



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 0284-2

Date & Time Received: 2/10/23 at 16:06

Date & Time of Response: 21 February 2023; 3:41 pm

Entity Requesting FRF: Pinon Chapter

Title of Project: Housing Renovation & Repair for Pinon Community

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$500,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- ☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: _____
2.18, Housing Support: Other Housing Assistance

<input type="checkbox"/> Missing Form	<input type="checkbox"/> Expenditure Plan incomplete
<input type="checkbox"/> Supporting documentation missing	<input type="checkbox"/> Funds will not be obligated by 12/31/2024
<input type="checkbox"/> Project will not be completed by 12/31/2026	<input type="checkbox"/> Incorrect Signatory
<input type="checkbox"/> Ineligible purpose	<input type="checkbox"/> Inconsistent with applicable NN or federal laws
<input type="checkbox"/> Submitter failed to timely submit CARES reports	
<input type="checkbox"/> Additional information submitted is insufficient to make a proper determination	

[illegible]

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: Adjua Adjei-Danso Digitally signed by Adjua Adjei-Danso
Date: 2023.02.21 15:41:15 -0700'

Digitally signed by Adjua Adjei-Danso
Date: 2023.02.21 15:41:15 -07'00'

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0284

Date & Time Received: 12/7/2022 at 16:36

Date & Time of Response: 12/14/2022 at 5:00 PM

Entity Requesting FRF: Pinon Chapter

Title of Project: Housing Renovation and Repair for Pinon Community

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$500,000

Eligibility Determination:

- ☐ FRF eligible
☐ FRF ineligible
☒ Additional information requested

FRF Eligibility Category:

- ☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: TBD

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):


- | | |
|---|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input checked="" type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Other Comments: _____

We need more information to determine if the proposed housing renovation and repair is an eligible use. To assist us, please provide answers to the following questions in as much detail as possible and include any applications or other relevant information, including any attachments:

- 1. What kind of home housing renovation and repair projects will the Project provide? Please be specific.**
- 2. How does someone qualify for a housing renovation and repair project?**
- 3. How did the Chapter identify that there are 100 homes to renovate? How will the Chapter prioritize applicants if more homes are in need of renovation? What will the Chapter do with the funding if fewer than 100 homes need renovation?**
- 4. Are there any limitations on the types of housing renovation and repair projects covered by the Project and/or the dollar amounts involved per home?**

Name of DOJ Reviewer: Navalyn R. Platero

Signature of DOJ Reviewer: 

If you wish to provide the additional information requested please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, budget form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

RESPONSE: FRF HK00284 Pinon Chapter Housing Renovation

1. What kind of home housing renovation and repair projects will the Project provide?

Homeowner will identify and prioritize their renovation, repair, addition or completion of homes on their application. Assessment will also be completed by chapter staff to get material listing. This project will include completion of a home, addition as well as provide flooring, interior/exterior walls, windows, roofing, doors, insulation, restroom and/or kitchen upgrade and/or completion including appliances, electrical & plumbing issues, wood/coal or pellet stove with ventilation, etc. Materials and labor will be provided by Chapter.

2. How does someone qualify for a housing renovation and repair project?

- a. Completed Housing Assistance Application by Homeowner for PRIMARY residence.
- b. Applicant must provide and attach a copy of their home site lease or Home ownership Certificate for the primary home to be renovated, or addition, ETC.
- c. The applications are vetted by a summary sheet based on family size, Annual income, over crowdedness, unsanitary/unsafe living conditions and elder, handicapped, disabled and or veteran status. (Attached)
- d. Chapter Manager and officials (President, Vice President, Secretary/Treasurer) shall have the authority for approving or disapproving requests during the planning meetings.

3. How did the Chapter identify that there are 100 homes to renovate? How will the Chapter prioritize applicants if more homes are in need of renovation? What will the Chapter do with the funding if fewer than 100 homes need renovation?

- An assessment was completed by visiting the homes in our community to identify housing needs in case of potential funding. There were more than 100 applications returned.
- Chapter will prioritize based on the Summary sheet. Assistance will be needs based.
- If there is funding still available then the chapter will solicit for more applications of those who Also need assistance with their home.

4. Are there any limitations on the types of housing renovation and repair projects covered by the Project and/or the dollar amounts involved per home?

Limitation of financial assistance per household shall not exceed \$7,000.00 .

