



**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
HOUSING DEPARTMENT**

7500 Odawa Circle
Harbor Springs, MI 49740
Tele: (231) 242-1540 Fax: (231) 242-1550
TTY 7-1-1



RE: LTBB Nish Odetoo (Indian Town) Elder Housing Rental Application

Aanni Applicant

Thank you for your interest in the elder rental units located on Second Street in Harbor Springs.
Please find enclosed:

- ☐ Application – Applicant must complete, sign and date.
- ☐ Release of Information – All adults in the home must complete, sign, and date.
- ☐ LTBB Housing Income Verification Procedure
- ☐ LTBB Housing Background Check Procedure

When returning your application, please be aware that the following documents are required before your application can be placed into the potential applicant pool.

- Release of Information Form completed by every adult in the home
- A copy of your LTBB Tribal ID
- Income verification for all household members. All income from any member of the residence must be reported on your application. Please see the enclosed LTBB Income Verification Procedure as to what is required to be submitted with your application.

Also, please be aware that LTBB Housing will only sign a lease with a LTBB Citizen. Applications received from NON-LTBB Citizens will not be reviewed or considered for occupancy.

Once we have received all of the above-mentioned documentation, we will place your application into the eligible applicant pool.

Once a unit becomes available, all applications in the eligible applicant pool will be scored and the unit will be offered to the highest scoring applicant.

We will be contacting you every 6 months to determine if you are still interested in remaining in the eligible applicant pool. If you do not confirm your continued interest at that time, your application will be removed from active consideration. It is imperative that you keep your contact information current so that we can contact you every 6 months.

We also wish to make you aware that in order to be a tenant of the LTBB Housing Department, every adult member of the home must submit to a criminal history check. Please see the enclosed, Tenant Background Check Procedure, for items that will exclude you from being one of our tenants.



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It is imperative to submit all required documentation in order to be placed in our eligible applicant pool. After you have applied, and any of your contact information changes we request that you update your application with the LTBB Housing Department.

If you are in need of assistance, please feel free to contact the Housing Department at 231-242-1540, and we will be happy to assist you.



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A. APPLICANT INFORMATION

1. Name: _____
Last First MI Any other name known by
2. Address: _____
Current Street/Hwy/County Rd P.O. Box County

City State Zip
3. Telephone: _____
Home Work Cell
4. Email Address: _____
5. Date of Birth: _____
6. LTBB Enrollment Number: _____
7. Marital Status: Married Single Partnered
8. Are you an armed services veteran? YES NO

B. HOUSEHOLD INFORMATION

Please list ALL of the people that will occupy the rental unit, including the head of household. Attach an additional sheet if necessary.

| First & Last Name | D.O.B. | Social Security # | Relationship | Tribe | Enroll No. |
|-------------------|--------|-------------------|--------------|-------|------------|
| | | | | | |
| | | | | | |
| | | | | | |

1. Do you or your family currently lease a rental unit? YES NO
2. Does any member of your household currently own their own home? YES NO
3. Does any member of you home own real property, such as vacant land, second home(s), or vacation rentals? YES NO
4. Do you or your family currently reside in a motel/hotel? YES NO



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-
5. Do you or your family currently live with friends or family in a residence that is not your own? YES NO
6. Do you or your family currently reside in a vehicle or any other location **not** intended to house people? YES NO
7. Is any member of your household disabled or in need of a barrier free unit? YES NO
8. Have you or any member of your home been convicted of a Felony in the past seven (7) years? YES NO

If you answered yes, please list all instances with explanation on a separate sheet of paper.

9. Have you or any member of your home EVER been convicted of a crime that demonstrated violence against another person or an animal, a crime of a sexual nature, or been convicted of manufacturing and/or distributing illegal drugs? YES NO

If you answered yes, please list all instances with explanation on a separate sheet of paper.

