

Type of assistance	What it provides	Where to find information
Category A—Interim improvements .....	Up to \$2,500 in housing repairs to the house in which you live.	§ 256.8.
Category B—Repairs and renovation .....	Up to \$35,000 in repairs and improvement to your house.	§ 256.9.
Category C—Replacement housing .....	A modest dwelling that meets the criteria in § 256.11.	§ 256.10–11.

**§ 256.8 When do I qualify for Category A assistance?**

You qualify for interim improvement assistance under Category A if it is not cost effective to renovate the dwelling in which you live and if either of the following is true:

- (a) Other resources to meet your housing needs exist but are not immediately available; or
- (b) You qualify for replacement housing under Category C, but there are no Housing Improvement Program funds available to replace your house.

**§ 256.9 When do I qualify for Category B assistance?**

You qualify for repairs and renovation assistance under Category B if you meet the requirements of this section.

- (a) Your servicing housing office must determine that it is cost effective to repair and renovate the house.
- (b) You must either:
  - (1) Own the house; or
  - (2) Lease the house with:

(i) An undivided leasehold (i.e., you are the only lessee); and

(ii) A leasehold that will last at least 25 years from the date that you receive the assistance.

(c) The servicing housing office must determine that the repairs and improvements will make the house meet applicable building code standards.

(d) You must sign a written agreement stating that, if you sell the house within 5 years of the completion of repairs:

- (1) The assistance grant under this part will be voided; and
- (2) At the time of settlement, you will repay BIA the full cost of all repairs made under this part.

**§ 256.10 When do I qualify for Category C assistance?**

(a) You qualify for replacement housing assistance under Category C if you meet one of the four sets of requirements in the following table.

You qualify for Category C assistance if	And * * *	And * * *
You own the house in which you are living.	The house cannot be brought up to applicable code standards for \$35,000 or less.	
You lease the house in which you are living.	Your leasehold is undivided and for not less than 25 years at the time that you receive assistance.	The house cannot be brought up to applicable building code standards for \$35,000 or less.
You do not own a house .....	You own land that is suitable for housing	The land has adequate ingress and egress rights.
You do not own a house .....	You have a leasehold on land that is suitable for housing and the leasehold is undivided and for not less than 25 years at the time that you receive assistance.	The land has adequate ingress and egress rights.

(b) If you qualify for assistance under paragraph (a) of this section, you must sign a written agreement stating that, if you sell the house within 10 years of assuming ownership:

- (1) The grant under this part will be voided; and

(2) At the time of settlement, you will repay BIA the full cost of the house.

(c) If you sell the house more than 10 years after you assume ownership, the following conditions apply:

§ 256.11

(1) You may retain 10 percent of the original cost of the house per year, beginning with the eleventh year.

(2) If you sell the house after the first 20 years, you will not have to repay BIA.

§ 256.11 What are the occupancy and square footage standards for housing provided with Category C assistance?

Housing provided with Category C assistance will meet the standards in the following table.

Number of occupants	Number of bedrooms	Total house square footage (maximum)
1-3	*2	900
4-6	*3	1050
7+	*4	**1350

\*Determined by the servicing housing office, based on composition of the family.  
\*\*Adequate for all but the very largest families.

§ 256.12 Who administers the Housing Improvement Program?

The Housing Improvement Program is administered by a servicing housing office operated by:

- (a) A Tribe, under a Pub. L. 93-638 contract or a self-governance annual funding agreement; or
- (b) The Bureau of Indian Affairs.

§ 256.13 How do I apply for the Housing Improvement Program?

(a) First, you must obtain an application, BIA Form 6407, and a Privacy Act Statement from your nearest servicing housing office.

(b) Second, you must complete and sign BIA Form 6407 and the Privacy Act Statement.

(c) Third, you must submit your completed application and signed Privacy Act Statement to your servicing housing office. Submission to the nearest BIA housing office does not preclude tribal approval of the application.

(d) Fourth, you must furnish documentation proving tribal membership. Examples of acceptable documentation include a copy of your Certificate of Degree of Indian Blood (CDIB) or a copy of your tribal membership card.

(e) Fifth, you must provide proof of income from all permanent members of your household.

(1) You must submit signed copies of current 1040 tax returns from all per-

manent members of the household, including W-2's and all other attachments.

(2) You must provide proof of all other income from all permanent members of the household. This includes unearned income such as social security, general assistance, retirement, and unemployment benefits.

(3) If you or other household members did not file a tax return, you must submit a signed notarized statement explaining why you did not.

(f) Sixth, you must furnish a copy of your annual trust income statement from your Individual Indian Money (IIM) account, for royalty, lease, and other monies, from your home agency. If you do not have an account, you must furnish a statement from your home agency to that effect.

(g) Seventh, you must provide proof of ownership of the residence and/or land:

(1) For fee patent property, you must provide a copy of a fully executed Warranty Deed, which is available at your local county court house;

(2) For trust property, you must provide certification from your home agency;

(3) For tribally owned land, you must provide a copy of a properly executed tribal assignment, certified by the agency; or

(4) For multi-owner property, you must provide a copy of a properly executed lease.

§ 256.14 What are the steps that must be taken to process my application for the Housing Improvement Program?

(a) The servicing housing office must review your application for completeness. If your application is incomplete, the office will notify you, in writing, what is needed to complete your application and the date it must be submitted. If you do not complete your application by the deadline date, you will not be eligible for assistance in that program year.

(b) The servicing housing office will use your completed application to determine if you are eligible for the Housing Improvement Program.

(1) If you are found ineligible for the Housing Improvement Program or otherwise do not qualify for the program,