

Proceedings of the Northern Plains Regional Summit

Catching the Dream "Expanding Options for Affordable Housing: Local Issues, Local Solutions"

Estes Park, Colorado
May 26 - 27, 2004



Sponsored by:
Office of Native American Programs
Office of Public and Indian Housing
U.S. Department of Housing and Urban Development

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Disclaimer

The contents of this document represent the recorded results of the Northern Plains Regional Summit with summaries developed by the four Breakout Teams, and photographs taken at the Summit. The document is a summary of participant issues, ideas, and discussions and does not represent the official policy or position of the U.S. Department of Housing and Urban Development.

Northern Plains Regional Summit Overview

The Northern Plains Regional Summit was the fourth of six Regional Summits scheduled for the spring and summer of 2004. The results of the six Regional Summits will be used to guide planning for the HUD National Summit to be held in 2005.

Organization. The Summit meetings are organized around the principle that much of the wisdom pertaining to housing issues, problems, and solutions in Indian country resides in the people actively doing the work. The six Regional Summits were designed to provide settings that facilitate the articulation, discussion, and recording of this wisdom.



Opening Session

Representation. During this Regional Summit there were 137 participants, of which 32% were from tribal housing organizations, 32% were tribal leaders and other tribal officials, 12% from federal agencies, and 20% from the private and not-for-profit sector.

Tracks and Topics. Working with the tribes from the Northern Plains Region, four interrelated tracks were identified to be addressed at the Summit: 1) Financing and Funding 2) Housing Development and Management, 3) Strategic Planning, and 4) Institutional Development. Summit participants selected one of four topics/tracks and, working in breakout teams in sequence, a) identified, discussed, and prioritized problems and barriers to the success of housing programs in their region, b) developed strategies to overcome the problems and barriers identified, and c) developed action plans and schedules to implement the strategies. Facilitators worked with each breakout team to promote the active involvement of each participant, and support staff recorded on flip charts the key points made by the participants.

Participants from each of the four breakout teams reported their work at plenary sessions of the Summit, and a court reporter recorded these presentations. This document summarizes the work of each breakout team, identifies cross-track themes, and presents other pertinent information (e.g., the agenda, glossary, and names of participants). It has been disseminated to all Northern Plains Summit participants. This document will be posted on *CodeTalk* (www.codetalk.fed.us).

Other Events and Activities. On the first day of the session, Mr. Tex Hall, Chairman of Three Affiliated Tribes and President of the National Congress of American Indians (NCAI), provided an inspiring luncheon message noting the importance of developing strategies to meet the critical need for safe, affordable housing in Indian country. Chairman Hall described how many families on the Ft. Berthold Reservation live in overcrowded conditions. Often married children, many with children of their own, have to move in with their parents because safe affordable housing is

unavailable at Ft. Berthold. He described how the tribes' housing problems were compounded when the Corps of Engineers, in constructing the Garrison dam (in violation of the Ft. Laramie treaty), flooded 152,360 acres of the reservation land, forcing the relocation of 80 percent of the tribal members.

Crosscutting Themes. The body of this document describes needs, barriers, strategies to overcome the barriers, and action plans to implement the strategies developed by the Northern Plains Summit participants. This section describes a set of five interrelated themes that cut across the four Summit tracks and were echoed in different ways in each track.

- 1. Tribes and TDHEs need better data to operate their programs.** Missing data creates special problems for land use planning and housing. Tribes and TDHEs need topographic, geologic, historic/cultural, hydrologic, housing, and other data for land use planning. When some of these data are missing, land use planning is flawed. In addition, few tribes have complete data on the condition of their existing housing stock. Without information about the repairs needed and the expected remaining useful life of critical housing components, housing budgets are inaccurate. Compounding these problems, federal sources of data (e.g., Census, BIA) are often inaccurate and/or stale for Indian Country. The application of advanced technology such as geographic information systems (GIS) and tribal efforts to improve the decennial census can mitigate some of these problems.
- 2. A lack of knowledge and experience with finance hurts tribal housing programs.** The lack of knowledge and experience about finance keeps qualified tribal members from obtaining a home mortgage or from obtaining a mortgage with fair terms. Also, a similar lack of information and experience among tribal staff serves as a barrier to accessing capital needed to finance housing construction and maintenance on many reservations. Tribes can address these problems by identifying good financial training programs and adapting them to their needs or by developing their own programs. Financial training and education can be targeted to different groups such as:
 - Students at all levels—in elementary, secondary, and post-secondary schools, and in adult and vocational education.

Prospective homebuyers and tribal staff for training in ways to improve access to capital markets.

- 3. Land use and zoning ordinances, and building and commercial codes, regulations, and requirements can facilitate housing and economic development.** The lack of such ordinances, codes, etc. tends to stifle housing construction and maintenance and to slow economic development. HUD can help tribes to address this problem by developing model-building codes and zoning ordinances for tribal review and use. Building codes, zoning regulations and rules may be seen as incompatible with traditional approaches to land use, housing, and cultural practices. When these and other rules and regulations are imposed or supported by outsiders (e.g., federal agencies) without the active consideration and acceptance by tribal members, they may be rejected or resisted by some. Thus, Summit participants urged that the development of ordinances, codes and regulations be done in accordance with each tribe's traditions and values.

- 4. Increased coordination and collaboration across tribal programs can improve tribal housing and improve the quality of life on reservations.** Tribal housing programs need to collaborate more closely with other tribal programs and offices such as law enforcement, courts, economic development, substance abuse treatment, and prevention, education as well as with the Tribal Council. Tribes can effect improved coordination and communication by providing cross training to selected program staff, scheduling periodic meetings of staff of different programs, and using outside facilitators to promote dispute resolution in such areas as eviction and foreclosure for nonpayment of rent and mortgages. Federal departments and agencies funding tribal programs should mirror such collaboration and coordination.

- 5. Undeveloped infrastructure is a barrier to housing and economic development on many reservations.** Lack of access to utilities, water, sewer, and other infrastructure needed by housing and business is a major barrier to housing and economic development. Most tribes do not have the resources required to develop the needed infrastructure. Summit participants suggested that tribes conduct needs assessments that specify the infrastructure needs and associated costs. This information should be provided to Congress for appropriation of the needed funds.

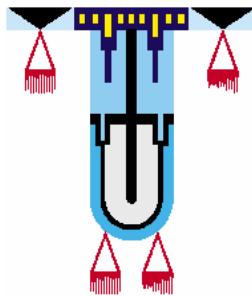


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Participant Comments and Observations

The interactive, hands-on nature of the Northern Plains Regional Summit encouraged participants to express their ideas, reactions, and concerns. A court reporter captured verbatim accounts of these expressions. The following comments were taken from the court reporter transcript.

