



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 #: _____

Date & Time Received: _____

Date & Time of Response: _____

Entity Requesting FRF: _____

Title of Project: _____

Administrative Oversight: _____

Amount of Funding Requested: _____

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: _____

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

[illegible]

Name of DOJ Reviewer: _____

Signature of DOJ Reviewer: _____

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.

Page 2 of 2

Mondular Homes for Denneotso Chapter ARPA Project.

December 21, 2022

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

- 1. What is the criteria to be approved for a new home/how were/will the 8 recipients be selected? Please be specific, including any family size and income limitations, as well as any other specific needs of the intended recipients.**
- 2. Please describe in more detail the homes to be built, including square footage, number of bedrooms, etc., and how the size of home selected for each recipient will be determined (based on family size, etc.)**
- 3. Please describe how the estimated size and cost per home compares to homes in the area these homes will be located.**
- 4. Please explain whether the home construction projects would qualify for any federally funded housing programs, including but not limited to the National Housing Trust Fund, Indian Housing Block Grant program, the Indian Community Development Block Grant program, or the Bureau of Indian Affairs Housing Improvement Program.**

Response:

1. What are the criteria to be approved for new home/ how were/ Will the 8 recipients be selected?
The potential homeowners will fill out an application similar to the Discretionary application. It will include
 - a. APPLICATION (Which will be approved with a resolution)
 - a. Name SS#, CC#, Number of people living in home. If they have electricity, sewer, septic, shower, type of water system. Number of bedroom and bathrooms in house. If they have homesite lease. If any household members have health conditions. Statement of current living conditions.
 - b. INCOME VERIFICATION STATEMENT
 - c. AUTHORIZED FOR RELEASE OF INFORMATION
 - d. MAP OF RESIDENCY
 - e. HOME SITE LEASE
 - f. COPY OF APPLICANT CERTIFICATE OF INDIAN BLOOD
 - g. COPY OF APPLICANT SOCIAL SECURITY CARD
 - h. NAVAJO NATION VOTERS REGISTRATION
 - i. REFERRALS FROM PHYSICIANS, SOCIAL WORKER, CHR & ETC. (if applicable)
 - j. PICTURE OF CURRENT LIVING CONDITIONS
2. Please describe in more details the home to be built, including square footage, number of bedrooms, etc. and how the size of home selected for each recipient will be determined (Based on family size).

After selecting quotes from 3 viable sources. Homes Direct of Farmington is selected. Homes are modular homes (trailers) Each will be built and distributed to selected individuals who match the requirement for home selection from the application that is submitted by the applicant.

- a. (1) 4 bedroom / 2 bath = 76 (L)x27 (W)= 2052 square feet.
 - b. (3) 2 bedroom/ 2 bath= 68 (L)x 16(w)= 1088 Square feet.
 - c. (4) 2 bedroom/ 2 bath = 76 (L) x 16 (w) = 1216 square feet.
3. Please describe how the estimated size and cost per home compares to homes in the area these homes will be located.

COVID Impact

The above-mentioned homes were selected to house one family. The COVID pandemic revealed that multiple families lived in 1-2 bedroom housing units, which allowed for quick spread of the COVID-19 virus. The current status of housing units within the Dennehotso chapter that are not NHA or school housing are older home units with many homes needing repairs. Additionally, those homes are without utility, water and sewer. Outhouses and port-a-potties are used at these units. There is not a record of appraisals for these units so providing a housing cost is not available. However, we can provide a median list price for housing units within Apache County. Dennehotso Chapter is located within Apache County.

APACHE COUNTY MEDIAN HOME PRICE

Based on Rockethomes.com, the median list price within Apache County for a 2-bedroom unit is \$322,000 and a 3-bedroom unit is \$854,000. These are housing units located outside of the boundaries of the Navajo Nation but located within the State of Arizona's Apache County. Within the Dennehosto Chapter area, there is no real land sales nor are there any home units posted for sale. Dennehotso Chapter is located within the boundaries of the Navajo Nation and a part of the State of Arizona's Apache County. Navajo Nation land is held in trust with the federal government.

DENNEHOTSO CHAPTER HOME DISTRIBUTION

The housing makes up within the Dennehosto Chapter consists of family homes, Navajo Housing Authority (NHA) homes and school district homes. The local churches have homes for their church leaders. The family homes in the Dennehosto Chapter area are considered to be in poor, dilapidated condition. The family home can be a traditional hogan, mobile home or single-story wood-built units.

Other families live in NHA homes that are income-based. Renter must qualify as low-income. Rent is based on income. Most, if not all, are occupied or under renovation. The NHA housing units are repaired and maintained by NHA employees.

The local boarding school does offer school housing for school employees. Employees can be teachers, administrators, and non-certified personnel. Repair and maintenance are conducted by school employees.

Those homes that are not under NHA control or within the local school boundary are mobile homes and older home structures that are 1-2 bedroom. These homes are repaired and maintained by the owner. Given the lack of jobs in the region, the homeowners often are regarded as low-income and struggle with basic repairs and maintenance. Over time, those homes become dilapidated but remain occupied by families. Dennehotso Chapter has a population of 746 according to 2010 census bureau.