C. INCOME INFORMATION

1. **Income Before Deductions:** Estimate the gross income anticipated for ALL household members from ALL sources of income for the next twelve (12) months. Please see the enclosed Income Verification policy for any questions about income. Specify all sources

| Household Member Name | Hourly Wage/Monthly Allotment | Employer/Income Source Name & Address | Gross Annual Income |
|-----------------------|-------------------------------|---------------------------------------|---------------------|
| | | | |
| | | | |
| | | | |
| | | | |

Total _____



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D. REFERENCE INFORMATION

Please provide two personal references, that are not related to you, along with name and contact information of your landlord(s) over the past 12 months.

Personal Reference #1

Name: _____
Address: _____
Phone Number: _____

Personal Reference #2

Name: _____
Address: _____
Phone Number: _____

Landlord #1

Name: _____
Address: _____
Phone Number: _____

Landlord #2

Name: _____
Address: _____
Phone Number: _____

E. APPLICANT CERTIFICATION:

(Read this certification carefully before you sign and date.) Sign in ink.

By signing this application, I certify that all answers are true, complete, and correct to the best of my knowledge.

I understand that by giving false information may be grounds for denial of my application or future eviction.

Applicant's Signature: _____ Date: _____

LTBB HOUSING USE ONLY

Received By: _____ Date: _____ Time: _____



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RELEASE OF INFORMATION AGREEMENT

Name: _____
(Last) (First) (MI)

Maiden Name: _____ Alias: _____

Date of Birth: ____ / ____ / ____ Social Security Number: ____ / ____ / ____

Address: _____
(Street) (P.O. Box) **Emmet**
(County)
Harbor Springs **Michigan** **49740**
(City) (State) (Zip)

Home Phone Number: _____ - _____ - _____

Work Phone Number: _____ - _____ - _____

Drivers License Number: _____

I hereby authorize my confidential information to be released between the agencies listed in this agreement.

Applicant / Client Signature: _____
(Date)

Co-Applicant Signature: _____
(Date)

Agencies Releasing Information To Each Other

Little Traverse Bay Bands of Odawa Indians
Housing Department
7500 Odawa Circle
Harbor Springs, MI 49740
Phone No: (231) 242-1540
Fax No: (231) 242-1550

Law Enforcement Agencies
Courts and Post Office
LTBB Human Services, Enrollment, Accounting,
Behavioral Health, and Elders Departments.
Family Independence Agency
Michigan Department of Health & Human Services

Financial Institutions
Chase Bank
Utility Companies
Credit Providers / Bureaus
Current & Previous Landlords
Schools and Colleges
Support and Alimony Providers
Child Care Providers
Retirement Systems
Social Security Administration
State and Federal Lending Programs
Michigan Works/Unemployment Office
Current and Previous Employers



This institution is an equal opportunity provider.





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**LTBB HOUSING
INCOME VERIFICATION PROCESS & SCREENING PROCEDURES**

I. PURPOSE OF THIS PROCEDURE:

To insure that the LTBB Housing Department calculates annual income in a fair and consistent manner that also complies with any grant requirements that the LTBB Housing Department is responsible for.

II. DEFINITIONS:

- A. **Applicant:** The LTBB Citizen that completes and submits a grant application to LTBB Housing.
- B. **Census Definition of Income:** Annual income as reported under the U.S. Census long form for the most recent available decennial Census. This means the definition of income used by the census, not the dollar amount reported. (See attachment B)
- C. **Grant Recipient(s):** The LTBB Citizen applicant specific to the grant application that was submitted for review, along with any LTBB Citizens listed on the application as full-time members of the home.
- D. **I.R.S. Income:** Adjusted Gross Income as defined for purposes of reporting under Internal Revenue Services Form 1040 series for individual Federal annual income tax purposes. (See attachment C)
- E. **Master List of Grantees:** The database maintained by the LTBB Housing Department that will list all LTBB Housing Grant Applicants and the ending status of their application.
- F. **Section 8 Limits:** Annual Income as defined for HUD's Section 8 programs in 24 CFR part 5, subpart F. (See attachment A)
- G. **Tenant:** Any person that has signed a lease to live in a residence that is owned and or operated as a rental unit by the LTBB Housing Department.