“When we became reservations we became a different thing. And the great grandfather said you have democracy now. And we sat there and said what the heck is that. And we are still reeling in 2004 trying to understand what the heck democracy is and trying to live in it.” Lawrence Baker, Fort Berthold Housing Authority

“We do have these notions of just start a business without really refining the health—the long-term viability of that business.” Scott Jones, National American Indian Housing Council

“One of the most important things is how we plan a project because if we don’t plan it right, then we’re going to suffer somewhere in the future.” John Warner, Northwestern Shoshone

“All these problems that we’re having today in Indian housing come down to the almighty dollar. If your people don’t have jobs, and if you’re like my tribe, we are running 66% unemployment, how do you expect your people to pay for housing?” Carle Venne, Chairman, Crow Tribe

“Does Washington, DC, the people there, ever come down and see how we live in our houses in the reservation or on the reservation? How we really live, and what are these plans that they’re making for us? Where is our part in it?” Judy Young Bear, Three Affiliated Tribes

“You know sometimes I have a tendency in conferences where somebody speaks up here all the time and when it comes to the comment period everybody lines up and then makes their comment. That was not this kind of conference. This was more of a hands-on. I really like this kind of dialogue where we talk about what’s going on our reservations and what kind of issues we face today.” Manuel Heart, Ute Mountain Housing Authority



Introduction

This document summarizes the proceedings of the Northern Plains Regional Summit conducted in Estes Park, Colorado, on May 26 - 27, 2004. It describes the goals of the ONAP Regional Summits, the Regional Summit process, the results achieved and a list of the Summit participants.

A. Goals of the ONAP Regional Summits

In 2004, HUD/ONAP is conducting interactive Regional Summits in each of its six regions (Alaska, Eastern/Woodlands, Northern Plains, Northwest, Southern Plains, and Southwest) to facilitate:

- **Assessment**—Identify and prioritize problems associated with and barriers to the development of safe, affordable housing, promotion of home ownership, and the use of housing to leverage economic development in the region.
- **Strategy/Vision**—Identify and develop strategies to overcome the prioritized barriers and problems and implement best practices and model approaches.
- **Action**—Develop action plans that include specific steps and timetables required to implement the strategies specified, best practices, and model approaches identified.

After each of the Regional Summits, a summary of the activities and achievements will be distributed to each of the participants with the goal of continuing the participatory spirit of the Summit and maintaining the momentum to implement the action plans developed during the breakout sessions. This document will serve as a reference to the participants, individuals, tribes, and groups in other ONAP regions, and other stakeholders in Indian housing and development. In addition, the activities and achievements of each Regional Summit will form the basis for the plans and preparations for ONAP's National Housing Summit to be convened in 2005. Attachment 4 contains a schedule of the six Regional Summits.

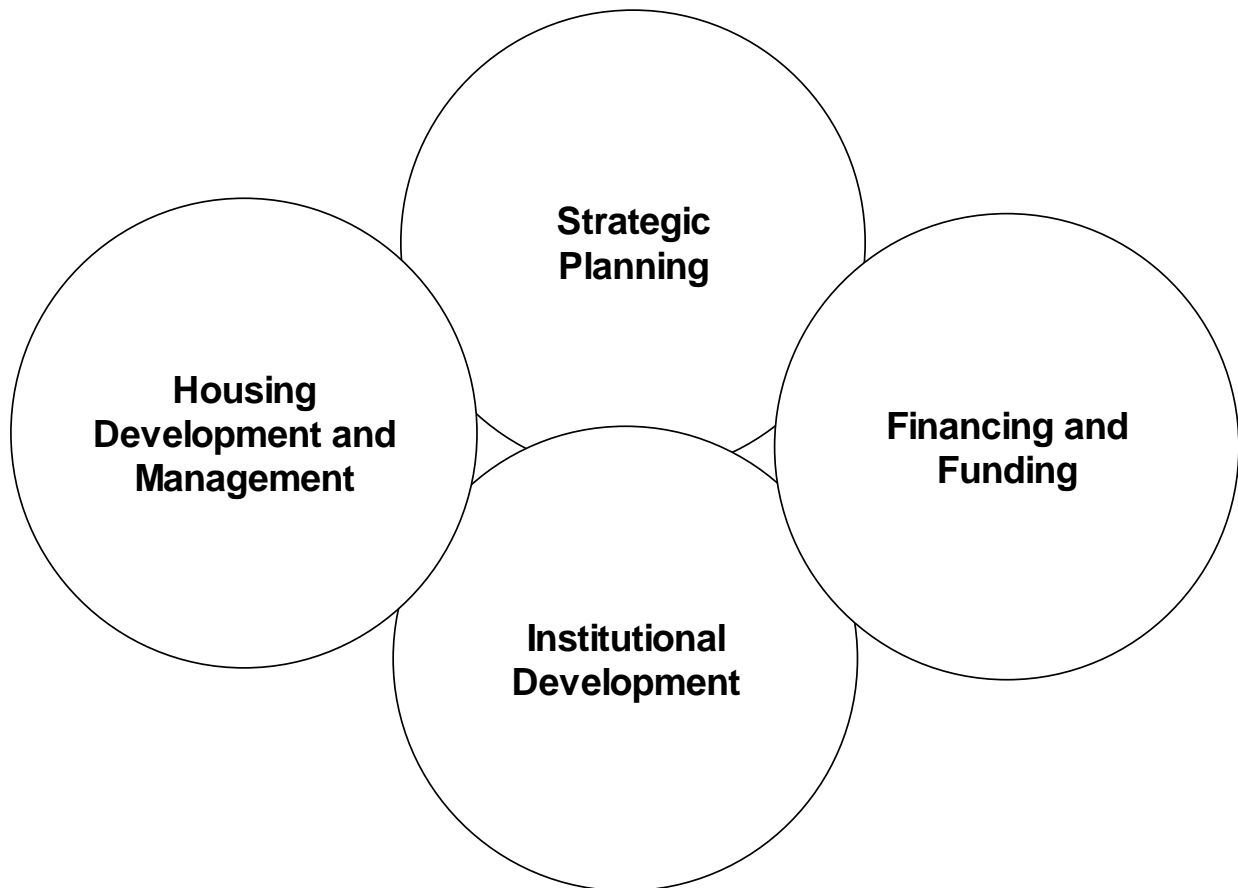
B. The Regional Summit Process

- A critical part of each Regional Summit is the division of labor and responsibility for the Summit content and activities. HUD is responsible for much of the logistics, structure, and support of the Summits. However, the primary breakout tracks reflect input from the tribes, tribal housing programs, and Tribally Designated Housing Entities (TDHEs) in each ONAP region. Working as a team, representatives from the tribes and TDHEs, and HUD/ONAP suggested the conference site.
- Identified facilitators for the Breakout Teams.
- Prioritized the problems they confront and the barriers they encounter in developing safe, affordable housing, home ownership, and leveraging housing to promote economic development.

