

**MUSCOGEE (CREEK) NATION
DIVISION OF HOUSING**

Payments and Rents Policy

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Payments and Rents Policy

I. Purpose and Applicability

The purpose of this policy is to establish a method for determining the amount charged to a tenant/resident/homebuyer for monthly payments/rent in accordance with section 203 of NAHASDA and 1000. 124 & 126. This policy is applicable to the Muscogee (Creek) Nation's homeownership, lease purchase, and rental programs. It does not apply to the following programs and/or services:

Mortgage Assistance Program
Renovation of Privately owned Homes
Emergency Repair
VIP (Value Improvement Program) 1937 Act Housing
Emergency Rental Assistance

II. Determination of Income

The Muscogee (Creek) Nation has determined that annual income will be based upon the following definitions from NAHASDA and 24 CFR Part 1000.10

Annual income as reported under the Census long-form for the most recent available decennial Census. This definition includes:

1. Wages, salaries, tips, commissions, etc;
2. Self-employment income; *not including losses*
3. Farm self-employment income; ***not including losses***
4. Interest, dividends, net rental income, or income from estates or trusts;
5. Social security or railroad retirement;
6. Supplemental Security Income, Temporary Assistance to Needy Families or other public assistance or public welfare programs;
7. Retirement, survivor, or disability pensions; and
8. Any other sources of income received regularly, including Veterans' (VA) payments, unemployment compensation, and alimony

Adjusted income means the annual income that remains after excluding the following amounts:

1. YOUTHS, STUDENTS, AND PERSONS WITH DISABILITIES
\$480 for each member of the family residing in the household (other than the head of the household or the spouse of the head of the household)-

1. Who is under 18 years of age; or
2. Who is
 - a. 18 years of age or older; and
 - b. A person with disabilities or a full-time student.

2. ELDERLY AND DISABLED FAMILIES

\$400 for an elderly or disabled family.

3. MEDICAL AND ATTENDANT EXPENSES the amount by which 3 percent of the annual income of the family is exceeded by the aggregate of

1. Medical expenses, in the case of an elderly or disabled family; and
2. Reasonable attendant care and auxiliary apparatus expenses for each family member who is a person with disabilities, to the extent necessary to enable any member of the family (including a member who is a person with disabilities) to be employed.

4. CHILD CARE EXPENSES

Child care expenses, to the extent necessary to enable another member of the family to be employed or to further his or her education.

5. EARNED INCOME OF MINORS

The amount of any earned income of any member of the family who is less than 18 years of age.

6. TRAVEL EXPENSES

Excessive travel expenses, over 20 miles one way, not to exceed \$25 per family per week, for employment or education-related travel.

7. OTHER AMOUNTS

Such other amounts as may be provided in the Indian housing plan

Annual income shall be the basis for determining eligibility and the starting point for calculating the monthly payment/rent. Once the annual income has been determined, the Muscogee (Creek) Nation will apply the standard deductions and exclusions required by NAHASDA

Once the annual adjusted income has been determined, this amount will be divided by 12 to arrive at the monthly adjusted income. Monthly adjusted income will be multiplied by 15%, *not to exceed 30 %*. Once this amount is determined, the applicable utility allowance will be deducted. The Muscogee (Creek) Nation has determined that utilities are to be considered a part of the monthly payment/rent calculation and may be deducted from the monthly income (after the percentage multiplier has been applied above). The utility allowance schedule is as follows:

LOW RENT

1 Bed Room	2 Bed Room	3 Bed Room	4 Bed Room	5 Bed Room
<u>\$54.00</u>	<u>\$ 63.00</u>	<u>\$120.00</u>	<u>\$135.00</u>	<u>150.00</u>

HOMEOWNERSHIP:

	3 Bed Room	4 Bed Room	5 Bed Room
	<u>\$120.00</u>	<u>\$135.00</u>	<u>\$150.00</u>

III. Calculation of Monthly Payment

Required monthly payment shall be calculated according to the methods described in the Lease with Option to Purchase agreement.

The monthly rent/payment will remain in effect until a recertification is completed and a new payment/rent amount is established.

In the event of **loss of income**, the monthly payment may be decreased for three (3) month increments; however it is the homebuyers' responsibility to report a loss in income and present proper documentation to verify such loss. The homebuyer must update this loss every three months thereafter. Homebuyer may be required **to** attend counseling, (financial-budget, job search etc) to be eligible for continued occupancy. Failure to report as required will result in the loss of the payment adjustment.

IV. Ceiling Payments/Rents

The Muscogee (Creek) Nation has established the following schedule for ceiling rents and ceiling payments:

Rental	1	2	3	4	5
	\$250.00	\$275.00	\$300.00	\$325.00	350.00
Homeownership					
			\$350.00	\$400.00	\$450.00

Ceiling payments will be based on the actual cost of the Home, stated interest and Based on a term not to exceed 25 years.

If the monthly payment/rent calculation results in an amount greater than the ceiling amount for that particular unit, the tenant/resident/homebuyer shall be charged the ceiling amount.