



Mille Lacs Band Housing Rental Program

Thank you for your interest in applying for admission into the Mille Lacs Band Housing Rental program. Please take a few moments to read the following information about the program and the **information you will need to provide with the application** for admittance into the Mille Lacs Band Rental Program and onto the waiting list.

The following is an overview of the Program; currently the Mille Lacs Band Housing Rental Program offers housing rental options in 5 areas within the 3 service Districts of the Mille Lacs Band Housing Department. They are listed below:

- District 1 – Onamia
- District 2 – McGregor
- District 2A – Isle
- District 3A – Lake Lena
- District 3H – Hinckley

The Mille Lacs Band Rental Program offers three options, they are:

1. Elder Rental Units – (55 and older); next available unit goes to oldest applicant
2. Regular Rental Units – minimum income required – **see** included sheet
3. Low Rent Units – HUD based housing with Federal Requirements and Regulations

During the application intake process, the applicant lease holder(s) will be required to submit to a background check to process the rental application. This background check will be paid for by **you through a Per Capita deduction form**. Enclosed you will find the Tribal Bonus Deduction form to complete. This form authorizes the Housing Department to deduct the cost of the background check from your per capita payment. If the background check has revealed **no background history that would exclude** you from the program, the cost of the background will be **applied to your damage deposit** upon acceptance of a rental unit.

In the event the background check **contains a history that would exclude** you from the Housing Rental program, the Per Capita deduction form will be submitted to OMB to recover the cost of the background check for the housing department.

Mille Lacs Band Housing Rental Program

Please note: the cost of the background check varies. You will be given the receipt to show the cost of your background check.

Enclosed is the Mille Lacs Band of Ojibwe Rental Admission Policy and Interpretation of Policy Memorandum that indicates cause for immediate exclusion from the rental program. Other circumstances can and will be considered as well.

Enclosed is the Mille Lacs Band of Ojibwe Housing Department Drug Policy and Resolution 19-03-43-21 that is required to be followed by all Mille Lacs Band of Ojibwe Housing Department tenants.

Applicant(s) must be in good standing with Community Development in order to be placed on the Rental Housing List.

In order to fully complete an application for housing, the following documents must be submitted:

1. A fully completed Mille lacs Band Housing Application.
2. A fully completed Pre-Tenancy Screening Questionnaire for **each adult.**
3. A fully completed Disclosure and Release of Information Authorization for **each adult.**
4. A fully completed Tribal Bonus Deduction Form for **each adult.**
5. A fully completed OMB Income Verification Request form for **each adult.**
6. Income verification for **each adult:**
 - a. Check stubs from your employer going back at least two months
 - b. TANF
 - c. Child support
 - d. All other sources of income
7. To determine family composition and household size, the required documents will need to be provided;
 - a. Tribal ID's
 - b. Social Security cards for all members listed on the rental application
 - c. Birth Certificates for all children listed on the rental application
 - d. Documentation supporting Legal Custody or Guardianship of listed children

Mille Lacs Band Housing Rental Program

**REGULAR RENT
MINIMUM MONTHLY GROSS INCOME REQUIREMENTS
(Excluding Per Capita payments)**

Bedroom Size	Minimum Gross Income
2 Bedroom	\$1,400.00
3 Bedroom	\$1,600.00
4 Bedroom	\$1,900.00
5 Bedroom	\$2,100.00

HOUSING APPLICATION CHECKLIST

Application will NOT be accepted if all documents are not complete & submitted.

Application Forms:

_____ **Application Complete?**

Tenant

_____ **Pre-Tenancy Screening Questionnaire for each adult complete?**

Tenant

Other Adult

_____ **Disclosure and Release of Information Authorization for each adult complete?**

Tenant

Other Adult

_____ **Tribal Bonus Deduction form for each Band Member complete?**

Tenant

Other Adult

_____ **OMB Income Verification Request form for each Band Member/Employee complete?**

Tenant

Other Adult

_____ **Income verification received from each adult?**

Tenant

Other Adult

_____ **Tribal ID received?**

Tenant

Other Adult Band Members

_____ **Social Security cards for all those listed on the rental application received?**

Tenant

Other Adult

Children

_____ **Birth Certificates for all children listed on the rental application received?**

Children _____

_____ **Verification of legal custody or guardianship of all children listed on the rental application received?**

Children _____

MILLE LACS BAND OF OJIBWE HOUSING DEPARTMENT DRUG POLICY

I. OBJECTIVES

The purpose of this policy is to ensure the health, safety and welfare of the Mille Lacs Band of Ojibwe (the “Band”) and all peoples residing within its jurisdiction. The use, possession, distribution, and manufacturing of illegal drugs¹ on the reservation is a clear and present danger to the Band, our people, extended families, schools, and communities.

