

**Bear River Band of the Rohnerville Rancheria**  
**EMERGENCY ASSISTANCE PROGRAMS**

**Policy and Procedure Manual**

As funded by the State of California

And

The U.S. Department of Treasury

As approved by  
The Bear River Development Commission

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# I. GENERAL PROVISIONS

## *A. Applicability*

This policy applies to the Bear River Band of the Rohnerville Rancheria, who serves as Grantee of the U.S. Department of Treasury Emergency Rental Assistance (ERA) Program Funds established by section 501 Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2021) (the Act), to provide emergency assistance payments for rents and utilities (past-due and current) of Low to Moderate Income (LMI) tribal member families who have been impacted by the COVID-19 pandemic.

This policy applies to the Bear River Band of the Rohnerville Rancheria, who serves as Grantee of the California Tribal Nations Grant (TNGF) emergency fund to provide mortgage and utility assistance to tribal member families who have been impacted by the COVID-19 pandemic.

## *B. Purpose*

This Policy is based upon the March 26, 2021 guidance documents from the U.S. Department of Treasury, entitled (Emergency Rental Assistance: Frequently Asked Questions”. The purpose of Bear River Development Commission Emergency Assistance Program Policy (the “Policy”), are as follow:

1. To provide for the fair and equitable treatment of all tribal member families involved in the program(s) administered by the Housing Department.
2. To provide procedures for determining:
  - a. Housing Eligibility
  - b. Prioritization of Households and
  - c. Means for maintaining records of said determinations
3. To provide oversight ensuring Grantee compliance with the requirements of section 501 of Division N of the Act, and Treasury interpretive guidance regarding such requirements, and therefore preventing fraudulent activity and;
4. To maintain written standards of conduct and procedures in administering the ERA program and TNGF emergency funds.

The use of ERA and TNGF program funds is effective March 13, 2021. ERA program funds must be expended by September 20, 2022 and the TNGF program funds must be expended by December 31, 2021

## *C. Administration*

1. Administration of the Bear River Band of the Rohnerville Rancheria TNGF emergency fund and ERA program shall be administered through the Housing Department with direct program oversight by the Bear River Development Commission (BRDC). Financial reporting by the Finance Director.
2. The Housing Department shall issue operational procedures to implement the TNGF and ERA Program.
3. The Housing Department may use or accept ERA payments to make sub awards to other entities, including non-profit organizations and local governments, to administer both programs on behalf of the Grantee. The sub recipient monitoring and management requirements set forth in 2 CFR 200-317-200.327 will apply to such entities.
  - a. The Housing Department may also enter into contracts using TNGF and ERA payments for goods or services to implement the programs. The Housing Department must comply with the procurement standards set forth in 2 CFR 200.317-200.327 in entering into such a contract.
  - b. Grantees are encouraged to achieve administrative efficiency and fiduciary responsibility by collaborating with other grantees in joint administrative solutions to deploying TNGF and ERA resources.
4. Not more than 10% of the funds for this program may be used for administration costs attributable to providing financial assistance or housing stability services. Housing Stability Services related to the COVID-19 outbreak include those that enable eligible households to maintain or obtain housing. Such services may include housing counseling, fair housing counseling, case management related to housing stability, housing related services for survivors of domestic abuse or human trafficking, attorney's fees related to eviction proceedings, and specialized services for individuals with disabilities or seniors that supports their ability to access or maintain housing.

## II. ERA PROGRAM GUIDELINES

### *A. Eligibility*

An “eligible household” is defined as a tribal member’s household in which at least one or more individuals meet the following criteria:

1. Qualifies for unemployment or has experienced a reduction in household income, incurred significant costs, or experienced a financial hardship due to COVID-19; or
2. Demonstrates a risk of experiencing homelessness or housing instability; and
3. LMI household income is not to exceed 80% median income limits as defined by the Department of Housing and Urban (HUD).

## ***B. Tribal Eligibility***

1. At least one (1) person in the household must be a Tribal Member of the Bear River Band of the Rohnerville Rancheria.
2. Housing Department *may* provide assistance to non-Tribal Member renting on Tribal Land or in a Bear River Band of the Rohnerville Rancheria managed unit, provided these individuals are not already receiving assistance from another Tribe, TDHE, State or local government.