- Developed strategies to minimize or overcome the barriers and problems they identified.
- Developed action plans with specific steps and timetables to implement the strategies they developed.
- Evaluated the Summit, suggesting ways the process could be improved.

This collaboration promoted strategies and actions that drew on the experience, expertise, and wisdom of tribal leaders, program staff, and tribal members in expanding options for safe, affordable housing in Indian Country. Working with the tribes in the Northern Plains Region, ONAP identified four interrelated themes to be addressed at the Summit (see Figure 1).

Figure 1. Four Summit Tracks



During the initial plenary session, the Summit goals, objectives, procedures, and agenda were discussed, and participants then proceeded to one of the four Breakout Teams in separate rooms to begin the first task — identifying and prioritizing the barriers and problems (see the Summit Agenda in Attachment 1. After working on this task and following a lunch break, volunteers from each Breakout Team presented the Team’s achievements/results at the Summit’s second plenary session. These presentations were designed to allow all Summit participants to share and

learn about the progress and achievements of each of the four Breakout Teams. The Breakout Teams reconvened and spent the remainder of the first day developing strategies to minimize or overcome the problems and barriers identified in the first session.

On the second day of the Summit, at a plenary session, volunteers from each Breakout Team presented the strategies developed by their team, again allowing all Summit participants to learn about the progress made by each Team. After these presentations, the Breakout Team reconvened to develop action plans and schedules designed to implement the strategies developed on the previous day. In the afternoon, the participants came together for a plenary session with different Team members presenting the action plans and schedules.

These presentations were followed by another open forum during which participants were encouraged to present questions, comments, and recommendations, which they deemed to be important but were not adequately addressed during the Summit. Finally, the crosscutting themes and next steps were discussed. These next steps include:

- Preparation and distribution of this document to all Summit participants for use as a reference for the ideas, strategies, action plans developed.
- Placement of this document on the *CodeTalk* website for use by the Summit participants and other stakeholders in Indian Housing. In particular, it is hoped that each ONAP region will benefit from examination and consideration of the summaries of other Regional Summits.
- Planning and convening of other ONAP Regional Summits as well as a National Summit to take place in 2005.

C. Summary of Breakout Tracks

Each Breakout Team began by identifying and prioritizing critical needs and issues pertaining to its track. After identifying the needs and issues, each team identified barriers to meeting the needs and problems associated with the issues identified. In subsequent sessions, each Breakout Team developed strategies and action plans to meet the needs and overcome the barriers identified.

Finance and Funding Track

A. Financing and Funding Needs and Issues

The Financing and Funding Team identified three critical housing needs and issues; these issues are presented below:

1. Tribes require valid data to develop program plans and strategies. Tribes need valid quantitative and qualitative demographic, topographic, geographic, environmental, housing, and other data to develop plans and strategies to meet their housing, economic development, and other needs. While most tribes have some, few have all of the needed data.

2. Tribes need sufficient capital and access to capital to meet their current and projected housing needs. The capital needed to build and maintain housing as well as the infrastructure to support housing (e.g., water, wastewater treatment, utilities) greatly exceeds the capital available to most tribes.



Finance and Funding Team Presentation

3. Tribes have needs for more information, knowledge, and experience with financial planning and operations. Some tribal members and officials need training and education in financial planning and related areas to become informed homebuyers and to be able to access and use existing capital markets efficiently.

B. Financing and Funding Barriers/Problems

The Breakout Team identified three critical barriers and problems pertaining to financing and funding:

1. Census and other data pertaining to tribes are often incomplete or invalid resulting in under-funding of tribal programs and impeding the development of program plans and strategies.

2. Some tribes' access to capital markets has been limited because of historic misunderstandings, and poor communications between the finance industry and tribes. Tribes need access to debt and equity capital to finance housing construction and the development of related infrastructure. However, many potential lenders and investors (other than federal agencies) are unfamiliar with the special circumstances of Indian country (e.g., tribal sovereignty) and have little or no experience in making loans or investments there. This shortage of experience and knowledge are associated with risk, and capital markets tend to be risk averse. Conversely, many tribes need experience in accessing non-government capital markets; however,

there are very few models of successful tribal access to these markets. Consequently, few tribes try to access these markets.

3. The overwhelming need for information, knowledge, and experience deter tribal members from obtaining a mortgage and purchasing a home. Alternatively, some tribal members obtain a mortgage, but often the results are unfavorable or unnecessarily expensive.

C. Financing and Funding Strategies and Actions

The following table presents the three strategies and action plans developed by the Financing and Funding Team to address the needs and barriers they identified.

Finance and Funding Track					
Need/ Issue	Vision/ Strategy	Action	Responsibility/ Partners	Timeframe	Results
Who are we—tribes need valid information for developing strategies and plans. Census, BIA, & other data	Identify 1) demographic, socio-economic, and housing status/characteristics of tribal members and families, & 2) topographic, economic, environmental, & housing characteristics of the tribal lands	1. Use tribal data resource software.	1. Tribal Planning Department	12-18 months	Tribes apply advanced technology to support program planning & management. Tribes have valid data for program planning & management. Better tribal participation in the 2010 census, resulting in better census data
		2. Use data collected to challenge inaccurate Census data.	2. Tribe/TDHE	12-24 months	
		3. Identify & share successful challenges to census data.	3. NAIHC, NCAI, Federal agencies	6-12 months	
		4. Complete/update needs assessment.	4. Tribe/planners	12-24 months	
		5. Educate tribal members on the importance of participating in the next (2010) census.	5. NCAI, tribal leaders, Census Bureau, lobbyists, NAIHC, Congress	Present-2010 On-going	
		6. Develop agency task force on data validity	6. Tribe/TDHE, federal agencies	12 months	
Most tribes need capital to meet their current housing and other needs	Increase access to capital by addressing internal/tribal and external barriers and problems	1. Internal/tribal issues and actions: commit resources to the strategy of increasing access to capital. Develop and adopt needed legal infrastructure. Develop needed human resources-expertise 2. External issues/actions: Increase use of financial intermediaries such as CDFIs. Amend/remove regulatory/statutory barriers. Coordinate multiple federal agency participation in projects	Tribes	12-24 months	Tribes commit more resources to obtaining capital to finance housing. Tribal housing programs and CDFIs collaborate to generate and access capital for housing construction and home buying. Tribes implement needed legal infrastructure (e.g., zoning & environmental regulations)
			Federal departments & agencies including HUD, BIA, DHHS, USDA, Treasury	12-24 months	
Lack of knowledge and experience in finance is a	Improve financial literacy of tribal members and officials	1. Identify good existing training programs 2. Fund, develop, & implement financial literacy program.	Tribal housing and other programs, THDE, NAIHC, NRC	12 months	Better informed homebuyers and increased home ownership. Better informed