As the Band’s Housing Department owns and maintains in excess of 500 rental units within its reservation boundaries, it is in the best interest of the Housing Department to protect its rental properties from destruction or damage caused by tenants, family members, or invitees who choose to use, possess, distribute, or manufacture illegal drugs.

The Band also finds it is necessary to protect the people, families, schools and communities from the dangers often associated with illegal drug activity and hereby adopts this zero-tolerance Drug Policy that is applicable to tenants, family members and invitees living in Band owned rental units and prohibits them from engaging in any illegal drug activity regardless of whether the illegal drug activity occurs on or off the rental property.

As provided in the Housing Department’s Occupancy Policy, once a tenant moves into a unit owned or managed by the Housing Department, tenants, family members and invitees are expected and required to follow and comply with all lease terms and policies established by the Housing Department, HUD and NAHASDA. The failure to adhere to these policies and the provisions in the lease may result in the termination of lease and eviction. This document will provide a consistent and uniform basis for decision-making on behalf of the Housing Department in matters involving illegal drug activity on or off Band owned rental properties.

II. PROHIBITION AGAINST ILLEGAL DRUGS ON AND OFF PREMISES AND CURTILAGE

1. The Housing Department has adopted a zero-tolerance Drug Policy. All tenants, family members and invitees are hereby prohibited from using, possessing, distributing, or manufacturing illegal drugs in any Band rental unit and the property surrounding the rental unit (the “curtilage”). Any violation of this zero-tolerance Drug Policy is sufficient grounds for immediate eviction.

¹ The term “illegal drugs” is defined pursuant to the Controlled Substances Act [21 U.S.C. 801 et seq.]. Such term does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provisions of Federal law.

2. A conviction of a drug-related offense is not required. A police report or Resident Services statement indicating that illegal drug use, possession, distribution, or manufacturing more than likely occurred within a Band rental unit or on the curtilage will be grounds for immediate eviction. A Resident Services statement, but not a police report, must include pictures and a positive field-test result of any illegal drug or drug paraphernalia found in a rental unit or on the curtilage. A tenant can be held in breach of this Drug Policy for the actions of others. However, a tenant will not be held responsible for illegal drug activity that was (a) clearly beyond the tenant's control or (b) when the tenant did not reasonably know about the illegal drug activity.

3. Tenants and family members living in the rental unit are required to remain law abiding. Therefore, any illegal drug activity or use of illegal drugs occurring on or off the rental unit property is also sufficient grounds for immediate eviction.

Every tenant shall receive a copy of this Drug Policy and execute proof of receipt prior to moving into any rental unit.



THE MILLE LACS BAND OF OJIBWE INDIANS Legislative Branch of Tribal Government

RESOLUTION 19-03-43-21

A RESOLUTION APPROVING REVISIONS TO THE MILLE LACS BAND OF OJIBWE HOUSING DEPARTMENT DRUG POLICY

- WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Mille Lacs Band of Ojibwe ("Band") a federally-recognized Indian Tribe; and
WHEREAS, according to 3 MLBS § 2(a), the Band Assembly is empowered to "enact laws which promote the general welfare of the people[;]" and
WHEREAS, according to 3 MLBS § 2(d), the Band Assembly is empowered to adopt resolutions; and
WHEREAS, pursuant to 12 MLBS § 5(b)(8), the Band's Housing Advisory Board is empowered to "approve new Housing programs and Housing Policies developed by the Housing Department with ratification by the Band Assembly[;]" and
WHEREAS, on December 20, 2020, the Band's Housing Advisory Board approved the Mille Lacs Band of Ojibwe Housing Department Drug Policy ("Drug Policy"), a copy of which is attached hereto; and
WHEREAS, on January 12, 2021, the Band Assembly met at a regular session and offered verbal approval of the attached version of the Drug Policy, effective immediately;
NOW, THEREFORE, BE IT RESOLVED that the Band Assembly does hereby authorize, approve, and ratify the attached version of the Drug Policy with an effective date of January 12, 2021.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 20th day of January, 2021, at Nayahshing, Minnesota, by a vote of 2 FOR, 1 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND

Signature of Sheldon Boyd, Speaker of Assembly

DISTRICT I: 41908 Chidena Drive • Duaneau, MN 56559
DISTRICT II: 1840 Star Highway 65 • McGregor, MN 56262
DISTRICT IIIA: 2635 Vrombiting Drive • Mt. Airy, MN 56347
DISTRICT IIIB: 45749 Grace Lake Road • Sandstone, MN 55071
URBAN OFFICE: 1404 E. Franklin Avenue • Minneapolis, MN 55404

**MILLE LACS BAND OF OJIBWE
RENTAL ADMISSION POLICY**

I. INTRODUCTION

The goal of the Housing Department is to provide affordable rental housing located in a safe and healthy environment. Towards that end, the following information outlines eligibility, the application process, criteria for admission and possible rejection of applicants, waiting lists and other information pertaining to Band rental units.

This policy is also designed to comply with federal housing statutes and regulations, provide for consistent, equitable and uniform treatment of clients, and provide a basis for decision-making by the Housing Department staff.

II. ELIGIBILITY FOR ADMISSION

The Housing Department manages two types of rentals: (1) units funded by the Department of Housing and Urban Development (HUD) designed to serve families classified as low-income units at the time of initial occupancy; and (2) units funded by Mille Lacs Band appropriations. Under the heading entitled Band appropriated housing, the Band has different programs for (1) Elders; (2) Handicapped; and (3) all other Band Members not in HUD rental housing units.

a. Eligibility Criteria

i. Family Composition

An applicant must qualify as a family unit. A family unit is defined for these purposes as one of the following:

- A. Two (2) or more persons who are related by blood or marriage, either formal or informal, including those that follow the Indian custom or tradition, or a single person living with a significant other, or by operation of state law.**
- B. A single person living alone and who does not qualify as an Elder, displaced person, or remaining member of a tenant family; or**
- C. A single person who is elderly or who is defined by the Social Security administration to be handicapped.**

ii. Band member Family

An applicant must qualify as a Band member family, defined by the Housing Department as a family whose head of household or spouse is an enrolled member of the Mille Lacs Band of Ojibwe.

iii. Other Indian Family

An applicant may qualify as an Other Indian family defined by the Housing Department as a family where one member of the family is an enrolled Band member, a first descendent of an enrolled Band member, or an enrolled Indian of another federally recognized tribe or Band.

b. Income Limitations

i. Income Requirements

- A. Applicants must be able to demonstrate that they have the financial resources necessary to meet their monthly rental obligations.**
- B. The applicant must be able to pay the minimum monthly rent plus a security deposit of one month.**
- C. Applicant must qualify as a low-income family, defined as a family whose income does not exceed 80% of the median income for the area (i.e. State/County) or the United States, whichever is greater.**
- D. The maximum guidelines for eligibility under this program are currently contained within HUD Notice PDR-2006-02. The U.S. Department of Housing and Urban Finance (HUD) will periodically review these guidelines and issue new notices adjusting the numbers and these will be adopted as the Housing Department's maximum guidelines as they are issued by HUD.**
- E. HUD allows adjustment to Gross Family Income for purposes of determining the monthly payment. Income limits are adjusted for family size and updated on a semi-annual basis by the Executive Director of the Housing Department and the Commissioner of Community Development. While each county will have its own income limit, because the Housing Department has units in several counties, it can set income limits at the same level as the**

county with highest income limits available. When determining which income limit to use, the Housing Department cannot use figures that are below the United States median income.

- F. Applicant's annual income may be estimated by including the anticipated total income from all sources to be received by the resident, spouse and any adult over the age of eighteen (18) who will live in the unit.
- G. The applicant must be at least eighteen (18) years of age on the date the application is filed.

ii. Rent Calculation

Rent will be determined by calculating the total monthly income of all adults that will be occupying the unit. The Housing Department shall ensure that the monthly income of all adults listed on the application fall below the Maximum Allowable Income.

From this total, the Department will deduct \$480 per dependent younger than eighteen (18) and per full-time student. (The student should carry a subject load considered to be full-time by the educational institution attended). The Department will deduct \$400 for an elderly or disabled family member. The result is Net Income.

Multiply Net Income by fifteen (15) % to determine monthly rent.

iii. Disposition of Home/Trailer/Lease

Applicants who own their own home or trailer home are not eligible for housing rental assistance, maintenance assistance, or free repairs. Applicants will not be allowed to move into a housing rental unit until they show proof, such as a legally executed document (i.e. bill of sale for the property, deed of transfer, etc.) disposing of home/trailer home.