## ***C. Determining Eligibility***

The Housing Department shall be responsible for determining applicant eligibility. Eligibility is determined through the following procedures;

1. Covid-19
  - a. Unemployment: Applicants receiving unemployment benefits will need to provide
    - i. Current EDD benefit statement or;
    - ii. Statement from the employer verifying loss of employment due in response to COVID-19.
  - b. Reduction of Household Income: Applicants who have received a reduction of household income will need to provide:
    - i. Employer verifying reduction of hours or pay or
    - ii. Provide a signed Declaration of Need describing the applicant's current situation and reason for need.
  - c. Incurred Significant Costs of Financial Hardship: Applicants who have incurred significant costs (i.e. medical bills including medications and equipment due to COVID-19) or Financial Hardship (i.e. increased utility usage due to Stay at Home/Shelter in Place Order in effect) shall provide:
    - i. Proof of increased expenses (i.e. Tracked Usage on Utility Bill, medical receipts, statement from medical provider, share of costs determination, etc.) or
    - ii. Provide a signed Declaration of Need **or Self-Certification**.
2. Risk of Experiencing Homelessness or Housing Instability
  - a. Risk of experiencing Homelessness: Applicants are to provide:
    - i. Past Due utility or rent notice or eviction notice.
    - ii. Notice to Terminate Lease (3, 30, or 60 Day).
    - iii. Signed statement from the Landlord providing verification that tenant is at risk of homelessness due to rental arrears or

- iv. Provide a signed Declaration of Need describing the applicant's current situation and reason for need.
- b. *Housing Instability*: Applicants experiencing Housing Instability (i.e. "Overcrowded", living in a substandard/unsafe/uninhabitable household, living in a shelter/hotel, unordinary sleeping accommodation such as a car/park/abandoned building/bus/tent/campground etc.).
  - i. Signed statement provided by a Caseworker, Probation Officer, ICWA, Child Protective Service, Adult Protective Services, Tribal Administrator, etc. verifying current living conditions are unstable.
  - ii. Hotel/Campground Receipts.
  - iii. Citation from law enforcement for unauthorized camping/trespassing or
  - iv. Provide a signed Declaration of Need describing the applicant's current living situation and reason for need.
3. LMI household income is not to exceed 80% median income limits as defined by the Department of Housing and Urban (HUD).
4. Tribal Verification.
  - a. Tribal Enrollment Certification.
  - b. Bear River Tenant Verification rental lease

#### ***D. Income***

Household Income defined for the purposes of the Emergency Rental Assistance programs (ERA) will be documented and verified using the following procedure:

1. *Definition of Income*: With respect to each tribal member household applying for assistance, grantees may choose between using HUD's definition of "annual income" in 24 CFR 6.6091 and using adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 series for individual federal annual income tax purposes.
2. *Methods for Income Determination*: The Act provides that grantees may determine income eligibility based on either;
  - a. The household's total income for calendar year 2020, or;
  - b. Sufficient confirmation of the household's monthly income at the time of application, as determined by the Secretary of the Treasury (Secretary). If a grantee uses a household's monthly income to determine eligibility, the grantee should review the monthly income information provided at the time of application and extrapolate over a 12-month period to determine whether household income exceeds 80% of LMI. For example, if the applicant provides income information for two months, the grantee

should multiply it by six (6) (equal to twelve (12) months) to determine the annual amount. If a household qualifies based on monthly income, the grantee must re-determine the household income eligibility every three months for the duration of assistance.

i. EXAMPLE OF MONTHLY METHOD:

1. Applicant provides income for 2 months
2. Month 1 income amount - \$2,000
3. Month 2 income amount = \$4,000
4. TOTAL Month 1 and 2 income amount ( $\$2,000 + \$4,000 = \$6,000$ )
5. Divide \$6,000 by 2 ( $\$6,000 / 2 = \$3,000$ )
6. Calculate annual gross income ( $\$3,000 \times 12 \text{ months} = \$36,000$ )
7. Compare annual gross income to area LMI limits to determine income eligibility
8. If a household qualifies based on monthly income, the Housing Department shall recertify the household income eligibility every 3 months for the duration of assistance.