4. Please explain whether the home construction projects will qualify for any federally funded housing programs, including but not limited to the National Housing Trust Fund, Indian Housing Block Grant programs, the Indian Community Development Block Grant program, or the Bureau of Indian Affairs Housing Improvement Program.

The home construction projects would most likely qualify for federally funded housing programs however federal housing funds are sought by the Navajo Nation's Tribally Designated Housing Entity (TDHE). The Navajo Housing Authority is the TDHE for the Navajo Nation. As such, this particular housing project would be decided by the Navajo Housing Authority and most likely would not be completed as the Navajo Housing Authority has housing projects that cover the entire Navajo Nation, a boundary that rivals the State of West Virginia. Any project would take years to generate, construct and complete. Dennehosto Chapter does not favor this path.

APPENDIX A

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

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Dennehotso Chapter Date prepared: 11/15/2022

Chapter's P.O. Box 2301 phone/email: 928-658-3300
mailing address: Dennehotso AZ 86535 website (if any): msmith-williams@nnchapters.org

This Form prepared by: msmith-williams@nnchapter.org phone/email: 928-658-3300
Chapter Manager

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Modular Homes

Chapter President: Larry Tuni phone & email: 928-658-3300, Larrytuni15@gmail.com

Chapter Vice-President: Tully Begay phone & email: 928-658-3300, Tbegay@navajochapters.org

Chapter Secretary: Julia Richards phone & email: 928-658-3300, Jrichards@navajochapters.org

Chapter Treasurer: phone & email:

Chapter Manager or CSC: Maricelyn Smith-Williams phone & email: 928-658-3300, msmith-williams.nnchapters.org

DCD/Chapter ASO: phone & email:

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Electrical installation contractors, water and sewer contractors ☐ document attached

Amount of FRF requested: 933,672.00 FRF funding period: January 1, 2023 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:

Housing for 8 community members who are homeless or part of over crowded families within the boundaries of Dennehotso. Two or more families living within same homes. Families who have unsafe unlivable conditions such as roofs, windows, walls, floors that are unfit to live in. Homes that are not able to withstand harsh weather for shelter or are unsanitary from COVID-19 conditions. Some families can be assisted with the purchase of 8 modular homes and relieved from harsh living conditons.

☐ document attached

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

The Modular homes will benefit the families in need of homes. More than 2 families living in one home. Safe from harsh weather and sheltered in a safe environment for Elders, Children and Adults. This will boost morale for famiies, their main concern is safety for themselves and people they live with. Additionally allow them to focus on other needs of living.

☐ document attached

(c) Provide 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

APPENDIX A

Program(s) or Project(s) by December 31, 2026:

Dennehotso Chapter will obtain 3 quotes from potential vendors for purchase of modular homes. Completion of Project Sept 1st, 2024. The construction and completion of 8 modular homes will be conducted in (4 phases) through a 5-step process that involves homesite lease verification, earthwork, homesite lease verification, homesite prep, homesite construction, and utility installation.

☐ document attached

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

Dennehotso Chapter Manager & Administrative Service Center will be responsible for the implementation of the purchases of modular home and oversee the process such as: Application, documentation, quotations, contracting, NTUA connections, Ordering, Filing, Follow-up.

☐ 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:

The project will be maintain by the individual home owner and maintenance cost will be consumed by home owner once they are recieved by chapter. All the operation costs, bills, and additional fees will be the responsibility of the home owner.

Home owners will complete homeowner training prior to homeownership.

☐ 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:

3.11 Housing support Services for unhoused persons.

Dennehotso Chapter modular homes is to assist family members within the Dennehotso Chapter boudaries with homes. Families that are homeless and over crowded due to more than 2 families within one household.

☐ document attached

Part 3. Additional documents.

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

The completion of the project should be Sept. 1, 2024.

-Program Budget Summary Budget Form (3 pages)

-Home quotes (9 total)

-Chapter Resolution (DCHNOV-020-2023)

☒ 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: M. Smith Williams
signature of Preparer/CONTACT PERSON

Approved by:

[Signature]
signature of Chapter President (or Vice-President)

Approved by:

M. Smith Williams
signature of CSC

Approved by:

signature of Chapter ASO

Approved to submit
for Review:

[Signature]
signature of DCD Director

12.5.22

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Dennehotso Chapter</u> Modular Homes		Division/Branch: <u>Division of Community Development / Ex</u>	
Prepared By: <u>Maricelyn Smith-Williams</u>		Phone No.: <u>928-853-0378</u>		Email Address: <u>msmith-williams@nncchapters.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	1/1/2023-12/31/2026	933,672.00	100%	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				
				7000 Special Transactions				
				8000 Public Assistance	6	⊖	933,672	933,672
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	933,672.00	933,672