Applicants who have a residential lease on Band owned land have two options. They may have the resolution authorizing the lease either cancelled or rescinded. The land lease will then go into the name of the Housing Department. They may also occupy the rental unit for one (1) year allowing for construction and occupancy of a new home on his/her residential lease property. The year begins from the effective date of the issuance of the lease.

Failure to abide by the above two options will result in the Housing Department removal of all personal property from the rental unit after

proper notice is given. Or, if a Band member owns a home, the Housing Department will deny them a rental unit.

c. Eligibility for Elder Units

Age fifty-five (55) is used as the primary eligibility factor in assigning individuals to the designated Elder homes.

d. Eligibility for Handicapped Units

A unit can be assigned to a person who is defined as disabled or handicapped. Applicant must provide proof of disability and/or handicap. Proof must be in writing from a State/Federal agency.

III. REJECTION CRITERIA

The Housing Department reserves the right to reject an applicant in cases where it is determined that admission of the applicant and/or any member of the household would be damaging to the health, safety or welfare of other tenants, or the financial stability or physical environment of the community.

- a. **Automatic Disqualification.** Applicants will be disqualified from applying for housing for the following reasons:
 - i. Applicant, spouse or other adults listed on the application refuse to sign the Release of Information form.
 - ii. Applicant, spouse or other adults listed on the application do not submit to the criminal background check.
 - iii. Applicant owes money for unpaid rent, utility bills, or other services to the Housing Department or Community Development and no agreement for repayment has been signed by the applicant.
- b. **Temporary Ineligibility.** Applicants will be ineligible for housing for a period of time for the following reasons:
 - i. Applicant who has received housing assistance is determined to be responsible for the intentional damage or destruction of the rental property. The applicant will be ineligible for a period of two (2) years. The two (2) year period will be based on the date of eviction.
 - ii. Applicant who previously participated in a HUD or Band housing program was found to have abandoned the unit. The applicant will be ineligible for housing assistance for a period of two (2) years from the date of

F. Eviction or Lease Termination for Drug-Related Criminal Activity	5 years after eviction
G. False Imprisonment	3 years
H. Forgery of Checks	1 year
I. Kidnapping	5 years
J. Homicide	
i. First Degree	Lifetime Ban
ii. Second Degree	Lifetime Ban
iii. Third Degree Murder	Lifetime Ban
iv. First Degree Manslaughter	10 years
v. Second Degree Manslaughter	5 years
K. Sex Crimes	
i. Criminal Sexual Conduct	5 years
ii. Registered Sex Offender	Banned for Life
L. Theft against the Band	1 year OR until amount repaid
M. Gang Member Status	Banned for Life

- v. An applicant with drug-related convictions who submits proof of treatment and has not been involved in further drug or alcohol-related offenses for two (2) years after treatment, may be eligible for housing assistance.
- vi. An applicant who is a known gang member, but provides a written statement from his/her probation or parole officer that no further instances of gang-related activities have occurred within the previous two (2) years may be eligible for housing assistance.
- vii. Applicants must be in compliance with the terms of any probation related to any of the offenses listed in Section III.b.iv of this Policy in order to be eligible for housing assistance.

c. Permanent Ineligibility

- i. Applicant committed fraud in connection with any HUD or Band housing program and was convicted for same. The applicant will not be eligible for housing assistance.

IV. APPLICATION PROCESS

a. Complete the Application

The applicant must provide all information requested on the application and sign the form:

- i. Band Member Information. List any person/s who are enrolled Band Members and list Enrollment number.
- ii. Personal Data. The information requested under this heading is in reference to the person/s named as Head-of-Household: Full legal name, Social Security Number, Date of Birth, Telephone Number and Current Address, and Size and Type of Home Needed.
- iii. Elderly. must be age 55 to qualify for this category.
- iv. Disabled. If the applicant claims a disability, he/she must show proof of such disability. A statement from the Social Security Administration, State of Minnesota for State disability claims is required.
- v. Employment Data. List name of Company where employed as well as address and telephone number. Note: The same information must be provided for all individuals who will live in the unit who are 18 years of age or over and who are employed. If unemployed, list as unemployed. List any anticipated changes to income for each individual who is 18 years of age or over.
- vi. Other Sources of Income. List any income received from sources such as Social Security, Veteran's Benefits, Unemployment, AFDC, Financial Aid, military pay, seasonal employment and tribal bonus.
- vii. Family Data. List all individuals who will be living in the units including their relationship to Head-of-Household, Date of Birth, Age, Sex and Social Security Number. List any anticipated changes to family. If an applicant is seeking a larger home because of the expected delivery or adoption of another child, they must present a Doctor's statement

verifying the pregnancy or present documentation of an adoption. List all foster children.

