

MEMORANDUM OF UNDERSTANDING

Among the Following Entities

UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OGLALA SIOUX (LAKOTA) HOUSING AUTHORITY OGLALA SIOUX TRIBE PARTNERSHIP FOR HOUSING, INCORPORATED

At the request of the Oglala Sioux Tribe, the Department of Housing and Urban Development sought partnership with a wide variety of Federal, state, tribal and local governmental agencies, along with non-profit entities, private sector corporations, and all people of good will, to join together in an historic effort on the Pine Ridge Reservation. This unprecedented coalition of partners came together to work collaboratively to fulfill the vision of economic prosperity, health, wellness, social well-being, and individual and tribal self-sufficiency. This new national model of multi-level, multi-agency and multi-entity cooperation focuses on alleviating the poverty and economic stagnation that has plagued the Oglala Lakota Nation.

This major commitment of energy at Pine Ridge brings into focus President Clinton's promise to all Indian nations. The lessons learned here as a result of this effort will be applied throughout Indian Country and serves as an incubator of best practices, such as accessing non-traditional financial resources, the development of new financial products, and the establishment of a new type of not-for-profit organization to assist the tribe with developing and rehabilitating homes owned by tribal members. The Department is providing significant amounts of technical assistance toward this effort, and will share the lessons learned at Pine Ridge with all Native American clients.

The Shared Visions priorities, in addition to accessing and promoting private capital investments, include working to enhance health and wellness among tribal youth, and addressing housing needs on the reservation. This unprecedented Memorandum of Understanding sets the foundation upon which these priorities are built. The partners share the work, as well as the fruits of their successes.

I. PURPOSE

This agreement between the Federal and tribal entities listed above is intended to recognize a close working relationship among the partners in the development of a strategy to provide homes and improved living conditions on the Pine Ridge Reservation. The central objective of this effort is to establish a consolidated, efficient, and effective approach among the partners and thereby achieve our goals.

II. BACKGROUND

In 1998, Secretary Andrew Cuomo announced the beginning of a major effort to increase the availability of affordable housing and improve community and economic development on the Pine Ridge Reservation. A major part of that effort is to bring the Oglala Lakota families living on the reservation the American dream of homeownership and access to affordable, safe and decent housing. This initiative, called Shared Visions, contains several key elements: the construction and rehabilitation of homes, a renewed commitment to youth and community programs, and an aggressive effort to spur economic development in these communities.

In July of 1999, President Clinton and Secretary Cuomo visited the Pine Ridge Reservation and renewed that commitment to these Native American families. The partners to this agreement have joined with the President and the Secretary to improve housing conditions on the Reservation.

III. SUBSTANCE OF AGREEMENT

The parties commit to continue working closely together in order to implement the attached *Strategic Plan for the Pine Ridge Shared Visions Housing Initiative*.

(please see attachment 1)

IV. PERIOD OF AGREEMENT

The participating entities agree to implement this agreement immediately upon execution by all parties. This agreement will be effective indefinitely. It may be modified by mutual consent or terminated by agreement among all the parties.

V. NAMES AND ADDRESSES OF PARTICIPATING ENTITIES

Andrew Cuomo
Secretary
United States Department of Housing and Urban Development
451 Seventh Street, Southwest
Washington, DC 20410

Taylor Little White Man
Chairman
Board of Commissioners
Oglala (Lakota) Housing Authority
P.O. Box C
Pine Ridge, SD 57770

Roger Campbell
Executive Director
Oglala Sioux Tribe Partnership for Housing, Inc.
P.O. Box 3001
Pine Ridge, SD 57770

VI. PRIMARY AGENCY REPRESENTATIVES

Jacqueline Johnson
Deputy Assistant Secretary for Native American Programs
United States Department of Housing and Urban Development

Paul Little
Counsel Representative to the Oglala (Lakota) Housing Authority
Oglala Sioux Tribe

Paul Iron Cloud
Chief Executive Officer
Oglala (Lakota) Housing Authority

Roger Campbell
Executive Director
Oglala Sioux Tribe Partnership for Housing, Inc.



Oglala Sioux Tribe Partnership for Housing, Inc.

