

**POARCH CREEK INDIAN
HOUSING AUTHORITY**

**HEATING AND COOLING SYSTEM LOAN PROGRAM
POLICIES AND PROCEDURES**

I. General Policy Statement

The Poarch Creek Indian Housing Authority (hereinafter "Housing Authority") recognizes the need to establish Policies and Procedures for the Heating and Cooling System Loan Program.

II. Purpose

This document describes the type of allowable services and the steps that must be followed by Tribal Members to request financial assistance. Financial assistance provided shall be provided in the form of a loan from the Housing Authority requiring repayment. Each request for services will be considered on a case by case basis.

III. General Information

The Housing Authority uses tribal (non-federal, non-program) funding to assist with heating and cooling system repairs.

IV. Definitions

- a. "Applicant" shall mean the Tribal Member applying for the services. If both the husband and the wife are Tribal Members, the husband and wife shall designate the Applicant for purposes of these services.
- b. "Homeowner" shall mean the person(s) who holds title to the property in need of rehabilitation.
- c. "Participant" shall mean the Tribal Member who was selected for and continues to have obligations under the terms of the Heating and Cooling Loan System Program.
- d. "Tribe" shall mean the Poarch Band of Creek Indians.
- e. "Tribal Member" shall mean an enrolled member of the Poarch Band of Creek Indians.

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V. Eligibility Requirements

All Applicants must also meet the following requirements:

- a. Must be a Tribal Member;**
- b. Must be at least 18 years of age;**
- c. Must own or have no less than a 5 year lease on the home or manufactured home requiring repair or replacement of the heating and cooling system;**
- d. Must not have any delinquent accounts with the Tribe, its departments, authorities, commissions, or other entities; and**
- e. Must not have received assistance under this Heating and Cooling System Loan Program within the five (5) years preceding the application.**

VI. Documentation Required

Applicants must submit an application (see the attached "Exhibit A") to the Housing Authority along with the following documentations:

- a. A copy of the deed to the home or lease or, if a manufactured home is being rehabilitated, a copy of the title or other proof of ownership.**
- b. A copy of Tribal I.D. cards for every Tribal Member living in the home.**
- c. A copy of Social Security cards for everyone living in the home.**

Additional documentation may be requested to establish eligibility or to determine if the repairs to or replacement of the heating and cooling system are allowable.

VII. Specific Policies

- a. The Housing Director shall have the authority to determine if the Applicant's heating or cooling system requires repair or replacement.**
- b. *Amount of Rehabilitation Services:* The Housing Director shall have the authority to grant approval for repair or replacement not to exceed a cost of Five Thousand Dollars (\$5,000.00).**

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- c. **The Participant shall be responsible for selecting a contractor to perform the services.**
- d. **The Poarch Band of Creek Indians Accounting Department will make payment to the party performing the work and the Participant via a two party check. At no time will payments be made only to the Participant for any material or contractor invoices. There will be no exceptions to this rule unless prior arrangements have been made with the Housing Authority Board.**

VIII. Repayment

- a. **The cost of the services shall be repaid in full. The loan shall bear an interest rate of 2% and shall be repaid in no less than five (5) years.**

b. *Promissory Note:*

- i. **The Participant shall sign all necessary loan documents, including a promissory note (see "Exhibit B" attached hereto) before any work may begin.**
- ii. **Security Interest in Stipends and Per Capita Payments: By signing the promissory note, the Participant agrees to transfer to the Housing Authority a security interest in any and all (1) stipends owed to the Participant for attendance at board, commission, authority or committee meetings for tribal entities and (2) future per capita payments issued by the Poarch Band of Creek Indians to the Participant. The Participant also agrees for the Housing Authority to file a financing statement, also known as a UCC-1, with the Secretary of State to evidence this security interest (see "Exhibit C"). The Participant shall pay for the recording.**
- iii. **Should this loan be in default at any time, the Poarch Band of Creek Indians shall have the right to withhold payment of all per capita payments until the amounts due under the promissory note are paid in full.**

IX. Resale Restrictions and Payback

If a Participant is repaying a loan on a monthly basis under this Program and the Participant transfers the home prior to the promissory note being paid in full, then the Participant shall repay the balance of the promissory note.

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X. Continuing Requirements

- a. Participants are required to submit proof of insurance coverage on an annual basis during the term of any loan.
- b. Failure to provide such documentation to the Authority shall result in the imposition of late fees on the Participant which shall be added to Participant's monthly payment as follows:

For the first month, the late fee is \$50.00 if the documents are received after the Due Date.

For the second month, the late fee is \$75.00 if the documents are received after the Due Date.

For the third month, the late fee is \$100.00 if the documents are received after the Due Date.

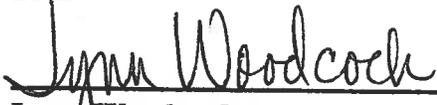
For the fourth month, the late fee is \$225.00 if the documents are received after the Due Date.

If no documents are received by the first day of the fourth month after the Due Date, in addition to the late fees, the Promissory Note will be declared in default and the entire principal balance will thereupon become due and payable.

XI. Implementation

The Housing Director and Staff, in coordination with the approval of the Housing Authority, are tasked with the requirement to implement the Heating and Cooling System Loan Program by promoting it, developing any other necessary forms and developing a point system that would lead to the creation of a list of Applicants that is to be prioritized and maintained.

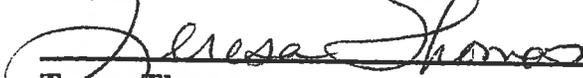
These policies and procedures are adopted by the Poarch Band of Creek Indians Housing Authority Board on this _____ day of _____, 2012.



Lynn Woodcock,
Chairman, Poarch Creek Indian Housing Authority

2-1-12

Date



Teresa Thomas,
Secretary, Poarch Creek Indian Housing Authority

2-1-12

Date

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