3. *Documentation of Income Determination:* Grantee must have a reasonable basis under the circumstances for determining income. Except as discussed below, this generally requires a written affidavit from the applicant to support the determination of income, such as pay stubs, W-2s or other wage statements, tax filings, bank statements demonstrating regular income, or a statement from an employer. As discussed below, under limited circumstances, a grantee may rely on a written affidavit from the applicant without further documentation of household income. Grantees have discretion to provide waivers or exceptions to this documentation requirement to accommodate disabilities, extenuating circumstances related to the pandemic, or a lack of technological access. In these cases, the grantee is still responsible for making the required determination regarding the applicant's household income and documenting that determination.
4. *Categorical Eligibility:* if an applicant's household income has been verified to be at or below 80% of the LMI in connection with another local, state, or federal government assistance program, grantees are permitted to rely on a determination letter from the government agency that verified the applicant's household income, provided that the determination for such program was made on or after January 1, 2020.
5. *Declaration of Need:* To the extent that a household's income, or a portion thereof, is not verifiable due to the impact of COVID-19 (for example, because a place employment has closed) or has been received in cash, or if the household has no qualifying income, grantees may accept a written affidavit from the applicant regarding household income. If such a written affidavit without further documentation is relied on, the grantee must reassess household income for such household every three months. In appropriate

cases, grantees may rely on an affidavit from a caseworker or other professional with knowledge of a household's circumstances to certify that an applicant's household income qualifies for assistance.

6. *Definition of Area Median Income:* The area median income for a household is the same as the income limits established through the Low-Median Income Limits as defined by HUD following this link <https://www.hudexchange.info/programs/home/home-income-limits/>).

### ***E. Requirements and Selection Procedures***

The two types of households listed below are prioritized. To prioritize these households, the Housing Department enters applications in a tracking spreadsheet; once applicants are entered, the housing department reviews the sheet for households that are otherwise eligible AND meet these below qualities. The Housing Department processes and prioritizes eligible applicants on a weekly basis, every Monday.

1. The Housing Department will prioritize assistance to households with:
  - a. Income less than 50% LMI; and/or
  - b. To households with one or more members that have been unemployed for at least ninety (90) days.

In the case that there are too many priority applicants and not enough funds, or in the case that applicants are eligible but don't meet the priority qualifications above, the housing department has a second set of preferences for allocating funds to eligible applicants:

2. The Housing Department has established the following preference system for assistance that prioritizes assistance to households with:
  - a. Streamlining verification processes.
  - b. Prioritizing Applicants on the Waiting List ranking

#### **Preference 1. Enrolled Tribal Member Head of Household With Children or All Adults in Household Are Elderly (over 55) or Disabled and Unable to Work.**

*The following ranking rules shall apply:*

- a. Tribal Members/Ethnicity (3 points for each Tribal Member in household, one point for each other Native American in household, no points for non-Native Americans)
- b. Age of Minor Children (one point for each biologically related minor child or for minor children assigned both physical and legal custody through a state court to the head of



household and/or spouse/significant other on the application and under the age of 17 or up to age of 18 if the minor child is enrolled in school/college). Indian Custodial Assignments are recognized. The children must live predominantly with the adult member of household if there is a shared custody relationship.

- c. Living Condition (one point for either overcrowded/substandard, homeless, or currently paying more than 50% of monthly income for housing)
- d. Disability (one point for each disabled member of the applicant family who is a Tribal Member and an additional point is such a person is over the age of 55 years)
- e. Elders in Family (one point for each member of the applicant family 55 years of age or older and also a Tribal Member)
- f. Age of Applicant (Ages 65 and over – 12 points, Ages 55 to 64 – 10 points, Ages 40 to 54 – 6 points, ages 26 to 39 – 5 points, Ages 18 to 25 – 1 point)
- g. U.S. Veteran (2 points for each veteran in household, maximum 4 points)

**Preference 2. Enrolled Tribal Member Head of Household without Children** Same ranking rules as for Priority 1.

**Preference 3. Other Native American Applicants.** Same ranking rules as for Priority 1.

**Preference 4. Non-Native American Tenants of the Bear River Band of the Rohnerville Rancheria.**

## ***F. Eligible Assistance***

1. Program Assistance is limited to the below described Assisted Activities:
  - a. Rental Payments and Arrears:
    - i. Bear River may provide ERA program assistance for Rent.
    - ii. Bear River may provide assistance to household for which Bear River is the landlord provided that:
      1. Bear River complies with all provisions of the Act, the award terms, and this guidance and that no preferences beyond those outlined in the Act are given to households that reside in Bear River's own properties.
        - a. Low-Rent and
        - b. Mutual Help and Lease Purchase provided that:

i. Housing is renting their residence under a “rent-to-own” agreement, under which the renter has the option (or obligation) to purchase the property at the end of the lease term, provided that a member of the household