PINON CHAPTER

HOUSING POINT ALLOCATIONS SUMMARY SHEET

Name of Applicant: _____

Phone No. _____

Name of Co-Applicant: _____

Type of Assistance Requested By Category:

() A – Minor Repairs

() C – Partial Assistance

() B – Major Repairs

() D – New Construction

Factor	Description	Points Allocated
1	Family Size	
2	Annual Household Income	
3	Overcrowded Living Conditions (Causes massive COVID-19 transmission)	
4	Unsanitary or Unsafe Living Conditions (Causes COVID-19 escalation)	
5	Elderly, Handicapped/Disabled, and/or Veteran Status (COVID-19 immunocompromised)	
Total Points Allocated		

Assessed By: _____

Date: _____

() Applicant is approved = _____ New Housing Construction. Bedroom Size: _____

_____ Existing Housing Repairs/Renovation/Addition or Completion.

NOT TO EXCEED \$ _____

() Applicant is Denied: Denial due to: _____

APPROVED BY: _____

DATE: _____

Factors 1 and 2: Family Size and Annual Income		
No. of Family Members	Annual Income	Points
1	\$5,733 or less.....	5
	\$5,734 to \$8,673.....	4
	\$8,674 to \$11,613.....	3
	\$11,614 to \$14,700.....	2
	\$14,701 or more.....	1
2	\$7,722 or less.....	5
	\$7,723 to \$11,682.....	4
	\$11,683 to \$15,642.....	3
	\$15,643 to \$19,800.....	2
	\$19,801 or more.....	1
3	\$9,711 or less.....	5
	\$9,712 to \$14,691.....	4
	\$14,692 to \$19,671.....	3
	\$19,672 to \$24,900.....	2
	\$24,901 or more.....	1
4	\$11,700 or less.....	5
	\$11,701 to \$17,700.....	4
	\$17,701 to \$23,700.....	3
	\$23,701 to \$30,000.....	2
	\$30,001 or more.....	1
5	\$13,689 or less.....	5
	\$13,690 to \$20,709.....	4
	\$20,710 to \$27,729.....	3
	\$27,730 to \$35,100.....	2
	\$35,101 or more.....	1
6	\$15,678 or less.....	5
	\$15,679 to \$23,718.....	4
	\$23,719 to \$31,758.....	3
	\$31,759 to \$40,200.....	2
	\$40,201 or more.....	1
7	\$17,667 or less.....	5
	\$17,668 to \$26,727.....	4
	\$26,728 to \$35,787.....	3
	\$35,788 to \$45,300.....	2
	\$45,301 or more.....	1

Factor 3: Overcrowded Living Conditions		
No. of Rooms	No. of Household Members	Points
0	6 or more individuals...	5
	5 individuals.....	4
	4 individuals.....	3
	3 individuals.....	2
	2 individuals.....	1
1	1 individuals.....	0
	6 or more individuals...	5
	5 individuals.....	4
	4 individuals.....	3
	3 individuals.....	2
2	2 individuals.....	1
	1 individuals.....	0
3	7 or more individuals...	5
	6 individuals.....	4
	5 individuals.....	3
	4 individuals.....	2
	3 individuals.....	1
4	2 or less individuals.....	0
	8 or more individuals...	5
	7 individuals.....	4
	6 individuals.....	3
	5 individuals.....	2
5	4 individuals.....	1
	3 or less individuals.....	0
6	6 or more individuals...	5
	5 individuals.....	4
	4 individuals.....	3
	3 individuals.....	2
	2 individuals.....	1
7	1 individuals.....	0
	6 or more individuals...	5
	5 individuals.....	4
	4 individuals.....	3
	3 individuals.....	2
8	2 individuals.....	1
	1 individuals.....	0
9	6 or more individuals...	5
	5 individuals.....	4
	4 individuals.....	3
	3 individuals.....	2
	2 individuals.....	1
10	1 individuals.....	0

Factor 4: Unsanitary or Unsafe Living Conditions	Points
Homelessness = Unsanitary and Unsafe Conditions	6
Whole house should be condemned due to major deficiencies and/or deterioration. Family need to be relocated there is no other home(s) is available.	5
House has no running water (plumbing), electricity and heating system	4
Roof is leaking, water leaks into rooms or underneath the house causing decay and in need of replacement. Install or repair water or waste water, disposal systems, and repair or replace roof/repair structural supports.	3
Exterior siding deteriorating uneven floors, cracked walls and/or energy conservation measures needed such as insulation, storm windows, etc.	2
Window(s) are broken, door(s) are missing or very difficult to open/close, gaps around some of the door assemblies, bathroom not working properly. Needs to replace toilet, bathtub, sink/lavatory or sewer system failure.	1
There are safe/sanitary conditions	0

