

§ 256.14

25 CFR Ch. I (4-1-10 Edition)

(1) For fee property, you must provide a copy of a fully executed Warranty Deed, which is available at your local county court house;

(2) For trust property, you must provide certification from your home agency;

(3) For tribally owned land, you must provide a copy of a properly executed tribal assignment, certified by the agency; or

(4) For multi-owner property, you must provide a copy of a properly executed lease.

[63 FR 10134, Mar. 2, 1998, as amended at 67 FR 77921, Dec. 20, 2002]

§ 256.14 What are the steps that must be taken to process my application for the Housing Improvement Program?

(a) The servicing housing office must review your application for completeness. If your application is incomplete,

the office will notify you, in writing, what is needed to complete your application and the date it must be submitted. If you do not return your application by the deadline date, you will not be considered for assistance in that program year.

(b) The servicing housing office will use your completed application to determine if you are eligible for the Housing Improvement Program.

(1) If you are found ineligible for the Housing Improvement Program or otherwise do not qualify for the program, the servicing housing office will advise you in writing within 45 days of receipt of your completed application.

(2) If you are found eligible for the Housing Improvement Program, the servicing housing office will assess your application for need, according to the factors and numeric values shown in the following table.

Factor	Ranking factor and definition	Ranking description	Point descriptors
1	Annual Household Income: Must include income of all persons counted in Factors 2, 3, 4. Income includes earned income, royalties, and one-time income.	Income/125% FPG ¹ (% of 125% FPG) ¹ 0-25 26-50 51-75 76-100 101-125	Points (maximum=40): 40 30 20 10 0
2	Aged Persons: For the benefit of persons age 55 or older, and Must be living in the dwelling.	Years of Age: Less than 55 55 and older	Points: 0 1 point per year of age over 54
3	Disabled Individual: Any one (1) disabled person living in the dwelling. (The percentage of disability must be based on the average (mean) of the percentage of disabilities identified from two sources (A+B) of statements of conditions which may include a physician's certification, Social Security or Veterans Affairs determination, or similar determination).	% of Disability—(A% + B%/2): 100% or Less than 100%	Points (Maximum=20): 20 10
4	Dependent Children: Must be under the age of 18 or such other age established for purposes of parental support by tribal or state law (if any). Must live in the dwelling and not be married.	Dependent Child—(Number of Children): 1 2 3 4 5 6 or more	Points (Maximum = 5): 0 1 2 3 4 5

¹ FPG means Federal Poverty Guidelines.

(c) The servicing housing office will develop a list of the applications considered and/or received for the Housing Improvement Program for the current

program year. The list will include, at a minimum, sufficient information to determine:

- (1) The current program year;

Bureau of Indian Affairs, Interior

§ 256.17

(2) The number of applications considered and/or received;

(3) The eligible applicants, ranked in order of need, from highest to lowest, based on the total numeric value assigned according to the factors shown in table B. (In the case of a tie, the family with the lower income will be listed first);

(4) The estimated allowable costs of the improvements, repairs or replacement projects for the eligible applicants and the "Priority List," identifying which applicants will be served based on the amount of available funding, starting with the most needy applicant and continuing until the amount of available funding is depleted; and

(5) The applicants not ranked, with an explanation (such as reason for ineligibility or reason for incomplete application).

(d) Your servicing housing office will inform you in writing within 45 days of completion of the listing whether funding is available to provide Housing Improvement Program services to you in that program year.

(1) If funding is available, you will be provided appropriate information concerning the availability of Housing Improvement Program services.

(2) If funding is not available, you will be advised, in writing, and provided appropriate information concerning submission for the next available program year. At the option of your servicing housing office and when extenuating circumstances exist, your application can be carried forward, for one year, into the next program year. You will be advised that you must provide written confirmation that the information in your application is still accurate and that you must provide current income documentation for that application to be considered in the next program year.

(e) Your servicing housing office will prepare an annual report identifying construction work undertaken during the fiscal year and related construction expenditures. The annual report is due to the servicing regional office on the fifteenth day after the end of the fiscal year. The report, at a minimum, will contain:

- (1) Number of Eligible Applicants;

(2) Number of Applicants Provided Service;

(3) Names of Applicants Provided Service;

(4) For Each Applicant Provided Service:

- (i) Date of Construction Start;
- (ii) Date of Construction Completion, if applicable;
- (iii) Cost;
- (iv) HIP Category.

[63 FR 10134, Mar. 2, 1998, as amended at 67 FR 77921, Dec. 20, 2002]

§ 256.15 How long will I have to wait for repair, renovation, or replacement of my dwelling?

The length of time that it takes to accomplish the work to be done on your dwelling is dependent on:

- (a) Whether funds are available;
- (b) The type of work to be done;
- (c) The climate and seasonal conditions where your dwelling is located;
- (d) The availability of a contractor;
- (e) Your position on the priority list; and
- (f) Other unforeseen factors.

§ 256.16 Who is responsible for identifying what work will be done on my dwelling?

The servicing housing office is responsible for identifying what work is to be done on your dwelling or whether your dwelling will be replaced. This includes responsibility to communicate and coordinate, through provision of the current Priority List, with the Indian Health Service, when it is the organization responsible for verifying the availability/feasibility of water and wastewater facilities.

§ 256.17 What will the servicing housing office do to identify what work is to be done on my dwelling?

(a) First, a trained and qualified representative of your servicing housing office must visit your dwelling to identify what repairs or renovation are to be done under the Housing Improvement Program. The representative must ensure that flood, National Environmental Protection Act (NEPA) and earthquake requirements are met.

(b) Second, based on the list of repairs or renovation to be done, the representative must estimate the total