1. Is not a signer or co-signer to the mortgage on the property;
2. Does not hold the deed or title to the property; and
3. Has not exercised the option to purchase.

b. Utilities and Home Energy Costs and Arrears:

i. Bear River may provide program assistance for Utilities and Home Energy Costs incurred separately stated charges related to occupancy of rental property including electricity, gas, water, sewer trash removal, and energy costs such as propane/natural gas, oil, kerosene, and wood/pellets:

1. Utilities and home energy costs that are covered by the landlord will be treated as rent.

c. Bear River may provide Program Assistance for “other expenses related to housing incurred due, directly or indirectly, to” the COVID-19 outbreak as defined by the Secretary. Other expenses may include:

- i. Rental Assistance and Rental Fees (if a household has been temporarily or permanently displaced due to COVID-19 outbreak).
- ii. Reasonable accrued late fees (if not included in rental or utility arrears and if incurred due to COVID-19); and
- iii. Internet Services provided that:
  1. Internet services provided to a residence are eligible if the services allow renters to engage in distance learning, telework, and or telemedicine.

a. *Phone Bills, Car Payments, Insurance, and Grocery Bills are not eligible.*

iv. Hotel or Motel Room costs for temporarily displaced households living in hotel or motels provided that;

1. The household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence elsewhere;
2. Documentation of the hotel or motel stay is provided.
3. Cost of the hotel or motel stay does not include expenses incidental to the charge for the room.

v. Households renting manufactured housing and/or parcels of land that the manufactured home occupies may also receive assistance for utilities and other expenses related to housing.

vi. All payments for housing-related expenses must be supported by documentary evidence such as:

1. Bill, invoice or evidence of payment to the provider for the service and;
2. Must be in the name of the head or co-head of the household.

vii. Housing Department shall consider the cost effectiveness of offering assistance for this purpose as compared to other uses. If a household is eligible for an existing program with narrower eligible criteria that can provide similar assistance. Housing Department should utilize such programs prior to providing similar assistance under the ERA program.

*d. Payments under the ERA program are provided to help households meeting housing costs that they are unable to meet as a result of the COVID-19 pandemic. There is no requirement regarding the length of tenure in the current unit.*

*e. If an eligible household receives a monthly federal subsidy and the tenant rent is adjusted according to changes in income, the rental household may receive ERA Program assistance for the tenant-owed portion of the rent that is not subsidized.*

*f. Payments of existing housing arrears (past-due payments) that may result in eviction or foreclosure must be paid first prior to providing assistance for future payments.*

*g. Applicants may reside on tribal lands and in private market.*

## ***G. Terms of Service***

1. ERA Program total months of assistance provided per household cannot exceed twelve (12) months and must be recertified quarterly:
  - a. Terms of Services shall be determined on a Case-by-Case evaluation.
2. Full payment for arrears is allowed up to the 12-month limit established by statute:
  - a. The Housing Department may provide ERA Program assistance for arrears that have accrued before the date of enactment of the statute AND not before March 13, 2020.
3. Full payment for arrears is allowed up to the three (3) month limit:
  - a. The Housing Department may provide TNGF Program assistance for arrears that have accrued before the date of enactment of the statute AND not before March 13, 2020.
4. Assistance for an additional three (3) months (subject to availability of funds) may be provided if the Housing Department determines that further assistance is necessary to ensure housing stability.

## ***H. Application***

Applications are available online and may be downloaded at the Bear River Band of the Rohnerville Rancheria website: <http://www.brb-nsn.gov> or; Bear River Rancheria Facebook.

Applications may be requested the following ways:

- a. by email: [housing@brb-nsn.gov](mailto:housing@brb-nsn.gov);
- b. by phone: contact the Housing Department (707) 733-1900, Option 1;
- c. In person by appointment only Monday-Friday 8 am to 4pm, excluding holidays  
**Allow 2-3 business days for applications to be sent and mailed.**