H. **Yearly Journal:** The internal list maintained for each LTBB Housing Grant that will list all applicants for the specific grant.

III. MANAGEMENT:

All LTBB Grant programs are managed by the LTBB Housing Department.

IV. FUNDING:

The housing programs covered by this procedure are funded by the NAHASDA Block Grant.

V. INCOME:

The LTBB Housing Department will define income by either the Section 8 limits, the Censes Definition, or the I.R.S. Definition. The choice of which definition to use belongs to the LTBB Housing Department and will be made so as to be the most advantageous to LTBB Housing:

VI. NAHASDA INCOME EXCLUSIONS:

Section 4 (9) of NAHASDA defines the term “income” as income from all sources of each member of the household as determined in accordance with criteria prescribed by HUD, except that the following amounts may not be considered as income:

- A. Any amounts not actually received by the family.
- B. Any amounts that would be eligible for exclusion under Section 1613(a)(7) of the Social Security Act. This relates to certain amounts received from the United States that are attributable to underpayments of benefits due for one or more prior months under the Social Security Act.
- C. Any amounts received by any member of the family as disability compensation under Chapter 11 of Title 38, United States Code, or dependency and indemnity compensation under chapter 13 of such title. This relates to amounts received from the Department of Veterans Affairs by a family for service-related disabilities of a member of the family, and survivor benefits.

VII. FEDERALLY MANDATED EXCLUSIONS:

Federally mandated exclusions are amounts specifically excluded under other Federal statutes from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under NAHASDA. This list of exclusions can be found in attachment D.

VIII. INCOME VERIFICATION:

Indian Housing Block Grant regulations require the recipient to verify that a family is income eligible based on anticipated annual income. The family's annual income may not exceed the applicable income limit. The family is required to provide income documentation to verify this determination. For this purpose, the following guidelines will be used:

- A. Hourly rates will be multiplied by 40 hours to acquire a weekly gross amount. This amount will be multiplied by 52 to acquire an annual gross amount. If the applicant can document that fewer weekly hours are worked or less weeks per year are worked then we will calculate the amounts accordingly.
- B. If tips are reported on the check stubs provided, we will total the amount of tips on all checks provided, then divide that amount by the number of checks used to acquire it. This average weekly amount will be multiplied by 52 weeks to acquire an annual gross amount. If the applicant is employed less than 52 weeks and we can document this with the employer then we will calculate accordingly.
- C. If overtime amounts are reported on the check stubs provided, we will total the amount of overtime on all checks provided, then divide that amount by the number of checks used to acquire it. This average weekly amount will be multiplied by 52 weeks to acquire an annual gross amount. If the applicant is employed less than 52 weeks and we can document this with the employer then we will calculate accordingly.
- D. Applicants reporting self-employment income must submit the previous year's tax documents as verification of income, along with a current monthly statement of the business revenue and expenses.
- E. Any income received monthly will be multiplied by 12 to acquire an annual gross amount.
- F. Unemployment will be calculated by multiplying the weekly benefit by the number of benefit weeks that the applicant has left to claim.

G. Any person listed on the application that is reporting zero income must complete a LTBB Housing Zero Income Verification form.

H. LTBB Housing staff will complete the Housing Department's Standard Income Calculation form for every member of the home that has reportable income.

IX. ATTACHMENTS:

Attachment A – Section 8 Definition of Annual Income 24 CFR, Part 5, Subpart F (Section 5.609)

§ 5.609 Annual Income.

(a) *Annual income* means all amounts, monetary or not, which:

(1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

(2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

(3) Which are not specifically excluded in paragraph (c) of this section.