Finance and Funding Track

Need/ Issue	Vision/ Strategy	Action	Responsibility/ Partners	Timeframe	Results
barrier to homeowner- ship and to economic development		3. Fund training for program staff 4. Disseminate financial information via multiple sources			tribal officials and program staff resulting in more effective and efficient access to capital

Housing Development and Management Track

A. Housing Development and Management Needs and Issues

The Housing Development and Management Team identified four critical housing needs and issues; these issues are presented below:

1. Housing stock must be greatly expanded to meet current and projected needs, and job creation must be accelerated to decrease high levels of unemployment on reservations and tribal lands. Many tribal members reside in substandard, over-crowded, and/or unsafe housing.



Housing Development and Management Team Presentation

2. Tribal members and program staff need information, knowledge, and experience in finance and related areas. This shortage of information, knowledge, and experience further complicates the ability to obtain mortgage loans, impedes and often discourages homeownership. Thus, more difficulties are encountered for tribes attempting to access financing for housing construction and for tribal members to purchase a home.

3. The condition of the housing stock is not well documented and often the housing stock is not well maintained. Few tribes have an information system that can report the age, condition, and expected life and replacement costs of components of its housing stock. Hence, the lack of such data makes maintenance planning, budgeting, and operations difficult contributing to the poor maintenance of housing stock on reservations.

4. Some tribes lack a comprehensive set of ordinances or regulations governing land use and housing construction further complicating housing planning and operations also contributing to the construction of unsafe or substandard housing.

B. Housing Development and Management Barriers/Problems

The Breakout Team identified three barriers and problems associated with housing development and management:

1. Few tribes have sufficient resources to finance needed housing construction and maintenance, and high unemployment prevents many tribal members from qualifying for mortgage loans and from buying a home were such housing available.

2. Low levels of home ownership, a lack of fee simple land, and/or a shortage of available homes combine to make knowledge and models of homeownership rare in many Indian

communities. Without the opportunity to purchase a home, training and education initiatives related to financial planning tend to be of little interest to tribal members regardless of their age.

3. The disparity between the levels of resources required to meet current and projected housing needs and the resources currently available has discouraged the documentation of current and projected housing maintenance activities. In addition, such documentation and the actual maintenance have had to contend for scarce resources with other tribal programs. Competition for scarce resources also has contributed to the slow adoption of tribal ordinances and regulations pertaining to land use and housing.

C. Housing Development and Management Strategies and Actions

The Housing Development and Management Team developed four strategies and action plans to address the needs and barriers they identified.

Housing Development and Management Track					
Need/ Issue	Vision/ Strategy	Action	Responsibility /Partners	Timeframe	Results
Current housing stock cannot meet current needs, and accelerated job creation is needed to decrease unemployment	Promote economic development through housing development	<ol style="list-style-type: none"> 1. Sustain force account (FA) through education 2. Minimize costs and maximize benefits using both FA and general contractors. 3. Use TERO ordinances to promote training & certification of tribal members 	Tribal Council, tribal housing program/TDHE, TERO	1 year	Improved efficiency of housing construction and maintenance achieved by FA & general contracting. Enhancement of construction labor force skills and competencies
Need for information, knowledge, & experience in finance & related areas	Provide financial planning & homebuyer education & training to tribal program staff and to tribal members	<ol style="list-style-type: none"> 1. Provide finance training tailored for borrowers, tenants, potential homebuyers, and youth. 2. Identify trainers & mentors including elders, tribal lawyer, teachers, Tribal Council, IHS, rural development, lenders, habitat & other non-profits, etc. 3. Choose committee, develop curriculum and adapt to each group. Identify and adapt models & best practices. 4. Disseminate materials at fairs, housing events, meetings, & schools 	Tribal housing program, local lenders, local lenders, BIA, FMHA, parents, schools, colleges, UNAHA, and Regional Association	Spring 2005 End of 2005 1 year 2 years	Implementation of improved financial training programs targeted for specific audiences. Better informed borrowers, tenants, homebuyers, and tribal program staff.

Housing Development and Management Track

Need/ Issue	Vision/ Strategy	Action	Responsibility /Partners	Timeframe	Results
Condition of housing stock not well documented and housing stock not well maintained	Improve management & quality control	1. Establish home care, inspection, property management, & safe and healthy homes policies and procedures that include preventative, routine, and non-routine maintenance. 2. Inspections generate work orders, damage assessments, and payments. 3. Follow through on charging & collecting charges. 4. Establish a depreciation schedule with useful life of materials	Tribal housing program/TDHE	End of 2005	Improved documentation & understanding of the current & projected condition of housing stock. More efficient maintenance of housing stock. Enhanced tenant and homeowner satisfaction, and better quality of life for the community
Incomplete regulatory basis for home construction, maintenance, & rehab	Develop or review ordinances & policies needed for housing construction, maintenance, & rehab	Tribes to develop & implement: 1) land use plan, 2) zoning ordinance, 3) building codes, 4) housing codes, 5) infrastructure codes, 6) cultural preservation Establish home inspection & property management policies	Tribes, NAIHC Tribal attorney	2006	Housing construction, maintenance, and rehab done in faster, more cost-efficient, and higher quality ways

Strategic Planning Track

A. Strategic Planning Needs and Issues

The Strategic Planning Team identified five critical housing needs and issues presented below, starting with the highest priority:

1. The lack of housing infrastructure (e.g., water, sewer, utilities) limits housing construction and rehabilitation.

Most tribes need the resources to develop water, sewer, utilities, and other infrastructure required for housing projects. Inadequate infrastructure restricts housing construction projects on many reservations. In order to build the needed housing, tribes should specify the infrastructure needed, the cost of materials, supplies, and labor to develop the infrastructure, and request appropriate funding from Congress.



Strategic Planning Team Presentation

2. Need to improve land use planning by applying new technology. Geographic information systems (GIS) have been widely used to facilitate and improve land use planning outside of Indian Country. GIS systems can be particularly useful on reservations that need information required for high quality land use planning. In procuring and installing GIS, tribes should coordinate with federal agencies such as EPA, BIA, and HUD.