## ***I. Application Procedure***

1. Procedure for completing the application are as follows:

- a. Complete all required sections within the application. Applications missing signatures or information will be considered incomplete.
    - i. If an applicant is requesting Rental Assistance the applicant must submit:
      - A. A Current lease signed by the applicant and landlord.
        1. If a household does not have a signed lease, documentation of residence may include:
          2. Evidence of paying utilities for the unit;
          3. Letter from the landlord verifying occupancy;
          4. Proof of rental payment (i.e. bank statement, check stubs, or other documentation that reasonably establishes a pattern of paying rent).
      - B. W-9 completed by the landlord
    - C. Request for lease approval completed by the landlord
      - ii. If an applicant is requesting Utility Assistance the applicant must submit:
        - A. Bill, Invoice or evidence of payment to the provider for the service and;
        - B. Must be in the name of the Head or Co-Head of Household
      - iii. See section I “Landlord and Utility Provider Outreach” for procedure to follow when the landlord or utility provider does not cooperate with participating to receive funds in the ERA program.
2. Application for Assistance by Landlord and Owners
- a. If a landlord or owner of a residential dwelling submits and application for assistance from a payment made under this section on behalf of a renter of such dwelling-
    - i. The landlord must obtain the signature of the tenant on such application, which may be documented electronically;
    - ii. Documentation of such application shall be provided to the tenant by the

landlord; and

- iii. Any payments made under this section shall be used to satisfy the tenant's rental obligation to the owner.

### ***J. Landlord or Utility Provider Outreach***

1. The U.S. Department of Treasury expects that in general, rental and utility can be provided most effectively and efficiently when the landlord or utility provider participates in the program.
2. As required by the Act, Housing Department must make reasonable efforts to obtain the cooperation of landlords and utility providers to accept payments from the ERA programs. Reasonable outreach is considered complete if:
  - a. Request for participation is sent in writing, by mail, to the landlord or utility provider, and the addressee does not respond to the request within 14 calendar days after mailing;
  - b. Housing Department has made at least three attempts by phone, text or email over a 10 Calendar-day period to request the landlord or utility provider's participation;  
OR
  - c. A landlord confirms in writing (letter, email or text) that the landlord does not wish to participate.
4. In the instance that a landlord or utility provider does not cooperate after one of the above listed outreach measures have been complete, Housing Department may, with the approval of the Bear River Development Commission (BRDC), choose to pay the approved application directly by following the below listed procedure:
  - a. Applicant must provide written consent acknowledging that he/she:
    - i. Has provided a lease, utility statement, or other justifiable measure stated in this policy, showing the contractual amount owed to the landlord or utility provider;
    - ii. Is required to provide proof of payment of ERA program funds, to Housing Department, before receiving any additional monthly payments;
  - A. Proof of payment includes:
  - B. Receipt of payment from the landlord or utility provider or;
  - C. Bank statement showing payment to the landlord or utility provider.
  - iii. Will be subject to repayment of ERA program funds if a proof of payment is not received by the Housing Department within 10-calendar days; and
  - iv. Understand that knowingly supplying false, incomplete or inaccurate information is punishable under federal and state criminal law. Knowing

supplying false, incomplete or inaccurate information is grounds for termination of the ERA program participation.

### ***K. Documentation Exceptions***

Due to challenges presented by the COVID-19 pandemic, the Housing Department will exercise flexibility when necessary and may use documentation such as photocopies or digital photographs of documents, e-mails, or affidavits from employers, landlords, caseworkers, or others with knowledge of the household's circumstances. The Housing Department will apply flexibility under the following circumstances:

1. Third party verification has been unsuccessful;
2. Verification is delayed or unavailable;
3. Other circumstances as determined on a case-by-case basis by program staff, such as:
  - a. Place of employment has closed,
  - b. Income has been received in cash,
  - c. No qualifying income, or
  - d. Other as determined on a case-by case basis
4. If such a written affidavit without further documentation is relied on, the Housing Department shall reassess household income for such households every three (3) months.
5. Affidavit from a caseworker or other professional with knowledge of a household's circumstances may be used as a last resort by Bear River staff to certify that an applicant's household income qualifies for assistance.

### ***L. Authority Approvals***

1. Once an applicant is determined eligible for services, the application will be reviewed by the Housing Staff.
2. The Housing Staff will make the recommendation, to Housing Director, to either approve or deny services
  - a. The Housing Staff or Grantee may provide assistance for an additional 3-months (subject to availability of funds) if the Housing Director determines that further assistance is necessary to ensure housing stability.

### ***M. Data Retained***

1. U.S. Department of Treasury will provide instructions at a later time as to what information grantees must report to the U.S. Department of Treasury and how this information must be reported. At a minimum, in order to ensure that U.S. Department of Treasury is able to fulfill its quarterly reporting requirements under section 501 (g) of Division N of the Act and its ongoing monitoring and oversight responsibilities, grantees should anticipate the need to collect from households and retain records on the following:

- a. Address of the rental unit;
- b. For landlords and utility providers, the name, address, and Social Security number, tax identification number or DUNS number;
- c. Amount and percentage of monthly rent covered by ERA assistance;
- d. Amount and percentage of separately stated utility and home energy costs covered by ERA assistance;
- e. Total amount of each type of assistance provided to each household (i.e., rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing incurred due directly or indirectly to the COVID-19 outbreak);
- f. Amount of outstanding rental arrears for each household;
- g. Number of months of rental payments and number of months of utility or home energy cost payments for which ERA assistance is provided;
- h. Household income and number of individuals in the household; and
- i. Gender, race, and ethnicity of the primary applicant for assistance.

#### ***N. Publications***

Any publications produced with the U.S. Department of Treasury Emergency Rental Assistance Program funds must display the following language: “This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to the Bear River Band of the Rohnerville Rancheria] by the U.S. Department of the Treasury.”

### **III. TNGF PROGRAM GUIDELINES**

#### ***A. Eligibility***

An “eligible household” is defined as a tribal member’s household in which at least one or more individuals meet the following criteria:

1. Tribal Family which has incurred significant costs, or experienced a financial hardship due to COVID-19; or
2. Demonstrates a risk of experiencing homelessness or housing instability; and

#### ***B. Tribal Eligibility***

1. At least one (1) person in the household must be a Tribal Member of the Bear River Band of the Rohnerville Rancheria.

#### ***C. Determining Eligibility***

The Housing Department shall be responsible for determining applicant eligibility. Eligibility can be determined through the following procedures;

1. Covid-19

- a. Unemployment: Applicants receiving unemployment benefits will need to provide
  - i. Current EDD benefit statement or;
  - ii. Statement from the employer verifying loss of employment due in response to COVID-19.
- b. Reduction of Household Income: Applicants who have received a reduction of household income can provide any of the following:
  - i. Employer verifying reduction of hours or pay or
  - ii. Provide a signed Declaration of Need describing the applicant's current situation and reason for need.
- c. Incurred Significant Costs of Financial Hardship: Applicants who have incurred significant costs (i.e. medical bills including medications and equipment due to COVID-19) or Financial Hardship (i.e. increased utility usage due to Stay at Home/Shelter in Place Order in effect) shall provide:
  - i. Proof of increased expenses (i.e. Tracked Usage on Utility Bill, medical receipts, statement from medical provider, share of costs determination, etc.) or
  - ii. Provide a signed Declaration of Need.

2. Risk of Experiencing Homelessness or Housing Instability

- a. Risk of experiencing Homelessness: Applicants are to provide:
  - i. Past Due utility or rent notice or eviction notice.
  - ii. Notice to Terminate Lease (3, 30, or 60 Day).
  - iii. Signed statement from the Landlord providing verification that tenant is at risk of homelessness due to rental arrears or
  - iv. Provide a signed Declaration of Need describing the applicant's current situation and reason for need.
- b. Housing Instability: Applicants experiencing Housing Instability (i.e. "Overcrowded", living in a substandard/unsafe/uninhabitable household, living in a shelter/hotel, unordinary sleeping accommodation such as a car/park/abandoned building/bus/tent/campground etc.).

3. Tribal Verification.

- a. Tribal Enrollment Certification.

***D. Eligible Assistance***



1. Program Assistance is limited to the below described Assisted Activities:

a. Rental Payments and Arrears:

- i. Bear River may provide ERA program assistance for Rent.
- ii. Bear River may provide assistance to household for which Bear River is the landlord.

b. Mortgage Assistance:

- i. Bear River may provide TNGF program assistance for Mortgage.

c. Utilities and Home Energy Costs and Arrears:

- i. Bear River may provide program assistance for Utilities and Home Energy Costs incurred separately stated charges related to occupancy of rental property including electricity, gas, water, sewer trash removal, and energy costs such as propane/natural gas, oil, kerosene, and wood/pellets:

1. Utilities and home energy costs that are covered by the landlord will be treated as rent.

d. Bear River may provide Program Assistance for "other expenses related to housing incurred due, directly or indirectly, to" the COVID-19 outbreak. Other expenses may include:

- i. Rental or Mortgage Assistance and Rental or Mortgage Fees (if a household has been temporarily or permanently displaced due to COVID-19 outbreak).
- ii. Reasonable accrued late fees (if not included in rental or utility arrears and if incurred due to COVID-19); and
- iii. Internet Services provided that:
  1. Internet services provided to a residence are eligible if the services allow renters to engage in distance learning, telework, and or telemedicine.

a. *Phone Bills, Car Payments, Insurance, and Grocery Bills are not eligible.*

- iv. All payments for housing-related expenses must be supported by documentary evidence such as:

1. Bill, invoice or evidence of payment to the provider for the service and;
2. Must be in the name of the head or co-head of the household.