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

TOTAL: \$933,672.00 100%	
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PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: <u>Maricelyn Smith-Williams</u> Program Manager's Printed Name <div style="text-align: center;"> M. Smith-Williams <u>3/1/2022</u> Program Manager's Signature and Date </div>	APPROVED BY: <u>Dr. Yellowman</u> Division Director / Branch Chief's Printed Name <div style="text-align: center;"> Dr. Yellowman <u>12.5.22</u> Division Director / Branch Chief's Signature and Date </div>
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FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: NEW

Program Name/Title:

Dennehotso Chapter

modular
Homes**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:****PART III. PROGRAM PERFORMANCE CRITERIA:****1. Goal Statement:**Homes for needed families who have more than one family member in one household**Program Performance Measure/Objective:**To Assist 8 community members homes using procurement process to purchase modular home

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

2222**2. Goal Statement:****Program Performance Measure/Objective:****3. Goal Statement:****Program Performance Measure/Objective:****4. Goal Statement:****Program Performance Measure/Objective:****5. Goal Statement:****Program Performance Measure/Objective:****PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**Marielyn Smith-williams

Program Manager's Printed Name

M. Smith-williams 2/1/2022
Program Manager's Signature and DateDr. Yellowman

Division Director/Branch Chief's Printed Name

Dr. Yellowman 12.5.22
Division Director/Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Dennehotso Chapter</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
8000	Housing; Modular home (1) 4 bedroom/ 2 bath = \$ 199,209 . Modular homes (3) 2 bedroom/ 2 bath= \$102,009x3= 306,027.00 (4)3 bedroom/ 2 bathroom 107,109 x 4 = \$428,436.00	933,672	<u>933,672</u>
TOTAL		933,672	<u>933,672</u>

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

Page 1 of 2
PROJECT FORM

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Dennehotso Chapter</u> Project Description <u>Purchase 8 homes for modular homes</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification														PART II. Project Information Project Type: <u>Housing</u> Planned Start Date: <u>11/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Maricelyn Smith-Williams</u>																																				
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.														PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																												Expected Completion Date if project exceeds 8 FY Qtrs.								
														FY 2023												FY 2024																								
														1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date												
														O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M							
01/01/2023 - 04/01/2023 Design of homes																	x	x	x	x																														
04/01/2023 - 06/01/2023 Advertise for construction through 164 process																				x	x	x																												
06/01/2023-12/31/2026 Construction of 8 homes																						x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x												
PART V. Expected Quarterly Expenditures														\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL												
																																			<u>933,672.00</u> <u>933,672.00</u>															

FOR OMB USE ONLY: Resolution No: _____ FMIS Set Up Date: _____ Company No: _____ OMB Analyst: _____

**RESOLUTION OF THE
DENNEHOTSO CHAPTER
DCHNOV-020-2023**

SUPPORTING AND APPROVING AMERICAN RESCUE PLAN ACT FUND TO PURCHASE MODULAR HOME (1) 4 BEDROOM/2 BATH = \$199,209.00, MODULAR HOME (3) 2 BEDROOM/2 BATH = \$102,009.00 X 3 = \$306,027.00, (4) 3 BEDROOM/2 BATHROOM = \$107,109.00 X 4 = \$428,436.00 TOTAL COST (\$933,672.00) FOR DENNEHOTSO CHAPTER HOMELESS COMMUNITY.

WHEREAS:

1. Dennehotso Chapter is a certified Chapter of the Navajo Nation established and recognized by the Navajo Nation Council as foundation of the Navajo Nation government, vested with the authority to plan and implement projects in the best interest of the community, 26 N.N.C., Section 103 (D), and
2. Pursuant to 26 N.N.C., Section 1004 (a), the Dennehotso Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. The Dennehotso Chapter community are experiencing overcrowding and homeless family in need of instant shelter; and
4. Building a permanent frame home verses modular home, cost effective and then getting a licensed plumber, electrician, carpenters, and time involved moving into a home.

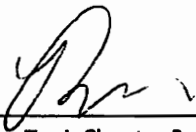
NOW THEREFORE BE IT RESOLVED THAT:

1. SUPPORTING AND APPROVING AMERICAN RESCUE PLAN ACT FUND TO PURCHASE MODULAR HOME (1) 4 BEDROOM/2 BATH = \$199,209.00, MODULAR HOME (3) 2 BEDROOM/2 BATH = \$102,009.00 X 3 = \$306,027.00, (4) 3 BEDROOM/2 BATHROOM = \$107,109.00 X 4 = \$428,436.00 TOTAL COST (\$933,672.00) FOR DENNEHOTSO CHAPTER HOMELESS COMMUNITY.

CERTIFICATION

I certify that the foregoing resolution was duly considered by the Dennehotso Chapter, at a duly called meeting, in Dennehotso (Navajo Nation), Arizona at which a quorum was present and that same was passed by a vote of 07 in favor, 00 opposed, 01 abstained, this 19th, of November 2023.

Motion by: Frank C. Yazzie
Second by: Shelia Pelt



Larry Tuní, Chapter President
Dennehotso Chapter
Western Navajo Agency