Tatanka Woihanble Otipi

"Buffalo Dreams - Gathering Homes"

P.O. Box 3001

Pine Ridge, SD 57770

(605) 867-1555 telephone

(605) 867-1522 fax

A Strategic Plan for Implementation of the Pine Ridge Shared Visions Housing Initiative

An Innovative Partnership between
the Oglala Sioux Tribal Partnership for Housing and
the Oglala Sioux Lakota Housing Authority
to address the housing needs at the Pine Ridge Reservation



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Shared Visions

At the request of the Oglala Sioux Lakota Tribe, a myriad of organizations – not-for-profit agencies, private corporations, and federal, state, and local governmental agencies – joined in an exciting quest to further ongoing work to respond to the needs of tribal members at Pine Ridge and other reservations. This multi-agency partnership effort, called *Shared Visions*, was initiated at Pine Ridge in 1998 by U.S. Department of Housing and Urban Development Secretary, Andrew Cuomo, working together with the Oglala Sioux Lakota Tribe. Under Shared Visions the coalition of partners would work together to help fulfill the vision of prosperity, well-being, and self-sufficiency as envisioned by Native Americans, tribes, and supporters. As President Clinton declared during his visit to Pine Ridge in July 1999, "Give us your vision, we will work to attain it."

Major Federal Support

Federal agencies have joined together to provide significant federal resources to meet the challenge at Pine Ridge and at other reservations around the nation. For example, the U.S. Department of Agriculture (USDA) has contributed \$500,000 for Pine Ridge specifically for sewer and water infrastructure development. And the U.S. Department of Housing and Urban Development (HUD) awarded a \$2 million Rural Housing and Economic Development grant (FY-98) and provides over \$600 million each year in assistance to Tribally Designated Housing Entities nationwide under the NAHASDA Act, including approximately \$9 million for the Oglala Sioux Lakota Housing Authority. The U.S. Department of Interior's Bureau of Indian Affairs (BIA) provides significant support including expedited processing of tribal land leases.

A New Model for the Nation

This major recommitment of energy at Pine Ridge, and other reservations, brings new focus on restoring the American promise to Native Americans struggling to overcome years of oppression, poverty, and lack of economic growth. The lessons learned in this pilot effort at Pine Ridge serve as a valuable incubator of *best practices*, such as the accessing non-traditional financial resources, the development of new financial products, and the establishment of a new type of not-for-profit organization. HUD provides considerable technical assistance to the



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Tribe at Pine Ridge in order to develop and refine these new models. HUD has developed a handbook, for tribes nationwide, to share the valuable lessons learned at Pine Ridge and to pass on the benefits of the new *best practices*. Such products are designed to benefit all tribes.

Shared Visions Priorities

The Shared Visions initiative at Pine Ridge will address a broad spectrum of housing, economic, and social needs at the Pine Ridge reservation. Key elements of the vision include:

- **Accessing and promoting private capital investments** to spur and sustain economic development and growth in order to create jobs and bring economic prosperity to the reservation.

To date, dozens of major corporations have joined in the Shared Visions effort by offering commitments to invest in Native American reservations. At Pine Ridge, for example, Microsoft Corporation will donate \$300,000 worth of software to the Oglala Lakota college. MetLife will sponsor two Fellowship for Pine Ridge students each year for the next five years, paying \$2,500 to study business at a higher education institution. And Fannie Mae will invest up to \$3 million over the next five years through its American Communities Fund to increase the availability of housing on the reservation.

Other corporate investments include the commitment by Banc One Capital Markets and George K. Baum & Company – two of the nation's largest municipal securities underwriters – to underwrite \$300 million in bonds per year for the next five years to create a market for Indian Country mortgages. Additionally, steel framing companies – the North American Steel Framing Alliance, Amity, Inc., and Worthington Industries – will establish job training courses in steel framing at tribal colleges. The above are just a sampling of the many exciting endeavors underway in the area of corporate investment at our nation's reservations.



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- **Working to enhance health and wellness among youths** at the reservation, including the development of a state-of-the-art Youth Wellness and Opportunity Center at Pine Ridge.

A unique partnership of tribal organizations, clubs, federal agencies, and local boards, have joined hands to develop and open the facility in the year 2000. The Boys and Girls Club of America have contributed \$220,000 to the effort; USDA is providing \$800,000; BIA is contributing \$700,000; and HUD, through its Neighborhood Investment program, is providing \$1.5 million.