## ***E. Terms of Service***

1. TNGF Program total months of assistance provided to a household cannot exceed twelve (12) months in total:
  - a. Terms of Services shall be determined on a Case-by Case evaluation.
2. Full payment for arrears is allowed up to six (6) month limit:
  - a. The Housing Department may provide TNGF Program assistance for arrears that have accrued before the date of enactment of the statute AND not before March 13, 2020.
3. Assistance for an additional three (3) months (subject to availability of funds) may be provided if the Housing Department determines that further assistance is necessary to ensure housing stability and provide financial relief due to covid-19 effect.

### III. COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS

#### *A. Compliance with Applicable Law and Regulations.*

1. Recipient (grantee) agrees to comply with the requirements of Section 501 and Treasury interpretive guidance regarding such requirements. Recipient (grantee) also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient (grantee) shall provide for such compliance in any agreements it enters into with other parties relating to this award.
2. Federal regulations applicable to this award include, without limitations, the following:
  - a. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by the Treasury. Subpart F- Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award
  - b. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25 and pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
  - c. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
  - d. OMB Guidelines to Agencies on Government wide Debarment and Suspension (No procurement), 2 C.F.R. Part 180 (including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described

in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.

- e. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
- f. Government wide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
- g. New Restrictions on Lobbying, 31 C.F.R. Part 21.
- h. Funds for payment of a debt must not come from other federally sponsored programs.

### 3. Disclaimer

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way constitute an agency relationship between the United States and Recipient.

### 4. Protection for Whistleblowers

- a. In accordance with 41 U.S.C. §4712, Recipient may not discharge, demote, or otherwise discriminate against an employee as a reprisal for disclosing information to any of the list of persons or entities provided below that the employee reasonably believes in evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
  - i. A member of Congress or a representative of a committee of Congress;
  - ii. An Inspector General;
  - iii. The government Accountability Office;
  - iv. A Treasury employee responsible for contract or grant oversight or management;
  - v. An authorized official of the Department of Justice or other law enforcement agency;
  - vi. A court or grand jury; and/or

- vii. A management official or other employee or Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
  - viii. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.
5. Increasing Seat Belt Use in the United States.
- a. Pursuant to Executive Order 13043, 62 FR 19217 (April 8, 1997), Recipient should and should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles
6. Reducing Text Messaging While Driving.
- a. Pursuant to Executive Order 13513, Recipient should encourage its employees, sub recipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

***B. Recoup of ERA Program Funds***

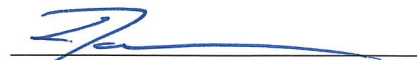
- 1. The U.S. Department of Treasury may recoup ERA program funds from a grantee if the grantee does not comply with the applicable limitations on the use of those funds.

**\*\*\*CERTIFICATION\*\*\***

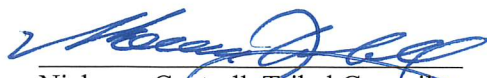
This will certify that the foregoing policy EMERGENCY ASSISTANCE PROGRAMS


was amended at a meeting of the Bear River Development Commission of Bear River Band of the Rohnerville Rancheria called and held on the 5<sup>th</sup> day of August, 2021, and was adopted by a vote of 5 For, 0 Against, 0 Abstentions, 0 Absent and 0 Vacant. A quorum of 5 was present.

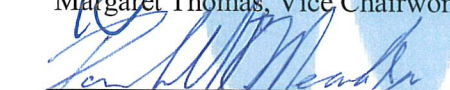
I hereby certify that this BEAR RIVER BAND OF THE ROHNERVILLE RANCHERIA EMERGENCY ASSISTANCE PROGRAMS is now in effect.

  
John McGinnis, Chairman

  
Ruth Wortman, Secretary

  
Niekoma Cantrell, Tribal Council  
Member at Large

  
Margaret Thomas, Vice Chairwoman

  
Randall Mead Jr., Treasurer