3. Low levels of financial literacy deter homeownership and efficient program planning. Potential Indian homebuyers often lack knowledge and experience required to obtain mortgages.

4. Missing or antiquated rules and regulations impede land use planning and housing construction. Many tribes need to develop building codes and, zoning ordinances or need to update existing ones. The absence of building, zoning, and related ordinances rules, and regulations (or the presence of outdated ones) deters efficient land use and housing planning and operations. While individual tribes must address this problem, their work could be greatly facilitated if, collectively working with NAIHC and HUD, they could develop model codes and ordinances for all of Indian Country.

5. Tribes should develop plans and procedures for coping with emergencies. Since “9/11,” the federal and state governments and regional entities have been developing or revising plans to respond to emergencies such as natural disasters (e.g., earthquakes, tornados, hurricanes) and

with terrorism. As part of their strategic planning, tribes should coordinate their emergency plans with these governments and entities.

B. Strategic Planning Barriers/Problems

The Breakout Team identified four critical barriers and problems pertaining to strategic planning:

1. Several factors contribute to the need of housing infrastructure:

- Most tribes need more resources required to develop the needed infrastructure.
- The absence of comprehensive land use plans deters or delays infrastructure development.
- The scarcity of construction management experience complicates infrastructure development.
- Rapid population growth makes it difficult for infrastructure development to keep pace with housing construction.
- The lack of sufficient land and/or land suitable for home construction.

2. There has been little motivation for many tribal members to learn financial planning and homeownership, given the high levels of unemployment, and poverty.

3. Emergency planning must compete for scarce resources with issues, problems, and programs that have greater immediacy such as lack of employment opportunities and associated poverty, homelessness, overcrowded and dilapidated housing, and economic development. Indian Country is underserved by the Federal government in support for emergency planning.

4. Building codes, zoning regulations and rules can be seen as incompatible with traditional tribal approaches to land use, housing, and cultural practices. When these and other rules and regulations are imposed or supported by outsiders (e.g., federal agencies) without the active consultation and acceptance by tribal members, they may be rejected or resisted by some.

C. Strategic Planning Strategies and Actions

The following table presents the five strategies to address the needs and barriers identified by the Strategic Planning Team.

Strategic Planning Track					
Need/ Issue	Vision/ Strategy	Action	Responsibility/ Partners	Timeframe	Results
Need for housing infrastructure development (water, sewer, utilities) limits	Lobby Congress to pass legislation authorizing & providing needed funding	1. Conduct needs assessments to document current and projected needs, including maintenance & replacement costs.	IHS, EPA, HUD, USDA	6-7 Months	Documentation of infrastructure needed for new construction and rehabilitation of existing housing stock MOAs and other
		2. Use GIS to document & facilitate project co-ordina-	Tribal/community colleges	16 months, Late 2005	

Strategic Planning Track					
Need/ Issue	Vision/ Strategy	Action	Responsibility/ Partners	Timeframe	Results
housing construction & rehabilitation		tion. 3. Obtain support of tribal & state officials. 4. Work with Congressional delegations & staff on budget and strategic planning	Tribe, States UNAHA, NAIHC Tribes, Congress	3 months, 2004 4-6 months	forms of support among tribes and states Support of key Senators and representatives for proposed legislation. Draft bills for House and Senate
Need to improve land use planning by applying new technology	Implement GIS in land use planning	1. Determine systems used by BIA and other organizations. 2. Develop implementation cost estimates for candidate systems 3. Solicit funding from federal agencies 4. Purchase hardware and software, entering into partnership agreements	EPA, HUD, NAIHC, BIA, Tribal/community colleges, Tribes	2 months 8 months 16 months 24 months	Enhanced land use planning documents incorporating graphs and maps
Need for financial literacy for program planning & operations as well as homeownership	Promote and improve financial literacy	1. Develop equivalent of Tribal Chamber of Commerce 2. Identify & collaborate with lenders; approved lenders provide training materials and on-site training 3. Survey tribal money resources that go to communities that we want to interact with (look at tribal audit) 4. Conduct needs assessment 5. Develop CRA tool kit	Tribal programs, tribal & community colleges, NAIHC, non-profit organizations, Federal Home Loan Bank & other established lenders in Indian country, Federal Reserve, Office of Comptroller of Currency Northern Cheyenne potential model program	2 months 2 years 6 months 18 months 12 months	Instructional materials and courses developed; supporting institutional organizations engaged; improved relations with lenders
Plan & procedures for coping with emergencies	Develop & test emergency response plans	1. Coordinate with NCAI, HUD, DHHS, States & counties 2. Adopt emergency code and procedures 3. Develop plan to implement procedures 4. Conduct training and mock exercises, co-ordinate with other local/regional providers	HUD, DHS, IHS, NCAI, State Tribes, Tribes, TDHE, BIA, IHS, HUD, EPA, DHS Tribe	2 months 18 months 24 months 36 months	Comprehensive emergency response plan coordinated with federal, state, & regional plans & capabilities

Strategic Planning Track					
Need/ Issue	Vision/ Strategy	Action	Responsibility/ Partners	Timeframe	Results
Missing or out dated rules & regulations impede land use planning and housing construction	Develop & update Tribal codes & regulation	<ol style="list-style-type: none"> 1. Adopt or update a building code 2. Develop a model building code for Indian country (CABO, ICDBO, UBC) 3. Provide technical assistance and training relating to code 	Tribe Tribe, HUD NAIHC, Tribe, HUD (Regulatory Housing Association)	2 months 18 months 24 months and ongoing	Tribes will have a model building code that can easily be adapted and adopted. Housing codes will facilitate tribal housing planning and operations
	Develop or improve tribal zoning ordinances & regulations	<ol style="list-style-type: none"> 1. Work with planning district 2. Develop sample zoning ordinance with guidance documents 3. Coordinate with tribal offices & departments: Planning, Reality, Environment, Fish & Wildlife 4. Coordinate public relations with tribal media, radio, & newspapers 	EDA, HUD, NAIHC, tribal housing, and other programs. Yakama Nation—possible model approach	1 month 24 months 2-4 months	Comprehensive tribal zoning ordinances and regulations built on consensus among key stakeholders

Institutional Development Track

A. Institutional Development Needs and Issues

The Institutional Development Team identified two closely related critical housing needs and issues; these issues are presented below.

1. Housing policy, planning, and operation often ignore key stakeholders. For a variety of reasons, many tribal programs operate with little collaboration and cooperation amongst or with each other. In part, this reflects the funding calendars or partial funding allocations by different federal departments and agencies that, in turn, may experience little collaboration and coordination.