Factor 5: Elderly, Handicapped/Disabled and/or Veteran Status	Points
Elderly, Disabled and a Veteran.	5
Elderly and a Veteran.	4
Disabled and a Veteran.	3
Elderly and Disabled.	2
Elderly, Disabled or a Veteran.	1
Not Elderly, Not Disabled, and Non-Veteran.	0

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Pinon Chapter Date prepared: 12/01/2022

Chapter's mailing address: P. O. Box 12 phone & email: 928-725-3710/3711
Pinon Arizona 86510 website (if any): _____

This Form prepared by: Sharon A. Begay phone/email: 928-725-3710/3711
Chapter Manager

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Housing Renovation & repair for Pinon Community

Chapter President: Bessie S. Allen phone & email: 928-313-4983

Chapter Vice-President: Bill Yazzie phone & email: 928-383-6113

Chapter Secretary: Ramona Nalwood phone & email: 928-675-7520

Chapter Treasurer: Ramona Nalwood phone & email: 928-675-7520

Chapter Manager or CSC: Sharon A. Begay phone & email: 928-675-7021

DCD/Chapter ASO: Edgerton Gene phone & email: 928-674-2251

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Housing Contractor

☐ document attached

Amount of FRF requested: 500,000.00 FRF funding period: December 2022 to December 31, 2026

indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The Pinon Chapter is requesting \$500,000.00 to renovate and repair existing housing to assist Navajo families. Providing stable housing for those in need will help eliminate the spread of COVID-19 among families living in multi-generational homes and provide safe and stable homes for homeless families and individuals, which will provide sanitary infrastructure (water/wastewater and electricity) to help combat COVID-19 pandemic

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

This project will benefit the needs of the Pinon Chapter community members by providing stable housing for those in need. Pinon Chapter strives to provide affordable housing for individuals with limited economic opportunities. During this COVID-19 pandemic, stable housing will improve the living conditions for families living in multi-generational homes and help provide sanitary infrastructure.

☐ document attached

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Collect applications 9/01/2022 to 12/31/2022
 procure building materials from local vendors to repair homes: 12/2022 to 01/2023
 Start home renovations and Construction: 02/2023 to 12/31/2023

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Pinon Chapter Manager and Officials

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Homeowners are responsible for the operation and maintenance of the renovated homes following completion.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project falls under the new expenditure Category 2.18 Housing support other housing assistance
 Providing home renovations for navajo families in need will help to address housing support & homelessness by offering housing support and improving access to secure, stable, affordable housing.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Collect applications 9/01/2022 to 12/31/2022
 procure building materials from local vendors to repair homes: 12/2022 to 01/2023
 Start home renovations and Construction: 02/2023 to 12/31/2023

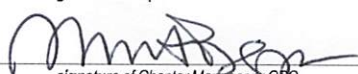
☐ Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's
 Preparer: 
signature of Preparer/CONTACT PERSON

Approved by: 
signature of Chapter President (or Vice-President)

Approved by: 
signature of Chapter Manager or CSC

Approved by: 
signature of DCD/Chapter ISO

Approved to submit
 for Review:  12.2.22
signature of DCD Director

FY 2023THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

APPENDIX B

BUDGET FORM 1

PART I. Business Unit No.: <u>ARPA FUNDS</u>		Program Title: <u>Pinon Chapter <i>Housing Repairs</i></u>		Division/Branch: <u>ASC/DCD</u>				
Prepared By: <u>Sharon A. Begay</u>		Phone No.: <u>928-725-3710</u>		Email Address: <u>sabegay@nnchapters.org</u>				
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
ARPA FUNDS	2022 to 2026	500,000.00	100%					
	<i>12/1/22-12/31/26</i>			2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	<i>6</i>	<i>0</i>	500,000	<i>500,000</i>
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	500,000.00	<i>500,000</i>
TOTAL: \$500,000.00 100%				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Sonlatsa Jim- Martin, ASC Manager</u>			APPROVED BY: <u>Pearl Yellowman, DCD Director</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<i>Sonlatsa Jim</i>			<i>Pearl Yellowman</i>			<i>12.5.23</i>		
Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					



