



American Rescue Plan Act (ARPA) HOME REPAIR PROGRAM GUIDELINES

Approved by Tribal Council on _____

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I. Purpose; Use of Funds; Payment Considerations

A. Purpose of the Home Repair Program.

The Cheyenne River Sioux Tribal Council approved motions on October 4, 2022 and February 17, 2023, to use \$1,500,000.00 of ARPA funding to make repairs to tribal members private homes' that are currently substandard or uninhabitable.

B. Use of ARPA Funds for Housing Repair.

There is a chronic and pervasive housing shortage on the reservation, so efforts to increase safe and secure housing and long-term housing security are an allowable use of ARPA funds. In March 2021, the United States Congress passed the American Rescue Plan Act of 2021 (ARPA), which established the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide state, local, and Tribal governments with the resources needed to respond to the pandemic and its economic effects and to build a stronger, more equitable economy during the recovery. Within its many and varied eligible uses, ARPA allows Fiscal Recovery Funds to be used "to improve access to stable, affordable housing, including through interventions that increase the supply of affordable and high-quality living units, improve housing security, and support durable and sustainable homeownership." Coronavirus State and Local Fiscal Recovery Funds, 87 Fed. Reg. 4365 (Codifying 31 C.F.R. Part 35) (Jan. 27, 2022).

As described in its Federal Register comments above, the Department of Treasury allows a Tribal government to use its ARPA Fiscal Recovery Funds for the "[d]evelopment, repair, and operation of affordable housing and services or programs to increase long-term housing security," as long as the expenditures are not grossly disproportionate to the harm being addressed. 31 CFR 35.6(b)(3)(ii)(A)(5). Further, since the population being served is presumed to be disproportionately impacted, the Tribe may use its ARPA funds on capital expenditures and other services to address vacant or abandoned properties. 31 CFR 35.6(b)(3)(ii)(A)(11)(iv).

C. Program Eligibility and Allocation Considerations.

In developing this Home Repair Program, the Tribe considered whether and the extent to which tribal members who reside on the reservation continue to experience housing insecurity and its resulting negative economic impacts that were exacerbated by the COVID-19 pandemic. Many tribal members' living situations continue to be unpredictable, unstable, and in some cases, undesirable as a result of the prolonged pandemic. This "housing insecurity," includes low housing inventory on the reservation, high housing costs relative to income, poor housing quality, domestic violence in home, poor neighborhood safety, overcrowding, loss of housing, homelessness, or other situations where there is a lack of adequate or affordable housing. For those reasons, the Cheyenne River Sioux Tribe sees a need to utilize a portion of its ARPA funds to repair existing homes which may be substandard or uninhabitable, thereby increasing the supply of affordable and high-quality living units, improving housing security, and supporting

durable and sustainable homeownership to as many members as possible on the reservation.

II. Program Operations, Eligibility, Terms and Conditions

A. Program Beginning and Ending Dates.

Repairs will be made on a rolling basis until all funds are expended or until December 31, 2024, whichever comes first. Applications for the CRST ARPA Home Repair Program (“HRP”) will be available beginning on _____, 2023. Applications will be accepted until _____, 2023. Any funds not distributed through the Home Repair Program by March 31, 2024, will return to the Tribe's Fiscal Recovery Fund.

B. Home Repair Program Office.

The Tribe is currently using the Tribal Projects ~~staff~~^{office} and the Tribal Projects Committee to administer and manage the Home Repair Program. The Tribal Projects office is located at the current ~~EPD~~ office (need address from Lyle Smith). The office's contact information is (get from Lyle).

C. Enrollment in CRST; Minimum Age; Resident of Reservation.

All applicants must be enrolled tribal members of CRST at least 18 years of age as of October 5, 2022. Individuals who are enrolled at another tribe *and* enrolled at CRST (“dual enrolled”) are not eligible to participate in the Home Repair Program. Applicants must be a resident of the reservation and own a private home, i.e., not in a Cheyenne River Housing Authority program, as of October 5, 2022, in order to participate in the Home Repair Program.

