

CONFLICT OF INTEREST POLICY

PURPOSE:

The purpose of this Policy is to help IHBG recipients manage those situations where Conflicts of Interest arise within the Karuk Tribe housing programs governed by the Native American Housing Assistance and Self-Determination Act (NAHASDA) and to ensure fair and equitable treatment for all eligible participants of those programs.

APPLICATION OF REQUIREMENTS

The Conflict of Interest provisions apply to anyone who participates in the IHBG recipient's decision-making process or who gains inside information with regard to the IHBG assisted activities. Such individuals are, but are not necessarily limited to: housing staff, housing Board of Commissioners, members of their immediate families, Council Members, members of their immediate families and such individual business associates.

The requirements prohibit any such individuals from benefiting from their position personally, financially or through the receipt of special benefits other than payment of their salary and/or appropriate administrative expenses. This does not prevent housing staff, Board of Commissioners, their family members, Council Members, their family members, and/or business associates from receiving housing benefits for which they qualify as low-income individuals, if not in violation of Tribal or State Laws.

CONFLICT OF INTEREST

A Conflict of Interest may occur when an employee of the Karuk Tribe Housing Authority, a Member of the Karuk Tribe Housing Authority Board of Commissioners, Karuk Tribal Council, or an immediate relative of an employee, Karuk Tribe Housing Authority Board of Commissioners, or Karuk Tribal Council member is selected to receive assistance through any of the Karuk Tribe Housing Authority Programs.

DEFINITIONS:

Immediate family: is defined as a parent, spouse, child, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents of the employee/Commissioner/Council Member or his/her spouse, and grandchildren of the employee, or "foster" or "step" situations within these relationships.

HUD APPROVAL:

If the person receiving assistance is of low-income and they qualify for eligibility, admission and occupancy, only public disclosure and HUD notification is required per CFR §1000.30(c). However, HUD approval for an exemption is required when there is a potential conflict of interest that would be in violation of §1000.30(b). An example of a situation requiring HUD approval for an exemption to the Conflict of Interest provision would be housing assistance to a TDHE Commissioner whose income is between 80% and 100% of median income.

PUBLIC DISCLOSURE:

The Karuk Tribe Housing Authority shall make **public disclosure** the nature of assistance to be provided and the specific basis for selection of that person. The disclosure shall be provided to the Karuk Tribe Housing Authority Board of Commissioners and posted at the entrance of the Karuk Tribe Housing Authority Administrative Offices in Happy Camp and Yreka. A copy of the disclosure shall be provided to HUD before assistance is provided.

PREVIOUSLY ADMITTED RECIPIENTS UNDER NAHASDA:

Recipients should identify any Conflict of Interest for participants previously admitted under NAHASDA that have not been properly reported. The necessary action should immediately be taken to make these conflicts of interest public and report them to the recipient's area ONAP.

REFERENCES:

NAHASDA Sections: 201(b), 203(d), 207(b) and 408; 24 CFR 85.36 (a) (3); 24 CFR 1000.30, 1000.32, 1000.34 and 1000.36Page 5 of 18

PUBLIC DISCLOSURE NOTICE

To:

Date: _____

Re: _____

Staff _____

Board _____

Council _____

The above has applied and has been determined eligible for services: The nature and basis of the assistance to be provided as follows:

Per 24 CFR 1000.30 a public disclosure must be made in accordance with the Karuk Tribe Housing Authority Conflict of Interest Policy.

Notification of Potential or Appearance of Conflict of Interest

To: Southwest Office of Native American Programs

From:

Date: _____

Re: _____

(Applicant)

Per 24 CFR 1000.30 and Karuk Tribe Housing Authority Conflict of Interest Policy, this is to notify your office that the above named individual will be provided assistance through the Karuk Tribe Housing program: (check all that apply)

- Lease with Option to Purchase
- Rental
- Temporary Emergency Housing
- Down Payment Assistance
- Home Loan
- Home Improvement Grant/Loan
- Home Replacement
- Other _____

This person is considered a potential Conflict of Interest for the following reason:

- Employee of _____
- Member of the _____ Board of Commissioners
- Member of the _____ Tribal Council
- "Immediate" Relative to a _____ Employee
- "Immediate" Relative to a _____ Board of Commissioners Member
- "Immediate" Relative to a _____ Council Member

Signature

Date
