacted propane companies that serve some portion of the Rosebud Sioux Reservation.

CHS Propane, located in Winner, SD offered the following information: They stated that they do not have any accounts in arrears as they only deal with customers based on a cash basis, they did say that this was for customers on the Reservation, so it is not clear if they deal with all customers on a cash basis or if it is only customers from the "Reservation". Their last comment was they have not seen any purchases of propane from them for Rosebud Sioux Reservation residence since September of 2019.

The next propane company to offer information was Schaeffer and Company of Winner, SD. They stated that they only had one customer that they believed was a member of the Rosebud Sioux Tribe. They stated that the amount owing on the account was \$863.83.

We had contacted two other propane companies that serve the Rosebud Sioux Reservation, Sicangu Propane in Mission, SD and Farmers Rancher in Valentine, NE. Both companies did not return our requests for information.

We also contacted internet providers that serve the Rosebud Sioux Reservation.

The only company to offer information was Golden West of Wall, SD. They stated that at the beginning of the pandemic, they joined the Keep Americans Connected Pledge and they have not disconnected any non-paying accounts over the pandemic. The pledge has ended and since then, they issued capital credits to their customers' accounts. This action has resulted in no noticeable increase in unpaid accounts over their historic numbers for their accounts.

We had contacted two other internet providers, Echelon and Century Link both of Valentine, NE. It does not appear that Echelon is in business any longer and Century Link does not appear to do business on the Rosebud Sioux Reservation and did not return any calls for inquiry.

Appendix C: Homeowner Assistance Fund (HAF) Program Workflow