D. Accessing HRP Application.

The CRST Home Repair Program Application (“HRP Application” or “Application”) can be accessed beginning on _____, 2023, via the Tribe’s website at: www.cheyenneriversiouxtribe.org. Blank Application forms can also be picked up in person at the HRP Office, or they can be sent to tribal members via email or US Postal Service. Tribal members may call or email the HRP Office to request an application be sent to them via email or US Postal Service. A blank Application form is attached to these Guidelines as Appendix A.

E. Completion of the HRP Application.

All questions on the Application must be answered truthfully and entirely. Incomplete applications will be rejected. Applications must be signed. The tribal member’s signature on the Application is attesting to the accuracy and truthfulness of the information provided. False or fraudulent information provided or actions taken in an attempt to access benefits to which an individual is not eligible to receive will result in civil and/or criminal prosecution in tribal or federal court.

F. Documentation Made Available Upon Request.

A HRP applicant must have a copy of all evidence needed to support the information provided in the application, and they must furnish a copy of such evidence to the Tribe upon demand.

G. Submission of the HRP Application.

Completed HRP Applications can be submitted to the HRP Office in person, via US Postal Service, email, or fax using the contact information listed in Paragraph B above. Applications are assigned a tracking number at the time of submission. Applications that are postmarked, emailed, faxed, or submitted in person on or before _____, 2023, will be accepted.

H. Review of Eligibility by HRP Office.

All applications are reviewed to ensure that the applicant is over the age of 18, a member of the Cheyenne River Sioux Tribe, and resides in a privately-owned home on the reservation. If an applicant does not meet the eligibility criteria for the Home Repair Program either because they are under age 18, their tribal enrollment cannot be verified, or they do not live in a privately-owned home on the reservation, the application will be denied. There is no appeal process for denied applications.

I. Criteria for Selection of Home Repairs.

The HRP Office prioritizes participation in the Home Repair Program as follows:

1. Tribal members who have no income or who are impoverished; and
2. Who own a private home (i.e., not CRHA) which is uninhabitable or unsafe to live in; and *or storm damage*
3. Whose homes could be made safe and habitable with reasonable cost and effort.

Once all applicants who meet these criteria have had their homes repaired, and if there are HRP funds remaining, then Tribal members who have a source of income or who are employed may be considered for participation in the Home Repair Program.

Due to the limited availability of funding and extent of repairs needed on private homes throughout the Reservation, not all applications will be approved. There is no guarantee of or entitlement to home repairs through the HRP.

J. HRP Inspection of Repairs Needed.

Staff of the Home Repair Program will inspect eligible applicants' homes to determine if the home is uninhabitable or unsafe in its current condition, and what repairs are needed to make it safe and habitable. The HRP staff will further determine whether such repairs could reasonably be made through the Home Repair Program. If the time, expense, and effort to make a home safe and habitable is determined to be excessive, the Home Repair Program may reject an application.

K. Approval by Tribal Projects Committee.

Once the Home Repair Program has inspected an applicant's home, it will provide a report and recommendation to the Tribal Project Committee summarizing whether or what repairs should be made to the applicant's home. The Tribal Projects Committee

reserves the right to approve, disapprove, or modify the recommended repairs to an applicant's home. Decisions of the Tribal Projects Committee are final and cannot be appealed to Tribal Court or Tribal Council.

L. Home Repair Agreement.

Each HRP participant must sign a Home Repair Agreement, attached to these Guidelines as Appendix B.

M. Records Retention; Use and Confidentiality of Application Contents.

The Tribe will retain all HRP Applications received as long as required to meet federal audit guidelines. The Tribe will take steps to keep the financial information contained in applications confidential, but the Tribe may be required to provide information to the U.S. Treasury Department to demonstrate compliance with the ARPA, FRF, and applicable regulations and guidelines. In addition, the Tribe may use aggregated, non-personally-identifiable statistical data for the purposes of advocating for additional federal, state, and other funding and services for the Tribe and its members.

N. No Obligation Upon Tribe.

Nothing in the CRST ARPA Home Repair Program creates any legally enforceable obligation against the Tribe or waives the sovereign immunity of the Tribe or any of its agents or employees.

III. Program Modifications; Effective Date

A. Program Modifications.

The CRST ARPA Home Repair Program may be modified as needed to comply with any updates by the US Dept of Treasury governing these funds.

B. Effective Date.

This "CRST ARPA Home Repair Program Guidelines" becomes effective on the date it is approved by Tribal Council.

