



U.S. Department of Housing and Urban Development
Northwest Office of Native American Programs
Federal Office Building
909 First Avenue, Suite 300, OAPI
Seattle, WA 98104-1000

September 1, 2021

The Honorable Roswell Cline, Sr.
Tribal Chairman
Nooksack Indian Tribe
PO Box 157
Deming, WA 98244-0157

CERTIFIED MAIL – EMAIL RETURN RECEIPT REQUESTED

Dear Chairman Cline:

Subject: Final Monitoring Report – Quarterly Update Response

On June 30, 2021, the Northwest Office of Native American Programs (NwONAP) received the Tribe's Status of Findings for the open Finding 2b cited in the Final Monitoring Report dated August 17, 2017. The status of findings detailed that there is still active litigation in state court concerning Ms. Rabang and her eviction, and that no further action in the matter will take place until the litigation is resolved. NwONAP appreciates the update on the status and the details provided relating to the current litigation.

Given the status of the ongoing litigation, NwONAP requests that the Tribe refrain from any eviction actions for affected residents of HUD-assisted housing until the litigation is resolved and any eviction action carried out is consistent with any court order on this matter.

In addition, NwONAP requests the Tribe continue to meet the requirements of all Mutual Help and Occupancy Agreements (MHOA) by providing annual statements to the homebuyers that include equity account transactions and the balance of the purchase price. If records indicate that the payment obligations have been met, then the unit should be conveyed to the occupant. Details of these requirements are contained in the MHOA.

NwONAP recently received reports from various individuals occupying HUD-assisted housing operated by the Tribe. They have alleged that they have made all required monthly payments to the Tribe and that, accordingly, the homes that they occupy should be conveyed to them in accordance with agreements entered into with the Tribe or in accordance with the housing policies of the Tribe. They have also informed NwONAP that they have repeatedly requested documentation reflecting their payment history and have not been provided this information by the Tribe.

NwONAP reminds the Tribe that it is obligated to ensure that it is in compliance with all of its agreements with residents. Accordingly, the Tribe should provide an accurate accounting of all payments to requesting residents. If any resident has made all required payments under the terms of the agreement with the Tribe and has otherwise complied with all terms of the agreement, the Tribe should convey these units to the resident.

Moreover, upon conveyance of any IHBG-assisted units, the Tribe should contact the IHBG Formula Customer Service Center at 800-410-8808 or IHBGformula@firstpic.org to inform them of the conveyance, and accordingly removal from the Current Assisted Stock (as it is no longer eligible for any further subsidy).

NwONAP appreciates the update provided and will send a reminder notice for the next required update due on September 30, 2021. If you have any questions or comments, please contact me via email at tom.carney@hud.gov, or by phone at (206) 220-6204.

Sincerely,

A handwritten signature in blue ink that reads "Thomas H. Carney".

Thomas H. Carney
Administrator

cc: Malori Klushkan, Executive Director
Nooksack Indian Housing Authority
Katherine Romero, General Manager