- viii. Rental History. List all places of residency for the past three years showing dates rented or owned, and the Landlord's address and phone number.
- ix. District Preference. List in order of preference the district the applicant would prefer to live in. The applicant shall not list a district if he/she will not accept an available unit in that district. Note: Units are assigned as they become available and may not always be in the preferred area listed.
- x. Signature. The application must be signed by applicant and any co-applicant, if a co-applicant will be listed on the lease.
- xi. Return to the Housing Department. After the Housing Department has received and reviewed the application, the applicant will be placed on a Waiting List.

b. **Waiting List**

Waiting Lists have been established for each district and bedroom size. The applicants are ranked by the date of their application filing with the Housing Department. If two (2) or more applications are received on the same date, the hour of filing will be used as the basis for ranking.

All families on the waiting list will be categorized as Band Member Family or Other Indian Family. Homes will be made available first to Band Member Families and then to Other Indian Families.

Waiting Lists will be maintained on a computer database by the Director of Property Management. Waiting Lists will be posted during the first week of each month in the Government Center and in each District Community Center according to the last four digits of the applicant's Social Security Number. All information must be complete before the applicant is considered for the Waiting List.

c. **Occupancy Standards**

The Occupancy Standards used to determine the number of bedrooms required are:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
1	1	2
2	1	4
3	4	6
4	6	8
5	8	10

Units will be assigned so that it will not be necessary for persons of the opposite sex, other than husband and wife, to occupy the same bedroom. There will be an exception made for infants and children under the age of five (5) years.

Note: The applicant is required to up-date their application every six (6) months in order to retain their position on the Waiting List and must provide a current address and telephone number, make any changes to the income portion of the application, and make any changes to the Family Composition portion of the application. Failure to do so will result in being removed from the waiting list entirely.

An applicant may remove their name from the Waiting List by submitting a written request to the Housing Department.

After processing the application, the Director of Property Management will inform the applicant about any information and/or background history that would make the applicant ineligible for rental housing. The applicant will be given adequate time to address any issues to take corrective action so that when a unit is available their chance of eligibility is much greater. These circumstances will not keep the applicant off the waiting list unless the applicant fails to take any necessary corrective actions by a date determined by the Housing Department.

d. **Assigning a Rental Unit**

Applicant will be notified by mail sent to the last address supplied to the Housing Department by the applicant about an available unit. The Housing Department will attempt to make every effort to mail such notification thirty (30) calendar days prior to a unit being available for occupancy, but in some circumstances the prior notice may be a shorter time period depending on the

circumstances of the vacancy. In the notice, the applicant will be informed about the size of the available unit as well as the address/district of the available unit.

The applicant shall give notice to the Housing Department within fifteen (15) calendar days of their receipt of the actual notice whether he/she will accept or reject the available rental unit.

i. If the Applicant Rejects the Unit

If the applicant rejects an available rental unit, the applicant will retain their position on the Waiting List until three (3) rejections are made. The Director of Property Management will discuss with the applicant their reason for rejection. Any future offers of rental units will take into consideration applicant's reason for rejection. If three rejections are made, the application will be moved to the bottom of the Waiting List.

ii. If the Applicant Accepts the Unit

- A. If the applicant accepts the available rental unit, he/she must meet with the Director of Property Management to verify certain information. At that meeting, he/she must provide household income verification for all adults who are eighteen (18) years of age or over. Some examples of proof of employment are: pay slips or other proof of payment or IRS Form 1040 Schedule C – Profit and Loss from Business or other proof of payment (if self-employed).**
- B. Update family composition and provide information where applicable. If an applicant is the sole custodian of minor children who will live in the rental unit, the applicant must be able to provide proof of legal custody or provide birth certificates and social security numbers for each child listed on the application. Some examples of such proof are a Court Order awarding legal and physical custody to the applicant, or a Court Order awarding guardianship, proof of foster care license for a child, etc.**
- C. Sign HUD 9886 Release Form and/or the Band Release Form to authorize the Housing Department to request information concerning eligibility for Band and/or Federal Housing Assistance. If an applicant refuses to sign the release form, processing of the acceptance will end.**
- D. A Criminal Background Check for all individuals over the age of eighteen (18) listed as potential occupants of the unit shall be conducted by the Housing Department. Prior to such background**

check, all individuals must sign a Consent Form to initiate this process.

