

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS**

HOUSING ASSISTANCE APPLICATION

GENERAL INSTRUCTIONS

This application is for the Housing Improvement Program (HIP) of the Bureau of Indian Affairs (BIA).

The HIP is a grant program that addresses the housing needs of those Indians who cannot qualify for housing assistance from any other source. It involves the repair and renovation of existing housing or the construction of a new unit. Individual Federally-recognized Indian tribe's participation is mandatory and their direct administration of the HIP is encouraged. The selection of eligible families or individuals for HIP services is done through a screening process by assigning points to specific ranking factors documented in the application.

Individuals wishing to apply for HIP assistance must complete this application and submit it to either their local BIA Agency office or designated Tribal HIP office, if operated under P.L. 93-638 contract or P.L. 103-413 Self-Governance compact.

PRIVACY ACT NOTICE: Pursuant to Section 3(e) (3) of the Privacy Act of 1975 (P.L. 93-579), individuals furnishing information on this application form are hereby advised:

1. The authority for solicitation of the information is 25 U. S. C. 13 and the Bureau of Indian Affairs HIP regulation at 25 CFR Part 256.
2. The information collected will be used to determine an applicant's eligibility and to set priority ranking for assistance under the HIP regulations.
3. The disclosure of this information is voluntary. Failure to provide the information required to support the verification process will result in the denial of the application. Incomplete applications will not be considered. The information provided in this application may be made available to authorized sources for verification purposes upon request.

USE OF SOCIAL SECURITY NUMBER: The disclosure of your Social Security Number is not required in the completion of this application.

CERTIFICATION: Certification is made with the knowledge that the information will be used to determine eligibility to receive housing assistance. Anyone who knowingly makes a false or fraudulent statement in this application is subject to the penalties provided by law (U.S. Code, Title 18, Section 1001).

If you need information regarding the conditions and terms under which housing assistance is provided to American Indians or Alaska Natives, you may obtain a copy of the HIP regulations (25 CFR Part 256) from your Tribe or nearest BIA Agency Office.

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INSTRUCTIONS RELATING TO SPECIFIC ITEMS IN THE APPLICATION

ITEM C - Income Information: Enter the total annual household income of all family members, including all earned and unearned income as defined in 25 CFR Part 20, Subpart C – Direct Assistance. The sections that are applicable to this application are: 20.307, 20.308, 20.309 and 20.310.

The following detailed definition of income is from the Bureau of Indian Affairs' Financial Assistance and Social Services Program Regulations, 25 CFR Part 20 Subpart C - Direct Assistance shall be applied to HIP applications.

(A) Resources. In determining eligibility..., the Bureau shall consider all types of income and other liquid assets available for support and maintenance unless... *or specifically excluded by Federal statute*. All earned or unearned income will be counted as income in the month received and as a resource thereafter, except certain income from the sale of real personal property as provided in Section 20.309(d). Resources are considered available when they are converted to cash.

Only adjustment or exclusion to income is in accordance with 25 U.S.C. 1408, Section 8, as amended, which provides that: "..., and up to \$2,000 per year of income received by individual Indians that is derived from interests (trust or restricted lands) shall not be considered income..." Income from Indian gaming is not considered part of this statutory exclusion.

(1) "Earned income" is cash or any in-kind payment earned in the form of wages, salary, commissions, or profit from activities by an employee or self-employed individual.

Earned income includes:

- (a) Any one-time payment to an individual for activities which were sustained over a period of time (for examples, the sale of farm crops, livestock or professional artists producing act work);
- (b) With regard to self-employment, total profit from business enterprise (i.e., gross receipts less expenses incurred in producing the goods and services). Business expenses do not include depreciation, personal business and entertainment expenses, personal transportation, capital equipment purchases, or principal payments on loans for capital assets or durable goods.

(2) "Unearned income" includes, but is not limited to:

- (a) Income from interest; oil and gas and other mineral royalties; gaming income per capita distributions; rental property; cash contributions, such as child support and alimony, gaming winnings; retirement benefits;
- (b) Annuities, veteran's disability, unemployment benefits, federal and state tax refunds;
- (c) Per capita payments not excluded by federal statute;
- (d) Income from sale of trust land and real or personal property that is set aside for reinvestment in trust land or a primary residence, but has not been reinvested in trust land or a primary residence at the end of one year from the date the income was received;
- (e) In-kind contributions providing shelter at no cost to the individual or household, this must equal the amount for shelter included in the state standard, or 25 percent of the state standard, whichever is less; and

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(f) Financial assistance provided by a state, tribal, county, local or other federal agency.

(3) The Bureau shall prorate:

- (a) Recurring income received by individuals over a 12-month period for less than a full year's employment (for example, income earned by teachers who are not employed for a full year);
- (b) Income received by individuals employed on a contractual basis over the term of a contract; and
- (c) Intermittent income received quarterly, semiannually or yearly over the period covered by the income.

ITEM D - Housing Assistance: Housing assistance in the form of repairs to bring a housing unit to a standard condition is for the applicant(s) who are living in their own home. The applicant must sign a written agreement that if he/she sells the house within five years following the date of completion of the repairs, the full amount of the assistance must be repaid to the BIA at the time of settlement. [25 CFR Part 256.9(d)]

The applicant needing construction of a new standard house must have ownership of the land on which the house is to be built. In the case of a leasehold interest, it must be for not less than 25 years. The applicant must sign a written agreement that if he/she sells the house within the first ten years from the date of ownership, the grant is voided and the full amount of the HIP grant will be repaid to the BIA at the time of settlement. [25 CFR Part 256.10]

ITEM E - Land Information: Check the appropriate box to indicate the status of the land. The following are brief descriptions of types of land identified in the application:

Individual Trust	Land or any interest therein held in trust status by the United States for the benefit of an individual.
Tribal Trust	Land or any interest therein held in trust status by the United States for the benefit of an Indian Tribe.
Individually Restricted	Land or any interest therein, title to which is held by the individual Indian subject to Federal restriction against alienation, encumbrance, or taxation.
Tribally Restricted	Land owned by an Indian tribe with the Federal restrictions of alienation and encumbrances.
Tribally Fee Simple	Land owned by an Indian tribe free of any restriction
Fee Patented	Individual owned land where a patent has been issued which conveys an absolute or fee simple estate. The owner is entitled to the entire property with unconditional power to dispose.

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