Institutional Development Presentation

2. The Tribal Council, Tribal Court, and TDHE/Housing Program are often at odds on enforcement of housing rules and regulations. In enforcing its rules and regulations, a TDHE/Housing Program may evict a tenant for failure to pay rent, substance abuse, or another serious infraction. Similarly, the TDHE/Housing Program may foreclose on a mortgagee for delinquency in making payments. Responding to political and social pressure and acting out of compassion, the Tribal Council may rescind, or try to rescind, the TDHE/Housing Program's decision or action. Should such matters come before the tribal court, the judge may be caught in the middle of the dispute.

B. Institutional Development Barriers/Problems

The Breakout Team identified four critical barriers and problems pertaining to institutional development:

- Uncoordinated federal funding calendars and procurement practices across federal departments and agencies can make collaboration difficult among different federally funded tribal programs.
- Responding to various pressures, tribes have adopted judicial principles, proceedings, and rules developed and maintained by the federal and state governments. Some of these principles, proceedings, and practices are different or incompatible with traditional tribal approaches to dispute resolution.
- Some tribal members may not understand or accept the legitimacy of a tribal court using modern federal or state models of jurisprudence.
- Enforcement of TDHE/Housing Program rules and regulations is made more difficult by the lack of affordable, safe housing and associated over-crowding

confronting many tribes—making especially dire the consequences of an eviction or foreclosure.

C. Institutional Development Strategies and Actions

The Institutional Development Team developed two strategies and actions to address the needs and barriers they identified.

Institutional Development Track					
Need/ Issue	Vision/ Strategy	Action	Responsibility/ Partners	Timeframe	Results
Housing policy, planning, & operation often ignores key stakeholders	Identify & collaborate with tribal institutions that affect housing Ensure that housing policy, planning, & operations are culturally compatible & appropriate	1. Determine roles tribal institutions & groups play or should play in housing 2. Educate tribal institutions on NAHASDA 3. Conduct local meetings of tribal institutions & groups 4. Conduct periodic meetings 3. Provide cross-training for staff of different programs	TDHE, tribal courts & law enforcement, schools, economic development, planning, Tribal Council, ONAP & other federal agencies	30 days	Revised/updated plans making them comprehensive and supportive of mutual goals & objectives.
				30-45 days	
				90 days	Increased collaboration and efficiency
				On-going	Increased consensus and support by tribal members & institutions
				On-going	
The Tribal Council, Tribal Court, and TDHE/ Housing Program are often at odds on enforcement of housing rules and regulations	Use external evaluator or dispute resolution agency to facilitate solutions	1. Identify communication-collaboration barriers & problems 2. Involve national associations such as NAIHC, NIEA, NCAI, NAICJ 3. Invite Tribal Courts to address housing case load and court procedures with Tribal Council 4. Strategize with all stakeholders on how to identify and resolve issues	Tribal law enforcement, housing program/TDHE, Courts, Tribal Council,	45 days	Better understanding, compliance, & enforcement of housing laws, rules, & regulations
				90 days	
				120 days	More efficient & effective programs
				90 days	Increased tenant, homeowner, and program staff satisfaction Improved quality of life

Attachment 1. Agenda

Northern Plains Region Summit
 Catching the Dream: Expanding Options for Affordable Housing - Local Issues, Local Solutions
 May 26-27, 2004, The Stanley Hotel, Estes Park, Colorado

Agenda

May 26		May 27	
7:30 a.m.	Continental Breakfast	7:30 a.m.	Continental Breakfast
8:30 a.m.	Opening Ceremonies <ul style="list-style-type: none"> • Welcome by Randy Akers, ONAP Regional Administrator • Welcoming Remarks by Burton Hutchinson, Chairman, Northern Arapaho Tribe • Colorado American Indian Veterans Color Guard Plainsmen Drum Group - Head Singer, Lakota Clairmont 	8:30 a.m.	Workshop Convenes – Highlights of Day One
9:00 a.m.	Michael Liu, Assistant Secretary, Office of Public and Indian Housing, U.S. Department of Housing and Urban Development	9:30 a.m.	Break-out Session III – Action Planning, How Do We Get There? <ul style="list-style-type: none"> • Converting Strategies to Action • Mobilizing Public and Private Partners • Transferring Best Practices and Model Approaches
9:30 a.m.	Workshop Structure and Protocol – Lead Facilitator		
10:00 a.m.	Break-Out Session I – Assessment, Where Are We? <ul style="list-style-type: none"> • Scoping the Situation • Model Approaches • Barriers/Problems 		
Noon	Lunch Luncheon Speaker – Tex Hall, Chairman, National Congress of American Indians	Noon	Lunch
1:15 p.m.	Break-out Session I Plenary – Team Presentations	1:15 p.m.	Break-out Session III Plenary – Team Presentations
2:00 p.m.	Break-out Session II – Vision, What Do We Want to See? <ul style="list-style-type: none"> • Creating an Affordable Housing Vision, Strategies to Address Barriers and Promote Best Practices 	2:00 p.m.	Open Forum – Opportunity for Participants to Present Additional Concerns and/or Ideas
4:00 p.m.	Break-out Session II Plenary –Team Presentations	2:45 p.m.	Next Steps <ul style="list-style-type: none"> • Workshop Documentation and Distribution • Setting the Stage for the '05 National Summit
5:00 p.m.	Adjourn	4:00 p.m.	Closing Comments by Tribal Leaders and Adjourn

Summit Details

Once you arrive, you will be asked to choose a track to follow from the first to last breakouts. The tracks are as follows:

- **Tribal Institutional Arena:** Governance and legal systems conducive to affordable housing, relationships to Tribal Councils and courts, legal tools, agreements, and MOUs to facilitate affordable housing.
- **Strategic Planning Arena:** Developing a unified strategy and road map, planning today for future generations' housing needs, how housing supports economic development and community infrastructure.
- **Funding/Financing Arena:** Accessing and leveraging financing, capturing funds vs. building capacity to manage funds, multiple approaches for rental and homeownership, taking advantage of Section 184 and Title VI.
- **Housing Development and Management Arena:** The housing development cycle, skill sets and systems for management, education and financial literacy, players and partners in management – shared accountability.

Attachment 2. Glossary

Acceleration clause. A provision in a mortgage that gives the lender the right to demand payment of the entire outstanding balance if a monthly payment is missed.

Adjustable-rate mortgage (ARM). A mortgage that permits the lender to adjust its interest rate periodically on the basis of changes in a specified index.

Amortization. The gradual repayment of a mortgage by installments, calculated to pay off the obligation at the end of a fixed period of time.

Amortization schedule. A timetable for payment of a mortgage showing the amount of each payment applied to interest and principal and the balance remaining.