e. **Conducting the Background Check**

- i. **Purpose.** The purpose of conducting a criminal background check is to ensure that the applicant or other individual over the age of eighteen (18) years who will occupy the rental unit does not have a criminal record such that he/she would pose a possible danger to the community.
- ii. **Authority.** The authority to perform criminal background checks is set forth in NAHASDA (Public Law 104-330 and Federal Regulation 24 CFR Part 1000).
- iii. **Cost.** The Housing Department will be responsible for the costs of all criminal background checks.
- iv. **Reviewing the Background Check.** Upon receipt, the Executive Director of the Housing Department will review all criminal background checks of applicants and other individuals between eighteen (18) years of age and over who plan to live in the rental unit to determine eligibility. **All background check information will be maintained in a secure and locked cabinet. Only the Commissioner of Community Development and Executive Director shall have access to such background information. Confidentiality shall be maintained at all times.**

After review, if the Executive Director determines that the applicant or other individuals eighteen years of age and over who plan to live in the rental unit do not pose a threat to the community, the Executive Director will indicate his/her approval on the cover sheet. The background check information shall be placed in a locked cabinet for one (1) year from the date of such review. After such time, the record will be shredded. These reports will not be reproduced and shall not be placed in the applicant's file. Confidentiality shall be maintained at all times.

The Executive Director will review with the Commissioner of Community Development any questionable reports. This provides the Executive Director with another resource to help make decisions with difficult circumstances.

v. Situations Where Housing Assistance is Denied.

A. Notification of Denial.

Housing assistance will be denied based on the criteria in Section III of this policy. In these circumstances, the Executive Director of the Housing Department will indicate on the cover sheet that the applicant is not eligible for housing assistance and forward the cover sheet and application to the Director of Property Management.

The Executive Director will arrange to meet privately with the applicant and any other individual listed on the application whose background check resulted in a negative rating to discuss the reasons for the rejected application. At that meeting, the Executive Director shall provide a written statement to the applicant and other individual listing the reason(s) for rejection. The Executive Director shall retain a copy of such written statement and file with the confidential criminal background check information. The Executive Director will determine with the applicant what actions, if any, are available to clear the rejection.

If a rejection of housing assistance is based on an individual who is not the Head-of-Household, the applicant may be approved if the rejected individual's name is removed from the application. In these circumstances, the Head-of-Household shall sign an agreement showing their understanding that if the rejected individual is found at any time to be living in the rental unit, that the family will be evicted.

B. Right to Refuse to Submit to Background Check

Any individual who is eighteen (18) years of age or over listed on the application may refuse to submit to a criminal background check. If the individual who refuses to submit to such a background check is the Head-of-Household, the application process would end. If the individual who refuses to submit to such background check is not the Head-of-Household, the application process would continue if an agreement were signed as indicated above.

f. Conflict of Interest with Housing Staff – Federally-funded Assistance

- i. Housing staff may not make eligibility determination for federally-funded assistance if a conflict of interest exists. A conflict of interest exists where

the applicant is an immediate family member (defined as mother, father, brother, sister, husband, wife, son or daughter, or any in-law of the same relationship) of the staff member. Where such a conflict of interest exists, the staff person will find another staff member to make the necessary determination. The application for housing assistance will ask applicants to list any immediate family members that are employed in the Housing Department.

- ii. Where it is not feasible for another staff member to make the eligibility determination, the staff member shall report the conflict, including the nature of the assistance to be provided and the specific basis for which the selection of the individual was made to the Eastern/Woodlands Office of Native American Programs.
- iii. Once the E/WONAP has approved the decision, the Housing Department must disclose the conflict to the public, by posting the report of the conflict on the Housing Department bulletin board, with the name of the applicant and any other confidential information redacted. The posting should remain for one (1) month.
- iv. Conflict reports must be retained in Housing files for a minimum of three (3) years.

V. CONFIDENTIALITY

The Housing Department requires individuals to disclose personal information about themselves and their finances in order to allow a determination of eligibility.

All Housing Department staff shall maintain confidentiality of all information provided by any applicant or other individual and will act in a professional and respectful manner at all times.

A violation of any applicant's confidential information shall be grounds for immediate dismissal.

VI. RECORDS TO BE MAINTAINED

The Housing Department must maintain records of all applications and other transactions completed by the applicant. These records include a hard copy and computer files.