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) Annual income includes, but is not limited to:

(1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;

(2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;

(3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

(4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);

- (5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);
- (6) *Welfare assistance payments.*
 - (i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:
 - (A) Qualify as assistance under the TANF program definition at 45 CFR 260.31; and
 - (B) Are not otherwise excluded under paragraph (c) of this section.
 - (ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
 - (A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
 - (B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
- (7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;
- (8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).
- (9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 *et seq.*), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, "financial assistance" does not include loan proceeds for the purpose of determining income.
- (c) Annual income does not include the following:
 - (1) Income from employment of children (including foster children) under the age of 18 years;
 - (2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
 - (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);

- (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined in 24 CFR § 5.403;
- (6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8) (i) Amounts received under training programs funded by HUD;
- (ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
- (iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
- (iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;
- (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;
- (9) Temporary, nonrecurring or sporadic income (including gifts);
- (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- (11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
- (12) Adoption assistance payments in excess of \$480 per adopted child;
- (13) [Reserved]

- (14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
 - (15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
 - (16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
 - (17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the FEDERAL REGISTER and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.
- [Federally Mandated Exclusions listed below in **Attachment D**]

Attachment B

U.S. Census Definition of Income

For each person 15 years old and over, the Census counted income from the following sources:

1. Earnings. The Census Bureau classifies earnings from longest job (or self-employment) and other employment earnings into three types:
 - a. Money wage or salary income is the total income people receive for work performed as an employee during the income year. This category includes wages, salary, armed forces pay, commissions, tips, piece-rate payments, and cash bonuses earned, before deductions are made for items such as taxes, bonds, pensions, and union dues.
 - b. Net income from nonfarm self-employment is the net money income (gross receipts minus expenses) from one's own business, professional enterprise, or partnership.
 - c. Net income from farm self-employment is the net money income (gross receipts minus operating expenses) from the operation of a farm by a person on their own account, as an owner, renter, or sharecropper.
2. Unemployment compensation includes payments the respondent received from government unemployment agencies or private companies during periods of unemployment and any strike benefits the respondent received from union funds.
3. Workers' compensation includes payments people receive periodically from public or private insurance companies for injuries received at work.
4. Social security includes social security pensions and survivors' benefits and permanent disability insurance payments made by the Social Security Administration prior to deductions for medical insurance.
5. Supplemental security income includes federal, state, and local welfare agency payments to low-income people who are 65 years old and over or people of any age who are blind or disabled.
6. Public assistance or welfare payments include cash public assistance payments low-income people receive, such as temporary assistance to needy families (TANF), general assistance, and emergency assistance.
7. Veterans' payments include payments disabled members of the armed forces or survivors of deceased veterans receive periodically from the Department of Veterans Affairs for education and on-the-job training, and means-tested assistance to veterans.
8. Survivor benefits include payments people receive from survivors' or widows' pensions, estates, trusts, annuities, or any other types of survivor benefits.
9. Disability benefits include payments people receive as a result of a health problem or disability (other than those from social security).

10. Pension or retirement income includes payments from the following sources: companies or unions; federal government (Civil Service); military; state or local governments; railroad retirement; annuities or paid-up insurance policies; individual retirement accounts (IRAs), Keogh, or 401(k) payments; or other retirement income.

11. Interest income includes payments people receive (or have credited to accounts) from bonds, treasury notes, IRAs, certificates of deposit, interest-bearing savings and checking accounts, and all other investments that pay interest.

12. Dividends include income people receive from stock holdings and mutual fund shares.

13. Rents, royalties, and estates and trusts includes net income people receive from the rental of a house, store, or other property, receipts from boarders or lodgers, net royalty income, and periodic payments from estate or trust funds.

14. Educational assistance includes Pell Grants; other government educational assistance; any scholarships or grants; or financial assistance students receive from employers, friends, or relatives not residing in the student's household.

15. Child support includes all periodic payments a parent receives from an absent parent for the support of children, even if these payments are made through a state or local government office.

16. Alimony includes all periodic payments people receive from ex-spouses. Alimony excludes one-time property settlements.

17. Financial assistance from outside of the household includes periodic payments people receive from non-household members. This type of assistance excludes gifts or sporadic assistance.

18. Other income includes all other payments people receive regularly such: state programs such as foster child payments, military family allotments, and income received from foreign government pensions.