Annual percentage rate (APR). The total cost of a mortgage stated as a yearly rate; includes such items as the base interest rate, loan origination fee (points), commitment fees, prepaid interest, and other credit costs that may be paid by the borrower.

Appraisal. A professional opinion or estimate of the market value of a property.

Appreciation. An increase in the value of a property due to changes in market conditions or other causes.

Assessed value. The valuation placed upon property by a public tax assessor that is used to compute property taxes.

Assumable mortgage. A mortgage that can be taken over (assumed) by the buyer when a home is sold.

Binder. A preliminary agreement between a buyer and seller that includes the price and terms of the contract.

Balloon mortgage. A mortgage loan with periodic payments that are insufficient to fully amortize the face amount of the note prior to maturity, so that the principal sum, known as the *balloon*, is due at maturity.

Buydown. A payment to the lender from the seller, buyer, or third party, resulting in a reduction to the interest rate or the principal of the loan. Gap financing is considered a *buydown* or reduction of the principal.

Cap. A provision of an ARM limiting how much the interest rate or mortgage payments may increase or decrease.

Cash reserve. A requirement of some lenders that buyers have sufficient cash remaining after closing equivalent to two months' mortgage payments.

Clear title. A title that is free of liens or legal questions as to ownership of property.

Closing costs. Expenses (over and above the price of the property) incurred by buyers and sellers in transferring ownership of a property. Also called settlement costs. This generally involves an origination fee, discount points, appraisal, credit report, title insurance, attorney's fees, survey, and prepaid items such as tax and insurance escrow payments.

Closing. A meeting at which the sale of a property is finalized by delivery of a deed from the seller to the buyer and by the buyer's signing of the mortgage documents and paying closing costs. Also called *settlement*.

Commitment letter. A formal offer by a lender stating the terms under which it agrees to lend money to a homebuyer.

Contingency. A condition that must be met before a contract is legally binding.

Conventional mortgage. Any mortgage that is not insured or guaranteed by the federal government.

Convertible ARM. An ARM that can be converted to a fixed-rate mortgage under specified conditions.

Covenant. A clause in a mortgage that obligates or restricts the borrower and that, if violated, can result in foreclosure.

Credit report. A report of an individual's credit history prepared by a credit bureau or consumer reporting agency and used by a lender in determining a loan applicant's creditworthiness.

Deed. The legal document conveying title to a property.

Default. The failure to make a mortgage payment on a timely basis or to comply with other requirements of a mortgage.

Delinquency. A situation in which a payment on a loan is overdue but not yet in default.

Deposit. See **Earnest Money**.

Depreciation. A decline in the value of property; the opposite of *appreciation*.

DHHS. The U.S. Department of Health and Human Services.

Discount points. See **Points**.

DOE. The U. S. Department of Energy.

Down payment. The part of the purchase price that the buyer pays in cash and does not finance with a mortgage.

Due-on-sale clause. A provision in a mortgage allowing the lender to demand repayment in full if the borrower sells the property securing the mortgage.

Earnest money. A deposit made by the potential homebuyer to show that he or she is serious about buying the house.

Easement. A right of way giving persons other than the owner access to or over a property.

EC/EZ. Empowerment Zone and Enterprise Community

Environmental review. A review to ensure that the environment is not negatively impacted by construction in the area.

Equal Credit Opportunity Act. A federal law that prohibits lenders from discriminating on the basis of the borrower's race, color, religion, national origin, age, sex, marital status, or receipt of income from public assistance programs.

Equity. A term used to identify a homeowner's financial interest in a property. Equity is the difference between the fair market value of a property and the amount still owed on the mortgage.

Equity loan. A loan based on the borrower's equity in his or her home.

Escrow. The holding of documents and money by a neutral third party prior to closing; also, an account held by the lender (or servicer) into which a homeowner pays money for taxes and insurance.

FHA mortgage. A mortgage that is insured by the U.S. Federal Housing Administration. Also referred to as a *government* mortgage.

Fair Credit Reporting Act. A consumer protection law that regulates the disclosure of consumer credit reports by consumer credit reporting agencies and establishes procedures for correcting mistakes on one's credit report.

First mortgage. A mortgage that has first claim to the secured property in the event of default.

Fixed-rate mortgage. A mortgage in which the interest rate does not change during the entire term of the loan.

Forbearance. The lender's postponement of foreclosure to give the borrower time to catch up on overdue payments.

Force Account. The direct performance of highway construction work by a State highway agency, a county, a railroad, or a public utility company by use of labor, equipment, materials, and supplies furnished by them and used under their direct control.

Foreclosure. The legal process by which a mortgaged property may be sold when a mortgage is in default.

Gap financing. A payment to the lender, buyer, or third party, resulting in a reduction to the loan principal.

Graduated-payment mortgage. A mortgage that starts with low monthly payments that increases at a predetermined rate for a specified time. The initial monthly payments are set at an amount lower than that required for full amortization of the debt.

Hazard insurance. An insurance policy that combines personal liability coverage and hazard insurance coverage for a dwelling and its contents.

Homeowner's insurance. An insurance policy that combines personal liability coverage and hazard insurance coverage for a dwelling and its contents.

Homeowner's warranty. A type of insurance that covers repairs to specified parts of a house for a specific period of time. It is provided by the builder or property seller as a condition of the sale.

HUD. The U. S. Department of Housing and Urban Development.

HUD-1 Statement. See **Settlement Statement.**

IHS. Indian Health Service.

Interest rate. The fee or the percentage of an amount of money that is borrowed for a specific period of time.

Interest rate cap. A provision of an ARM limiting how much interest rates may increase per adjustment period or over the life of a mortgage. See also **Lifetime cap.**

Joint tenancy. A form of co-ownership giving each tenant equal interest and equal rights in the property, including the right of survivorship.

Late charge. The penalty a borrower must pay when a payment is made after the due date.

Lien. A legal claim against a property that must be paid off when the property is sold.

Lifetime cap. A provision of an ARM that limits the total increase in interest rates over the life of the loan.

Loan commitment. See **Commitment letter.**

Loan servicing. The collection of mortgage payments from borrowers and the related responsibilities of a loan servicer.

Loan-to-value percentage. The relationship between the unpaid principal balance of the mortgage and the appraised value (or sales price if it is lower) of the property.

Lock-in. A written agreement guaranteeing the homebuyer a specified interest rate provided the loan is closed within a set period of time. The lock-in also usually specifies the number of points to be paid at closing.

Mortgage. A legal document that pledges a property to the lender as security for payment of a debt.

Mortgage banker. A company that originates mortgages exclusively for resale in the secondary market.