These records include the following:

- a. Original application;

- b. Updated Verifications;**
- c. Income Verifications;**
- d. Income Tax Forms;**
- e. Copies of W-2 Forms;**
- f. Check Stubs or other payroll information;**
- g. Release Forms;**
- h. Documents submitted by the applicant substantiating any needed or other pertinent information; and**
- i. Cover Sheet of Criminal Background Check.**

POLICY MEMORANDUM

TO: ALL APPLICANTS FOR MILLE LACS BAND HOUSING
FROM: DANIEL BOYD, MILLE LACS BAND HOUSING DIRECTOR
SUBJECT: RENTAL ADMISSION POLICY – INTERPRETATION OF
HEALTH, SAFETY, & WELFARE OF TRIBAL COMMUNITY
DATE: 5/8/2018




Entry Into Mille Lacs Band Housing is governed by the Band's Rental Admission Policy, adopted on December 4, 2009. According to Section III of the Policy, applicants will be precluded from the receipt of housing assistance for distinguishable periods of time if it is proven that the applicant has been convicted of one or more criminal offenses identified within the Policy. Additionally, Section IIII grants the Housing Director discretion to reject an application if "it is determined that admission of the applicant and/or any member of the household would be damaging to the health, safety or welfare of other tenants, or the financial stability or physical environment of the community."

Owing to the need to provide a consistent and fair review of our applicants' background records, I am publishing this Policy Memorandum to provide notice to all applicants, potential applicants, and other interested parties of how I intend to utilize my discretion in accepting or rejecting housing applications. Namely, I will be rejecting any applicant whose background check reveals one or more of the following:

- Any open/pending charge, stay of adjudication, or stay of imposition in any court in any jurisdiction for arson, assault, battery, burglary, check forgery, child endangerment or neglect, counterfeiting currency, damage to property, disorderly conduct, domestic assault, drug possession, drug sales or importation, failure to register as a sexual offender, homicide, indecent exposure, possession of drug paraphernalia, prostitution, rape, receipt of stolen property, sexual assault, theft, terroristic threats, violation of an order for protection, or any other charge or stay that a reasonable person would consider alarming and disturbing;
- Any outstanding warrant for the applicant's arrest, no matter the severity of the charge;

- A required extradition of the applicant to a foreign venue or jurisdiction;
- Conviction of counterfeiting currency within the previous five years;
- Conviction of any type of weapons charge within the previous three years;
- Conviction of any type of domestic assault within the previous three years;
- Conviction of any type of child endangerment or neglect within the previous three years;
- Conviction of possession of drug paraphernalia within the previous 365 days;
- Conviction of terroristic threats within the previous 365 days;
- Conviction of theft (not against the Band) or receipt of stolen property within the previous 180 days; or
- A criminal background that is wrought with violent and/or predatory and/or dishonest activity over a period of several years, especially if the applicant has continued to commit serious crimes into his or her adult years.

Even if an applicant's criminal background is wrought with alarming and disturbing behavior, I will generally view the record more favorably if the applicant has demonstrated improved behavior over the previous five years. This Policy Memorandum is intended to supplement and clarify, not replace, the Band's Rental Admission Policy. If any applicant is denied entry into the Mille Lacs Band housing program pursuant to this Policy Memorandum, the applicant may still file a written grievance with the **Commissioner of Community Development** in accordance with the Mille Lacs Band of Ojibwe Grievance Policy.


 Daniel Boyd
 Housing Director
 Mille Lacs Band of Ojibwe



MILLE LACS BAND HOUSING APPLICATION

Which district are you applying for?

- DI - Mille Lacs
 DII - East Lake
 DIIA - ISLE
 DIIIIH – Hinckley
 DIIIIA - Lake Lena

Is the Applicant a Mille Lacs Band Member? _____ Enrollment # _____

Is the Applicant disabled with Social Security Benefits? Yes No

If you are disabled, do you require a unit that has handicapped access? Yes No

Applicant Full Legal Name Soc. Sec. No. Date of Birth Telephone #

Current Address City State Zip Code

Employer City State Telephone# Dates Employed

Occupation Monthly Income How Long Employed?

Email address to send letters or other communication: _____

Co-Applicant Legal Name Date of Birth Enrollment #

Co-Applicants Employer City State Telephone# Dates Employed

Occupation Monthly Income How Long Employed?

Legal Name Other Household Member over 18 Date of Birth Enrollment #

Employer City State Telephone# Dates Employed

Occupation Monthly Income How Long Employed?