The Census Bureau does not count the following receipts as income: (1) capital gains people received (or losses they incur) from the sale of property, including stocks, bonds, a house, or a car (unless the person was engaged in the business of selling such property, in which case the CPS counts the net proceeds as income from self-employment); (2) withdrawals of bank deposits; (3) money borrowed; (4) tax refunds; (5) gifts; and (6) lump-sum payments such as inheritances or insurance payments. For the prevailing information on the Bureau of the Census, U.S. Department of Commerce, visit their website <http://www.census.gov>.

Attachment C

IRS Form 1040 Adjusted Gross Income

This lists the inclusions and exclusions as they appear on the 2012 IRS Form 1040.

Inclusions

1. Wages, salaries, tips, etc.
2. Taxable interest.
3. Dividends.
4. Taxable refunds, credits or offsets of State and local income taxes. There are some exceptions - refer to Form 1040 instructions.
5. Alimony (or separate maintenance payments) received.
6. Business income (or loss).
7. Capital gain (or loss).
8. Other gains (or losses) (i.e., assets used in a trade or business that were exchanged or sold).
9. Taxable amount of individual retirement account (IRA) distributions. (Includes simplified employee pension [SEP] and savings incentive match plan for employees [SIMPLE] IRA.)
10. Taxable amount of pension and annuity payments.
11. Rental real estate, royalties, partnerships, S corporations, trusts, etc.
12. Farm income (or loss).
13. Unemployment compensation payments.
14. Taxable amount of Social Security benefits.
15. Other income. (Includes: prizes and awards; gambling, lottery or raffle winnings; jury duty fees; Alaska Permanent fund dividends; reimbursements for amounts deducted in previous years; income from the rental of property if not in the business of renting such property; and income from an activity not engaged in for profit).

Exclusions

1. Educator expenses
2. Certain business expenses of reservists, performing artists, and fee-basis government officials.
3. Health savings account deduction.
4. Moving expenses.
5. Deductible part of self-employment tax.
6. Self-employed SEP, SIMPLE, and qualified plans
7. Self-employed health insurance deduction
8. Penalty on early withdrawal of savings
9. Alimony paid
10. IRA deduction
11. Student loan interest deduction
12. Tuition and fees.
13. Domestic production activities deduction.

Attachment D

Federally Mandated Exclusions from Annual Income

Following is the list of benefits that currently qualify for this income exclusion. The list includes those relevant exclusions that may be applicable to the IHBG program.

1. The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017(b))
2. Payments to Volunteers under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5044(f)(1), 5058)
3. Certain payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))
4. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e)
5. Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f))
6. Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, section 6)
7. The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407)

Please note the recipient may need to examine certain per capita shares to determine whether the proceeds are covered by this provision, such as bingo and gambling proceeds. Although some gaming funds are called "per capita payments", the National Indian Gaming Commission's General Counsel and the Solicitor's office of the Department of the Interior confirmed that the proceeds of gaming operations regulated by the Commission are not funds that are held in trust by the Secretary for the benefit of an Indian tribe, therefore, they do not qualify as per capita payments within the meaning of the Per Capita Distribution Act.

Also, if a tribal member receives the Form 1099-Misc, Miscellaneous Income, from the tribe for reporting Indian gaming profits, this payment does not qualify for this provision. These gaming profits are income that must be included as annual income as defined by HUD's Section 8 Program, the Census, and the IRS. Further, the tribal member must report this miscellaneous income on the "other income" line of the Federal Income tax 1040 Form;

