

LEGISLATIVE SUMMARY SHEET

Tracking No. 0400-15

DATE: December 9, 2015

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; DIRECTING THE NAVAJO HOUSING AUTHORITY TO REPORT ON PAST FUNDING LEVELS FOR HOUSING, TO REPORT ON ADMINISTRATIVE ACTIVITIES, TO REVIEW AND REPORT ALL HOUSING INVENTORY, AND TO REPORT ON THE TERMINATION PROCESS

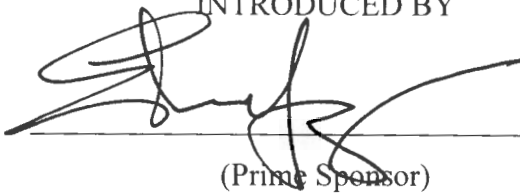
PURPOSE: This resolution, if approved, will direct the Navajo Housing Authority to provide specific information on funding levels, administrative activities related to future housing projects, a report on housing inventory and a report on the process for termination of leases and rentals.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 5:06 PM 12/11/15
Posting End Date: 12/14/2015
Eligible for Action: 12/15/2015

PROPOSED STANDING COMMITTEE RESOLUTION
23rd NAVAJO NATION COUNCIL -- First Year, 2015

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0400-15

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; DIRECTING
THE NAVAJO HOUSING AUTHORITY TO REPORT ON PAST FUNDING LEVELS
FOR HOUSING, TO REPORT ON ADMINISTRATIVE ACTIVITIES, TO REVIEW
AND REPORT ALL HOUSING INVENTORY, AND TO REPORT ON THE
TERMINATION PROCESS

BE IT ENACTED:

SECTION ONE. FINDINGS

- A. The Resources and Development Committee ("RDC") is established as a standing committee of the Navajo Nation Council with oversight over housing for the purposes of establishing policies and legislation appropriate to the housing needs of the Navajo Nation and its People. 2 N.N.C. §§ 500(A); 500(C)(3); *see also* CJA-03-13.
- B. The Resources and Development Committee has final authority over housing development projects funded by all funding sources; NAHASDA Indian Housing Plan; including any amendments pursuant to 2 N.N.C. § 501(B)(2)(b).
- C. In 1996, Congress responded to the growing housing crisis in Indian Country by passing the Native American Housing Assistance and Self-Determination Act (NAHASDA), which reduced burdensome and excessive regulation, affirmed tribal self-determination, and permitted the innovation and local problem-solving that is crucial to the success of community-based housing strategies.

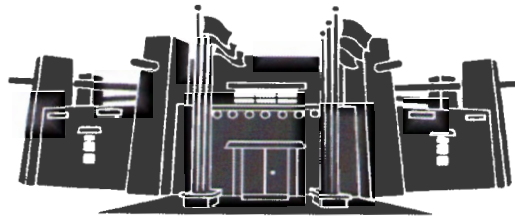
- 1 D. NAHASDA established the Indian Housing Block Grant (IHBG) and authorized funding
2 for housing and housing-related infrastructure and community development in American
3 Indian and Alaska Native communities.
- 4 E. The Navajo Housing Authority, as the Navajo Nation's Tribally Designated Housing
5 Entity, receives NAHASDA funding through the Indian Housing Block Grant to
6 provide housing for the Navajo People.
- 7 F. In February, 2015 the Navajo Nation Council passed Resolution CF-7-15 supporting
8 the reauthorization of NAHASDA and, in the same Resolution, opposed any form of
9 withholding language in any legislation or appropriation that adversely affected the
10 Navajo Nation's NAHASDA funding.
- 11 G. The Navajo Nation, as a beneficiary of NAHASDA funding for housing, must keep
12 informed of the expenditure of funds on behalf of the Navajo People.
- 13 H. With respect to housing for the Navajo People, the Navajo Housing Authority has the
14 power to lease, rent, sell, enter into lease-purchase agreements or lease with option to
15 purchase any dwelling, accommodations, lands, buildings or facilities embraced in
16 any project; and to establish and revise rents or require monthly payments. 6 N.N.C.
17 § 616(B)(9).
- 18 I. The Navajo Housing Authority has the power to *terminate any lease or rental*
19 *agreement or lease purchase agreement when the tenant or homebuyer who has*
20 *violated the terms of such agreement, or failed to meet any of its obligations*
21 *thereunder, or when such termination is otherwise authorized under the provisions of*
22 *such agreement; and to bring action for eviction against such tenant or homebuyer.*
23 6 N.N.C. § 616(B)(18).
- 24 J. The Navajo Housing Authority has implemented procedures for grievance falling
25 under the Public Rental Collection, Termination and Grievance Policies.
- 26 K. It is in the best interest of the Navajo Nation to be informed of the process for and
27 number of termination of leases or rental agreements as it relates to Navajo
28 individuals who have lost their homes or rental units.
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1 **SECTION TWO. DIRECTIVE**

