



**A RESOLUTION OF THE TRIBAL COUNCIL
OF THE DELAWARE TRIBE OF INDIANS TO
AMEND THE HOUSING ELIGIBILITY,
ADMISSION, AND OCCUPANCY POLICY**

RESOLUTION 2015-20

WHEREAS, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; and,

WHEREAS, the Delaware Tribal Council is also empowered in Article V, Section K, to manage and control community/tribal property; and,

WHEREAS, the Delaware Tribal Council of the Delaware Tribe of Indians had determined an immediate need to amend the Housing Department Eligibility, Admission, and Occupancy Policy; and,

WHEREAS, the Delaware Tribal Council of the Delaware Tribe of Indians desires to eliminate or modify the following policy requirements for admission:

Section 8: Additional Criteria for Admission

B.1. Modify this sentence to state that past due tax obligations may be considered for those applying for homeownership programs only.

E. Eliminate the wording "No family shall be admitted who has a member with a history or has engaged in drug-related criminal activity for five (5) years prior to date of application". Also wording needs modified to "to drug activity during tenancy and occurring on tribal property **may** be grounds for termination and/or eviction (refer to 24 CFR parts 5.584 and 5.585)".

I.4. Modify this to state that credit reports **may** be required for applicants in home ownership programs.

J. Present Previous Homeownership: This section is eliminated

2. If a family has sold a home (including participation through federal housing programs) less than two years prior to the application date they shall not be eligible for admission to programs referred to herein until a two-year period has expired.

Section 8.N. This requirement is eliminated.

Previous Home Ownership: Consideration may be given as to the reason why the family no longer owns the home (divorce, death, job relocation, etc.), when the home was purchased and sold, profit made by the family upon selling the home, if any, actual condition of the home, reason why the family cannot obtain financial backing to purchase another home, etc.

Section 8.P. This should be modified to state an applicant for a home ownership programs **might** have their credit history considered for participation in the program.

Section 10.A. This is too vague and ambiguous and must be stricken.

A. The following does not represent an exhaustive list of reasons an applicant may be denied final selection as a tenant; however, it is illustrative of many common reasons for a determination of ineligibility.

Section 10.A.4. This is contrary to 24 CFR parts 5.584 and 5.585 and should conform to the CFR.

Remove in full: Illegal substance abuse within the past five (5) years

Section 19.B. Guest time should be modified from two (2) weeks to thirty (30) days.

NOW THEREFORE BE IT RESOLVED, the Delaware Tribal Council of the Delaware Tribe of Indians does hereby authorize and approve the above resolution deleting and eliminating or modifying the above stated sections from the Eligibility, Admission, and Occupancy Policy of the Delaware Tribal Housing Department of the Delaware Tribe of Indians. The changes in the Eligibility, Admission, and Occupancy Policy, shall take effect immediately upon passage and the Delaware Tribal Housing Department is directed to amend or modify both the written and online version published on the Delaware Tribe of Indians Website forthwith.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 7th day of April 2015 with a vote of 4 yes, 1 no, and 2 abstaining.


Chet Brooks, Chief


Dr. Nicky K. Michael, Secretary