8. Amounts of scholarships funded under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070), including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu).
9. Payments received from programs funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056g)
10. Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund (Pub. L. 101–201) or any other fund established pursuant to the settlement in *In Re Agent Orange Liability Litigation*, M.D.L. No. 381 (E.D.N.Y.)
11. Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96–420, 25 U.S.C. 1721)
12. The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q)
13. Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95–433)
14. Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
15. Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602(c))
16. Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931(a)(2))
17. Any amount received under the Richard B. Russell School Lunch Act (42 U.S.C. 1760(e)) and the Child Nutrition Act of 1966 (42 U.S.C. 1780(b)), including reduced-price lunches and food under the Special Supplemental Food Program for Women, Infants, and Children (WIC)
18. Payments, funds, or distributions authorized, established, or directed by the Seneca Nation Settlement Act of 1990 (25 U.S.C. 1774f(b))
19. Payments from any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts as provided by an amendment to the definition of annual income in the U.S. Housing Act of 1937 (42 U.S.C. 1437A) by section 2608 of the Housing and Economic Recovery Act of 2008 (Pub. L. 110–289). This exclusion will apply when an IHBG recipient adopts the Section 8 definition of annual income

20. A lump sum or a periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in the case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, 816 F. Supp. 2d 10 (Oct. 5, 2011 D.D.C.), as provided in the Claims Resolution Act of 2010 (Pub. L. 111–291). This exclusion will apply for one year from the time that payment is received.

21. Major disaster and emergency assistance received by individuals and families under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Pub. L. 93–288, as amended) comparable disaster assistance provided by States, local governments, and disaster assistance organizations shall not be considered as income or a resource when determining eligibility for or benefit levels under federally funded income assistance or resource-tested benefit programs (42 U.S.C. 5155(d)).

**Little Traverse Bay Bands of Odawa Indians
Housing Department**

TENANT BACKGROUND CHECK PROCEDURES

1. PURPOSE OF THIS PROCEDURE:

To insure that the LTBB Housing Department maintains a safe and crime free environment in our housing units and to screen tenants that may be prone to causing the LTBB Housing Department undue financial hardship.

2. CRIMINAL HISTORY:

- Criminal history reports will be obtained only on those applicants that have been offered and have accepted a rental unit from the LTBB Housing Department.
- Upon receipt of an acceptance letter from a prospective tenant, the designated housing staff member will submit a request to the agency that currently performs tenant screening checks for the LTBB Housing Department. A report will be requested from every adult member of the household.
- The criminal history report will include both civil and criminal information.
- The criminal history reports will be maintained in a separate file that is accessible only by the LTBB Housing Director.

3. PREVIOUS LANDLORD INTERVIEWS

- The applicant will provide the LTBB Housing Department with the names and contact information for all of the landlords that they have had in the previous 18 months.
- The designated LTBB Housing staff member will make contact with all previous landlords listed and conduct an interview to assess if the tenant posed a burden or hardship during the time they were a tenant there.
- Interview questions will include, but are not limited to:
 - Is there account paid in full
 - Did they pay rents on time and in full
 - Was a security deposit collected and if so, how much was returned
 - If security deposits were kept, why were they kept
 - Where there ever any complaints filed against the tenant
- All interview findings will be documented in a report that will be kept in the applicants file.

4. BACKGROUND FINDINGS

The following items are grounds for an applicant's request for residency to be denied.

- Any felony convictions, in the last 7 years, that demonstrate violence toward another person
- Any felony convictions, in the last 7 years, that demonstrate a destruction of property
- Any convictions for crimes of a "sexual" nature
- Any convictions for drug related offenses that demonstrated the illegal manufacture or distribution of a controlled substance
- Any prior evictions, unless extenuating circumstances can be proven. This will be at the discretion of the LTBB Housing Director
- An established history of late rents, at the discretion of the LTBB Housing Director
- A history of complaints against the applicant, at the discretion of the LTBB Housing Director
- If the applicant has been evicted from a LTBB Housing Unit in the last seven (7) years or still has a balance owing the LTBB Housing Department

NOTE: The Little Traverse Bay Bands of Odawa Indians Housing Department is bound by Federal Law and Little Traverse Bay Bands of Odawa Indians Tribal Law, Statutes, Policies and Procedures. The Housing Department staff is not authorized to make any exceptions to Federal Law, Little Traverse Bay Bands of Odawa Indians Tribal Law, Statutes, Policies or internal procedures.