*****UPDATE EVERY 6 MONTHS*****

Other Income Information (i.e. AFDC, Social Security, Veterans, Unemployment, Financial Aid)

Recipient Source Name & Address Amount Monthly Date Received

Family Data - all persons that will be moving into the unit attach additional pages if needed):

Name of Family Member Relation to Applicant Date of Birth Age Sex SS#

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

List last 3 years previous housing:

Landlord or Mortgage Company Address Payment Amt. Date of Residency

I certify that the above information is complete and accurate, and give permission to the Mille Lacs Band Housing Department to verify the information I have provided. I understand and agree that if I provide false or misleading information, I may be disqualified from the Mille Lacs Band Housing Department program(s).

Applicant Signature Date

Co-Applicant Signature Date

*****UPDATE EVERY 6 MONTHS*****

Release of Information

PLEASE PRINT LEGIBLY

Legal Name: _____

First

Middle

Last

Date of Birth: ____/____/____ Gender: M / F Social Security Number: ____ - ____ - ____

Driver's License Number: _____ State Issued: _____

Email Address _____

Please list all addresses for the past seven years (attach additional sheets if necessary):

Current Home Address: *Street* _____ *Apt* _____ *City* _____ *County* _____ *State* _____ *Zip Code* _____

Past Home Address: *Street* _____ *Apt* _____ *City* _____ *County* _____ *State* _____ *Zip Code* _____

Past Home Address: *Street* _____ *Apt* _____ *City* _____ *County* _____ *State* _____ *Zip Code* _____

Past Home Address: *Street* _____ *Apt* _____ *City* _____ *County* _____ *State* _____ *Zip Code* _____

List any other names you have used (attach additional sheets if necessary):

Name _____ *Dates Used* _____ *City* _____ *State* _____

Name _____ *Dates Used* _____ *City* _____ *State* _____

Have you ever been convicted of a crime? Yes / No If yes, please complete the section below.

Date _____ *Offense* _____ *City* _____ *County* _____ *State* _____

(Please Explain _____

(Attach additional sheets if necessary)

I authorize all persons, schools, companies, corporations, state agencies, federal agencies, credit reporting agencies and law enforcement agencies to release information without restriction or qualification to The McDowell Agency, Inc. I hereby release The McDowell Agency, Inc. and the Mille Lacs Band of Ojibwe from any liability arising from the preparation of this report or investigation relating thereto to the extent permitted by law. I agree that failure to reveal any requested information, or the giving of any false or misleading information on this form or any application form, may be grounds for refusal to allow me any rental possibilities with this organization. Furthermore, I understand that any offer that has been made to me for the rental agreement is contingent upon full disclosure of requested information and subject to personal reference checks. I understand that the results of said background check may disqualify me from renting at and that any offer I have received is contingent upon this report and may be rescinded at any time as a result of findings deemed essential.

I have read and understand the terms of this authorization and agree to the terms stated herein. A photocopy or facsimile of this authorization will be treated the same as an original.

Signed _____

Date _____



COMMUNITY DEVELOPMENT DIVISION

TRIBAL BONUS DEDUCTION

By signing below, I, _____ hereby grant my permission to **Mille Lacs Band of Ojibwe** to deduct the amount of \$ _____ from my tribal bonus to be applied towards payment on a background check for my housing rental application I owe to Mille Lacs Band Housing Department. I understand that the cost of this background check may be as high as \$250.00. The monthly deduction, regardless of total, will not exceed \$25.00.

I hereby acknowledge the following:

1. That if my background check is acceptable I will be added to the Housing Waiting List. This fee will be retained by Housing and credited toward my security deposit when I do move into a rental unit. If I choose not to accept a rental unit, this fee will be forfeited to pay the cost of the background check fee.
2. That if my background check is NOT acceptable, this fee will be used to pay the cost of the background check and I will not be added to the Housing Waiting List.

I understand that this deduction may exceed the 70% cap placed on bonus deductions and choose this deduction anyway. This deduction is not revocable until this debt has been paid in full. This is a voluntary action and not a garnishment.

I understand:

Dated this _____ day of _____, 20_____.

Signature of Band Member

Social Security #

Tribal ID #

OFFICE OF MANAGEMENT AND BUDGET

INCOME VERIFICATION REQUEST

I, _____ am requesting a printout of my
Per Capita / Payroll (circle one) income for the time frame (dates) 3 months to
_____. I would like this report to be sent to Housing or

~~I will pick it up.~~

I understand that OMB has 3 (three) business days to produce this information for me.

Enrollment # or Employee #

Signature Date