

Pawnee Nation Housing Authority

Housing Standards

Policy



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PAWNEE NATION HOUSING AUTHORITY

HOUSING STANDARDS POLICY

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HOUSING STANDARDS POLICY

SECTION 1. POLICY STATEMENT

Pawnee Nation Housing Authority (PNHA) recognizes the fact that they are responsible for establishing a policy identifying the organization's housing standards in accordance with the Native American Housing and Self-Determination Act of 1996 (NAHASDA) and 24CFR 1000. This policy is to be utilized by PNHA staff to monitor and assess their activities to promote quality affordable housing of a modest and affordable design and type to ensure compliance with applicable Federal requirements and the standards described in this Policy.

As the recipient of Indian housing block grant (IHBG) funds through designation by the Pawnee Nation as their Tribally Designated Housing Entity (TDHE), PNHA is responsible for monitoring programmatic and compliance requirements of the Indian Housing Plan (IHP) and NAHASDA. This requirement extends to sub-recipients of the IHBG funds including but not limited to PNHA. Submission requirements may be specified in a Memorandum of Understanding (MOU) or similar document.

This policy is intended to establish an easy to use system for ensuring that all IHBG assisted housing is subject to and conforms with requirements that are designed to promote and foster affordable, safe, decent, and sanitary housing for all housing customers. This policy will also encourage and promote a professional standard for operations.

SECTION 2. AFFORDABILITY REQUIREMENTS

- 2.1. Intent.** PNHA has determined that all housing assisted with IHBG funds shall be used to develop and promote affordable housing. Affordable housing is generally that type of housing that low-income persons (those at 80% of the U.S. median income or below) in the geographical and service area would normally occupy or purchase. Affordable housing is generally of a modest or moderate design. Moderate design may be described as housing that is of a size and with amenities consistent with unassisted housing offered for sale in the Tribe's vicinity and geographical area to buyers who are at or below the area median income level. The standards adopted in this policy shall apply to all housing assisted in whole or part with IHBG funds. These standards may not apply if non-IHBG funds are utilized to fund a housing activity.
- 2.2. Methods and Factors.** PNHA shall utilize the items listed below in analyzing and determining a moderate design consistent with affordable housing and similar housing offered in the immediate vicinity.
 - A. Gross Area.** PNHA shall generally regard homes and structures that are 2,000 square feet or less as being of moderate design. This square footage requirement does not include garages, carports, add-ons or converted rooms or storage/other structures. This footage cap is applicable for a three or four bedroom unit. A house that contains five or more bedrooms may be in excess of this square footage

ceiling. This requirement is not applicable to Privately - Owned Rehab, Down Payment/Related Assistance Programs, or the Section 184 Program.

- B. Total Cost to Provide Housing.** PNHA shall consider not only the construction and/or acquisition cost but also other site development, planning, unique features and related costs. PNHA shall refrain from developing housing that is likely to result in cost overruns and pursuing development and construction where various factors are present that could significantly increase the proposed project cost.
- C. Environmental and Lead Based Paint (LBP) Concerns and Mitigations.** PNHA shall refrain from assisting and/or developing affordable housing through either construction, rehabilitation or acquisition of properties/housing structures which require extensive mitigation of environmental factors and LBP issues. Such mitigation requirements may increase the total project cost and/or cause excessive delays.
- D. Climate Concerns.** PNHA shall construct, develop, and/or acquire affordable housing that contains features and materials designed to address climate and weather issues that are normally present in the area or region. Such features should be consistent with those present in other safe, decent, and sanitary housing.
- E. Comparable Housing in Geographical Area.** PNHA shall develop through acquisition and/or construction affordable housing that is consistent with and comparable to other housing in the immediate vicinity and geographic region available to persons whose income is at or below the median income level.
- F. Local Codes, Ordinances, and Standards.** PNHA shall adhere to and abide by all applicable codes, ordinances, and standards in the development, construction, rehabilitation of affordable housing and carrying out of related affordable housing activities. DAHS reserves the right to establish its own codes and applicable requirements and will observe the local jurisdictional codes where no Tribal standards exist.
- G. Cultural Relevance and Design.** PNHA shall promote the use of culturally relevant design and design features in developing affordable housing. While cost limitations exist, a lesser cost design will not be acceptable if DAHS determines it is not culturally relevant or is inconsistent with Pawnee Tribal culture or other local tribal cultures.
- H. Uniformly Accessible Design and Construction.** PNHA shall design, construct, and rehabilitate housing that is uniformly accessible by persons with various disabilities in accordance with Section 504 of the Uniform Accessibility Act and applicable related requirements.

- I. Reasonable Accommodation.** PNHA may incorporate and utilize any construction and design features that are reasonable and necessary to provide safe, decent, sanitary and affordable housing.

SECTION 3. TOTAL DEVELOPMENT COST (TDC) STANDARDS

3.1. Applicability of TDCs

In accordance with NAHASDA, the TDC standards periodically published by HUD will be utilized and enforced by PNHA in developing, constructing, modernizing, rehabilitating and/or assisting with any affordable housing endeavor. In the absence of a clear definition of moderate construction or design, the cost amounts published shall prevail. These amounts are adjusted by the number of bedrooms contained in the dwelling structure. The TDCs also vary by location. PNHA may choose to expand its service area to better serve its population. In doing so, PNHA shall utilize the appropriate TDC by location for the specified activity. In calculating TDC, PNHA shall include all funds utilized in the development of affordable housing not just NAHASDA Indian housing block grant (IHBG) funds. (See Appendix F)

3.2. Determination of Total Development Cost

In determining the total development cost or cost attributable to an affordable housing activity including new construction, acquisition, rehabilitation, and other assistance programs, PNHA shall consider all costs allocable to that particular activity or project including but not limited to materials, labor, site development, planning, site/property acquisition, closing/settlement costs, fees and permits, on-site infrastructure, financing, and other related costs.

SECTION 4. MINIMUM PROPERTY AND INSPECTION STANDARDS

4.1. General

It is the intent of PNHA to provide safe, decent, and sanitary housing for all recipients of IHBG assistance. In order to achieve this goal, PNHA shall inspect specific housing units in accordance with NAHASDA requirements. The requirement to inspect, type, number of and frequency of inspections may vary depending upon the nature of the activity and assistance awarded. PNHA may utilize its own personnel or outsource depending upon the situation.

4.2. Minimum Standards

In determining the appropriate standards to follow, PNHA may utilize: the Pawnee Nation building/construction codes and minimum property standards; or the HUD minimum property standards that are commonly used in the HUD Section 8 voucher program. A copy of the current version and/or inspection checklist is attached as an

appendix. PNHA shall also adhere to local zoning, building, residential, and occupancy codes and ordinances that are applicable to housing in that particular jurisdiction.

4.3 Manufactured Housing

PNHA has determined that manufactured housing including but not limited to modular, double wide/single wide mobile homes, and other pre-fabricated units is generally eligible for IHBG funded programs and assistance. A manufactured home that is not in decent, safe, and sanitary condition may be determined to be sub-standard and subsequently disqualified but not based solely on the fact that it is a manufactured type unit. PNHA may consider factors such as materials utilized, model type, age of the unit, and construction and design features to determine if the manufactured unit meets minimum property standards. PNHA reserves the right to determine if a manufactured home meets the minimum property/building requirements and if it shall be considered a standard unit.