PIÑON CHAPTER

Post Office Box 127 • Piñon, Arizona 86510 • (928) 725-3710/3711 • FAX (928)725-3712

RESOLUTION # 23-01 OF PINON CHAPTER

THE NAVAJO NATION, PINON, ARIZONA

APPROVING, PRIORITIZING AND SUBMITTING PINON CHAPTER'S LISTED PROPOSED PROJECT FOR FULL FUNDINGS FROM THE AMERICAN RESCUE PLAN ACT, PURSUANT TO CJN-29-22, AS PROJECTS IN EXHIBIT A, B, AND C, TO COMBAT COVID 19 PANDEMIC.

WHEREAS:

1. THE Navajo Nation Council by Resolution CS-34-98, enacted the Navajo Nation Local Governance Act and Codified it under the Navajo Nation Code; AND
2. That pursuant to Title 26 NNC, Section B-1&2, Pinon Chapter is an LGA Certified Chapter government of the Navajo Nation Government, thus acts on this foregoing resolution pursuant to the authority vested to Pinon Chapter to recognize, address and advocate for the local needs, its interests, and matters consistent with the Navajo Nation Laws, which includes Navajo customs and traditions; AND
3. That the Navajo Nation Council enacted Resolution CIN-29-22, \$1,070,298,867. the Navajo Nation Fiscal Recovery Fund Expenditure Plans for the Navajo Nation Chapters and Regional Projects; Public Safety, Emergency Communications, E911, Rural Addressing, Cyber Security, Public Health Projects, Hardship Assistance, Water and Waste Water Projects, Broadband Projects, Home Electricity Connections, Electric Capacity Projects, Housing Projects, and Manufactured Housing, Bathroom Additions, and Construction Contingency fundings, AND
4. That the Pinon Chapter, hereby, submits their listed proposed projects, (see Exhibit A), pursuant to CJN-29-22, to Division of Community Development ARPA Portal via our Council Delegate, Jimmy Yellowhair, for consideration by the Navajo Nation Council; AND
5. That the Pinon, hereby, submits their Chapter's listed proposed projects, (see Exhibit B), pursuant to CJN-29-22, via our Council Delegate, Jimmy Yellowhair, for ARPA funding consideration from the Delegate Regional distribution; AND

6. That the Pinon Chapter, hereby, submits, pursuant to CJN-29-22, their Chapter's listed proposed projects with listed recipients that was duly considered and recommended by Chapter Resolution to the Navajo Hopi Land Commission, (see Exhibit C), from the Navajo Partition Land allocation for Modular Homes; AND
7. That it is in the best Health interests of Pinon Chapter and its community to have the Navajo Nation Council to fully consider to fully ARPA fund all of the Pinon Chapter's listed proposed projects on the attached Exhibits.

NOW, THEREFORE, BE IT RESOLVED THAT:

THE Pinon Chapter, hereby, pursuant to CJN-29-22, Approves and Recommends The Submission of the Chapter's Proposed Projects listed on the attached Exhibit A, Exhibit B and Exhibit C for Full Fundings Consideration by the Navajo Nation Council from Funds Allocated by the United States Congress, the American Rescue Plan Act, to Combat the Health Pandemic, COVID 19.

CERTIFICATION

WE, the undersigned, hereby, certified that the foregoing resolution was duly considered at a duly called Pinon Chapter meeting at which a quorum was present and same was duly discussed and acted upon by a vote of 35 in favor, 0 opposed and 14 abstained On the 10th day of October, 2022, at Pinon Chapter House, the Navajo Nation, Pinon, Arizona.

Motioned by: Laverne Gorney

Seconded by: Danny Luman

Bessie S. Allen

Bessie S. Allen, Chapter President

Bill Yazzie

Bill Yazzie, Chapter Vice-President

Ramona Nalwood

Ramona Nalwood, Chapter Secretary/Treasurer

CONCURRED; Council Delegate

Legislation CJN-29-22: \$8,802,340 mil per Delegate

Pinon Chapter equal distribution \$1,760,468 per 5 chapters

\$ 260,468.00	1	Septic & Leech field repairs: 10 repairs @ \$20,000 each
\$ 1,000,000.00	2	New Housing- 5 families have HSL
\$ 500,000.00	3	Housing renovations @ \$5000.00 ea = 100 homes
\$ 1,760,468.00		TOTAL