Mortgage broker. An individual or company that for a fee acts as intermediary between borrowers and lenders.

Mortgage insurance. See **Private mortgage insurance.**

Mortgage insurance premium. The fee paid by a borrower to the FHA or a private insurer for mortgage insurance.

Mortgage margin. The set percentage the lender adds to the index value to determine the interest rate of an ARM.

Mortgage note. A legal document obligating a borrower to repay a loan at a stated interest rate during a specified period of time. The mortgage note is secured by a mortgage.

Mortgage interest rate. The rate of interest in effect for the monthly payment due.

Mortgagee. The lender in a mortgage agreement.

Mortgagor. The borrower in a mortgage agreement.

MOU. Memorandum of Understanding.

NCAI. National Congress of American Indians.

Negative amortization. A gradual increase in the mortgage debt that occurs when the monthly payment is not large enough to cover the entire amount of principal and interest due. The amount of the shortfall is added to the unpaid principal balance, which results in *negative* amortization.

Note. The agreement that states the amount to be borrowed and the terms and conditions of the loan. It also includes a complete description of how the loan should be repaid and the timeframe for repayment.

Notice of default. A formal written notice to a borrower that a default has occurred and that legal action may be taken.

Origination fee. A fee paid to a lender for processing a loan application; it is stated as a percentage of the mortgage amount.

Owner financing. A property purchase transaction in which the property seller provides all or part of the financing.

Payment cap. A provision of some ARMs limiting the amount by which a borrower's payments may increase regardless of any interest rate increase; may result in negative amortization. See **Adjustable-rate mortgage**.

PITI. Stands for principal, interest, taxes, and insurance—the components of a monthly mortgage payment. On trust land, it will be PII since there are no county property taxes.

Planned unit development (PUD). A project or subdivision that consists of common property that is owned and maintained by owners' association for the benefit and use of the individual unit owners.

Points. A one-time charge by the lender to increase the yield of the loan; a point is 1 percent of the amount of the mortgage.

Prepays. Fees collected at closing to cover items such as setting up escrow accounts for property taxes, homeowner's insurance, and mortgage insurance premiums.

Prepayment penalty. A fee that may be charged to a borrower who pays off a loan before it is due.

Prequalification. The process of determining how much money a prospective homebuyer will be eligible to borrow before a loan is applied for.

Principal. The amount borrowed or remaining unpaid; also, that part of the monthly payment that reduces the outstanding balance of a mortgage.

Private mortgage insurance (PMI). Insurance provided by non-government insurers that protects lenders against loss if a borrower defaults. Lenders generally require PMI for loans with loan-to-value percentages greater than 80 percent.

Purchase and sale agreement. A written contract signed by the buyer and seller stating the terms and conditions under which a property will be sold.

Qualifying ratios. Guidelines applied by the lenders to determine how large a loan to grant a homebuyer.

Radon. An invisible, odorless gas found in some homes that in sufficient concentrations may cause health problems.

Rate lock. See **Lock-in.**

Real Estate Settlement Procedures Act. A consumer protection law that requires lenders to give borrowers advance notice of closing cost.

Refinancing. The process of paying off one loan with the proceeds from a new loan using the same property as security.

Second mortgage. A mortgage that has a lien position subordinate to the first mortgage.

Secondary mortgage market. The buying and selling of existing mortgages.

Section 184 loan. A loan that is guaranteed by HUD for Tribes or their Tribally Designated Housing Entities for the purpose of financing affordable housing activities.

Seller take-back. An agreement in which the owner of a property provides financing, often in combination with an assumed mortgage.

Settlement. See **Closing.**

Settlement Statement. The computation of costs payable at closing that determines the seller's net proceeds and the buyer's net payment (referred to as a HUD-1).

Site control. Legal control over a specific parcel of land that allows the controlling entity to convey their interest in the property, whether it is a leasehold interest or title.

Subsidized second mortgage. A mortgage product for low-and moderate-income households under which a first mortgage is subsidized with a second mortgage (or *soft second*) behind it. The second mortgage may be issued by a state, county, or local housing agencies, foundations or nonprofit organizations. Payment on the second mortgage is often deferred and carries no or low interest rates, and part of the debt may be forgiven incrementally for each year the homeowner remains in the home.

Survey. A drawing or map showing the precise legal boundaries of a property and the location of improvements, easements, rights of way, encroachments, and other physical features.

Tenancy by entirety. A type of joint ownership of property that provides rights of survivorship and is available only to a husband and wife.

Tenancy in common. A type of joint ownership in a property without rights of survivorship.

TERO. Tribal Employment Rights Ordinance.

Title. A legal document evidencing a person's right to or ownership of a property.

Title Company. A company that specializes in examining and insuring titles to real estate.

Title insurance. Insurance to protect the lender (lender's policy) or the buyer (owner's policy) against loss arising from disputes over ownership of property.

Title search. An examination of the public records to ensure that the seller is the legal owner of the property and that there are no liens or other claims outstanding.

Title VI Loan Guarantee Program. A loan that is guaranteed by the U.S. Department of Housing and Urban Development, Office of Native American Programs for tribes or their tribally designated housing entities for the purpose of financing affordable housing activities.

TSR. Title Status Report. A function completed by the BIA that does all of the work of a title company on Indian Trust lands. See **Title, Title Company, Title insurance and Title search.**

Truth-in-lending Act. A federal law that requires lenders to fully disclose, in writing, the terms and conditions of a mortgage, including the APR and other charges.

UCC. Uniform Commercial Code.

Underwriting. The process of evaluating a loan application to determine the risk involved for the lender. It involves an analysis of the borrower's creditworthiness and the quality of the property itself.

USDA. The United States Department of Agriculture.

VA loan. A loan that is guaranteed by the U.S. Department of Veterans Affairs. Also referred to as a *government* mortgage.

Attachment 3. Participant List

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Attachment 4. Schedule of Regional Summits

EASTERN/WOODLANDS REGION

April 6 – 7, 2004

Seminole Hard Rock Hotel & Casino
Tampa, Florida

NORTHWEST REGION

April 21 - 22, 2004

Coeur d'Alene Casino Resort Hotel
Worley, Idaho

ALASKA REGION

May 11 – 12, 2004

Millennium Alaskan Hotel
Anchorage, Alaska

NORTHERN PLAINS REGION

May 26 - 27, 2004

Stanley Hotel
Estes Park, Colorado

SOUTHERN PLAINS REGION

July 20 – 22, 2004

Sheraton Tulsa Hotel
Tulsa, Oklahoma

SOUTHWEST REGION

August 18 – 19, 2004

Nugget Hotel & Casino
Reno, Nevada