BE IT FINALLY RESOLVED, that nothing in this resolution diminishes, divests, alters, or otherwise affects any inherent, treaty, statutory or other rights of the Cheyenne River Sioux Tribe over the property or activities described herein. The Cheyenne River Sioux Tribe expressly retains all rights and authority over the property and activities described herein, including but not limited to legislative, regulatory, adjudicatory, and taxing powers.

CERTIFICATION

I, the undersigned as Secretary of the Cheyenne River Sioux Tribe certify that the Tribal Council is composed of ___ members of whom __, constituting a quorum, were present at a meeting duly and regularly called, noticed, convened and held this __ day of _____, 2023, Regular Session; and that the foregoing resolution was duly adopted at such meeting by an affirmative vote of __ for, __ against, __ not voting, and __ absent.

Ev Ann White Feather, Secretary
Cheyenne River Sioux Tribe



American Rescue Plan Act (ARPA) HOME REPAIR PROGRAM APPLICATION

App # _____

All questions MUST BE ANSWERED completely or application will be rejected

1. Full Name (First, Middle, and Last) _____

2. Enrollment Number _____

3. Physical Address (Street or Identifier, City, State, Zip Code) _____

4. District # _____

5. Phone Number _____

6. Email Address _____

7. List ALL other names you have used (for CRST Enrollment Records) _____

Answer the Following Questions:

8	Describe repairs needed to your home to make it livable. (Example: Roof leaks, Windows are broken, Stairs are Unstable, Handicap accessibility, etc...) _____ _____
9	Are any of the needed repairs caused by storm damage? YES or NO If yes, date of the storm?
10	Are you currently employed?
11	What is the source(s) of your income (Example: Employment, SSI, SSDI, TANF, GA, Child Support, etc...) _____
12	Are you elderly or disabled, or are you the caretaker of any household member who is elderly or disabled?
13	How many people are in your current household?
14	How many children under the age of 18 are in your current household?

15. Certification

I hereby certify that the above statements are true and correct to the best of my knowledge. By signing I certify that I am experiencing prolonged housing insecurity due to issues at my home making it uninhabitable, which has been exacerbated by the COVID-19 pandemic. I understand that false statements made on this application are subject to penalties including, but not limited to, tribal or federal prosecution. If requested, I agree to submit evidence necessary to support my Home Repair Program request. I have received and read a copy of the Home Repair Program Guidelines, I declare that I understand its terms and conditions, and that I am signing my name in agreement to those terms and conditions.

Print Name

Signature

Date

APPLICATION INSTRUCTIONS

1. Applications for the CRST ARPA Home Repair Program ("HRP") program will be available beginning on June 12, 2023. **Applications will be accepted until August 30, 2023. No applications will be accepted after that date.** Applications may be submitted in person, by US Mail, by email, or by fax to the address listed below.
3. All questions must be answered in full, or the application will be rejected as incomplete.
4. If an applicant does not meet the eligibility criteria to participate in the Housing Repair Program their application will be denied. There is no appeal process for denied applications.
5. Refer to the CRST ARPA Home Repair Program Guidelines for more information.

For questions or to submit your completed application:

CRST ARPA Home Repair Program Office

16606 243 Ave., PO Box 590

Eagle Butte, SD 57625

Phone: 605-964-6961

===== **FOR OFFICE USE ONLY** =====

Verified by:

Date:

Comments:

a. Completed and Signed HRP Application form received _____

b. Enrollment confirmed _____

c. District Residency _____ **District #:** _____

d. Application assigned HRP number _____ **HRP Number Assigned:** _____

e. Category: (CIRCLE ALL THAT APPLY)

ELDERLY

HANDICAP

NO/LOW INCOME

EXTERIOR

INTERIOR

STORM DAMAGE

f. Application meets eligibility for HRP consideration _____

g. Application rejected; applicant notified _____

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ARPA HOME REPAIR PROGRAM

PO Box 590

Eagle Butte, SD 57625

Phone: 605-964-6961

June 16, 2023

TO: The Public

FR: ARPA Home Repair Program

The Following Applications are for Handicapped, and Elderly people. If you have any questions call 605-964-6961 Applications are available at the Tribal projects office, located next to EPD.