2 A. The Navajo Nation hereby directs the Navajo Housing Authority to report to the
3 Resources and Development Committee and to the Navajo Nation Council the
4 following:

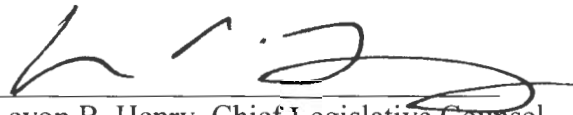
- 5 1. A full and complete disclosure of the administration and management of
6 NAHASDA related activities for the past seven (7) years, including the funding
7 levels for each year and all obligated balances to date for all NAHASDA funding
8 allocations.
- 9 2. A full and complete disclosure of any imposed penalty or mandate for corrective
10 actions from the U.S. Department of Housing and Urban Development, Office of
11 Native American Program or other related federal departments providing funding
12 to the Navajo Housing Authority.
- 13 3. A full and complete disclosure of all planned and on-going use of reference
14 NAHASDA funds for legal and/or attorney's fees and its purpose.
- 15 4. A full and complete disclosure of any and all Navajo Housing Authority
16 administrative activities related to future housing projects deemed to be in the best
17 interest of the Navajo People.
- 18 5. A full and complete report on the inventory of all current Navajo Housing
19 Authority and NAHASDA funded housing that require minor and major repair
20 and improvement, including a plan of action regarding any backlog of repair
21 projects.
- 22 6. A full and complete report on the inventory of all completed public housing,
23 including both individual and multi-family homes, that are experiencing
24 construction deficiencies and placing its owners or lessees under an economical
25 burden and expense and a Navajo Housing Authority plan to address this matter.
- 26 7. A full and complete report on the termination of leases or public rental units for
27 Navajo individuals and the grievance procedure for the termination process,
28 including the number of Hearing Officers, data on the number of grievances filed
29 and decided, the data on any reinstatement of leases and rental units, and the
30 funding for the process.

1 B. The Navajo Nation hereby directs the Navajo Housing Authority to provide the
2 above-listed disclosures and reports to the Resources and Development Committee on
3 a quarterly basis and to the Navajo Nation Council on a quarterly basis at each regular
4 session of the Navajo Nation Council, until such time the Resources and
5 Development Committee deems otherwise.
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MEMORANDUM

TO: Honorable Edmund Yazzie
Navajo Nation Council

FROM: 
Levon B. Henry, Chief Legislative Counsel
Office of Legislative Counsel

DATE: December 9, 2015

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; DIRECTING THE NAVAJO HOUSING AUTHORITY TO REPORT ON PAST FUNDING LEVELS FOR HOUSING, TO REPORT ON ADMINISTRATIVE ACTIVITIES, TO REVIEW AND REPORT ALL HOUSING INVENTORY, AND TO REPORT ON THE TERMINATION PROCESS

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

The Office of Legislative Council confirms the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. § 164(A)(5).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0400-15_____ SPONSOR: Edmund Yazzie

TITLE: An Action Relating To Resources and Development Committee; Directing the Navajo Housing Authority to Report on Past Funding Levels for Housing, to Report on Administrative Activities, to Review and Report all Housing Inventory, and to Report on the Termination Process

Date posted: December 9, 2015 at 5:06pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*