

Bureau of Indian Affairs, Interior

§ 256.13

| You qualify for Category C assistance if * * * | And * * * | And * * * |
|--|---|---|
| You do not own a dwelling ... | 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 you receive assistance. | The land has adequate ingress and egress rights and economical access to utilities. |

(b) If you qualify for assistance under paragraph (a) of this section, you must sign a written grant agreement stating that, if you sell the dwelling 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 dwelling.

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

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

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

[63 FR 10134, Mar. 2, 1998, as amended at 67 FR 77921, Dec. 20, 2002]

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

A modest dwelling provided with Category C assistance will meet the standards in the following table.

| Number of occupants | Number of bedrooms | Total dwelling square footage ¹ (maximum) |
|---------------------|--------------------|--|
| 1-3 | ² 2 | 900 |
| 4-6 | ² 3 | 1050 |
| 7 or more | ² 4 | ³ 1350 |

¹Total living space; does not include hallways or modest-sized bathrooms or closets.

²Determined by the servicing housing office, based on composition of family.

³Adequate for all but the very largest families.

[67 FR 77921, Dec. 20, 2002]

§ 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, from your nearest servicing housing office.

(b) Second, you must complete and sign BIA Form 6407.

(c) Third, you must submit your completed and signed application 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 permanent 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: