



“A Tradition of Native American Housing”

NATIONAL AMERICAN INDIAN HOUSING COUNCIL RESOLUTION #2008-09

A RESOLUTION TO URGE CHANGES TO “LOW INCOME HOUSING TAX CREDIT” LAW AND REGULATIONS TO ENSURE COMPETITIVE ACCESS BY INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES

WHEREAS, the National American Indian Housing Council (NAIHC) represents the housing interests of American Indian tribes and Alaska Native villages and more than 266 tribally designated housing entities; and

WHEREAS, the stated purpose of the organization is to promote advocacy for policy and legislative changes that will favorably impact our primary goals of providing safe, decent, and affordable housing for Indian people in a manner recognizing the unique government-to-government relationship of tribes and the federal government, and

WHEREAS, developing new housing for low and very low income tribal members so that they may have safe, healthy, and affordable housing is a priority of our Northwest Indian Tribes, as it is for other tribes throughout the United States; and

WHEREAS, federal funds available to tribes through their NAHASDA Indian Housing Block grants are very limited and are insufficient by themselves to develop new housing to meet the need, especially as it affects small tribes; and

WHEREAS, federal low-income housing tax credits, per Section 42 of the Internal Revenue Code of 1986, as amended, are becoming more and more of a vital funding resource for new Indian housing construction as well as home rehabilitation across the country; and

WHEREAS, some Northwest Tribes, as well as other tribes across the country, have been successful in beginning to use tax credits to solve their housing needs; and

WHEREAS, there are, however, a number of obstacles under existing law and regulations, both at the federal and the State level, that adversely impact the competitiveness of tribes in applying for low-income housing tax credits; and

WHEREAS, defined Qualified Census Tracts (QCT) and Difficult Development Areas (DDA) currently in effect for the State of Washington, which are set by HUD, do not take into consideration, per se, the impoverished nature of Indian reservations

and Indian housing needs and consequently impoverished tribes, especially those not located in currently defined QCTs and DDAs, are penalized to the extent they can no longer qualify for low-income housing tax credits; and

WHEREAS, recent changes in State of Washington low-income housing tax credit scoring criteria effective beginning in 2008, aside from the issue of currently defined QCTs and DDAs, have made it difficult if not impossible for all tribes within the State of Washington to be competitive for low income housing tax credits, regardless of whether they are located in QCTs or DDAs, especially with increased competition for non-Indian applicant projects.

NOW THEREFORE BE IT RESOLVED that the National American Indian Housing Council urges Congress and the appropriate federal agencies to reexamine the factors adversely affecting Indian housing participation in the Low-Income Housing Tax Credit program, and to make such legislative and regulatory changes as may be necessary to enhance tribal participation, including but not limited to: (1) redefining the use of QCTs and/or DDAs to recognize specific Indian area need as opposed to county-wide criteria; (2) requiring a point scoring system that considers poverty levels specifically on Indian lands; and (3) considering tax credit set-asides specific to Indian country; and

BE IT FURTHER RESOLVED, that the National American Indian Housing Council urges the appropriate regulatory commissions or agencies in all States to re-examine the factors adversely affecting Indian housing participation in the Low-Income Housing Tax Credit program and to make such legislative and regulatory changes as may be necessary to enhance tribal participation; and

BE IT FURTHER RESOLVED, that the National American Indian Housing Council urges State governors to appoint an Indian representative to the boards of commissioners or appropriate governing bodies of each State's Housing Finance Agencies; and

BE IT FURTHER RESOLVED, that the National American Indian Housing Council urges all Housing Finance Agencies to re-examine and reconsider any recent rule changes that have reduced Indian housing competitiveness; and

BE IT FINALLY RESOLVED, that the National American Indian Housing Council requests that National Congress of American Indians, the Affiliated Tribes of Northwest Indians, and all other regional Native American associations and organizations join NAIHC to advocate aggressively for these changes.

CERTIFICATION

As the duly appointed Secretary for the National American Indian Housing Council, I hereby certify that Resolution #2008-09, was adopted at NAIHC's 34th Annual Business Meeting in Seattle, Washington on May 14, 2008, with a quorum present.



Marty Shuravloff, Chairman



Jason Adams, Secretary