The 30,000 square foot facility is being designed to be a premiere facility with state of the art equipment and a robust wellness and growth program for the youths. The building will house a wide variety of specialized spaces, including a swimming pool, a multipurpose gymnasium, a kitchen and concession stand, an exercise and fitness center room, a library and technology center, a conference room and offices. With in-school and out-of-school programs for tutoring and life-skills training, the Youth Wellness and Opportunity Center stands to make a significant positive difference in the lives of children at Pine Ridge.

- **Addressing the housing needs on the reservation** by assisting with the construction and rehabilitation of homes, and facilitating financial assistance and homeownership counseling for new homebuyers.

This Strategic Plan will focus on this housing opportunities effort – Shared Visions Housing Initiative at Pine Ridge – and outlines the priorities and goals shared by the partners involved.



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"Buffalo Dreams - Gathering Homes"
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(605) 867-1555 telephone
(605) 867-1522 fax

Shared Visions Housing Initiative at Pine Ridge

This Strategic Plan outlines key elements and steps for implementing the housing-related elements of the initiative. The goal is to significantly address the housing needs on the reservation through the construction and rehabilitation of homes, and facilitating financial assistance and homeownership counseling for new homebuyers.

In response to the Shared Visions initiative, the Oglala Sioux Tribe Partnership for Housing (OSTPH) was established in January 1999 specifically to develop affordable, decent, and safe housing for Native Americans at Pine Ridge. Working together, the Oglala Sioux Lakota Housing Authority and the OSTPH have initiated an aggressive effort to construct and rehabilitate homes using a wide variety of options. The U.S. Department of Housing and Urban Development (HUD) has provided financial assistance to OSTPH, continues to provide financial assistance to the Housing Authority, and continues to provide key technical assistance to all eligible entities. For eligible residents and homebuyers, HUD provides financing assistance and homeownership counseling.

Housing Needs at Pine Ridge

The housing needs of residents at Pine Ridge have been well documented. The Indian Housing Plan (IHP) prepared by the Oglala Sioux Lakota Tribe and adopted by its tribal council serves as the keystone for addressing the tremendous needs of tribal members at the reservation.

The IHP articulates three major goals which serve as the guiding mandate for mobilizing the many activities on-going at Pine Ridge:

- Goal #1 Increase housing choices by providing more housing units that meet the varying needs of current residents.**

- Goal #2 Improving housing unit conditions.**

- Goal #3 Providing housing and supportive services to persons who are economically disadvantaged.**



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The IHP provides the visionary outline for the specific activities that the Tribe has been focused on and serves to guide many future activities engaged by the Tribe, the Housing Authority, and the Partnership.

In addition to the IHP, the Empowerment Zone (EZ) plan of October 1998 outlines the major objectives of the tribal council with respect to implementation of the Tribe's EZ plan. The multi-year, long range plan contains specific details and benchmarks for focusing significant resources to the reservation's long standing challenges.

Together, the IHP and the EZ plan provides the Tribe, its partners, and governmental and non-governmental agencies with the blue print for addressing a wide myriad of social and economic problems at Pine Ridge.

The 1999 *Housing Market Study: Pine Ridge Reservation, South Dakota* was coordinated by PriceWaterhouseCoopers, LLP, and prepared by Prior & Associates and The Communities Group, and serves as an additional tool for guiding the housing related initiatives at Pine Ridge. The housing market study was conducted to add to our understanding of the housing needs and economic realities that exist at Pine Ridge. The data captured in the study supplements the body of knowledge currently on hand in the Oglala Sioux IHP and EZ plan.

The Housing Market Study, and the IHP and EZ plan, provides the data upon which the Strategic Plan for carrying out the Share Visions Housing Initiative is based. This data provides the basis for the housing production target goals contained in the Strategic Plan. As these goals are challenging, a myriad of housing production tools and mechanisms are proposed to enable the attainment of robust production levels.



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(605) 867-1522 fax

The State of Housing at Pine Ridge

The Housing Market Study confirms what has long been known by those familiar with housing conditions and needs at Pine Ridge and adds to what has already been documented in the IHP and EZ Application. Clearly, the needs at Pine Ridge are tremendous. While misery in itself cannot be quantified, the data contained in the study provides us with objective, measurable indicators of the state of housing at the reservation.

Recent HMDA data indicates that there is a severe lack of homeownership opportunities at Pine Ridge. For example, in Shannon County, between 1992 and 1996, only 26 mortgages were approved (7 in 1992 and 19 in 1996) while 84 were denied.

Several Key Findings in the Housing Market Study

"The 1990 Census severely undercounted the number of inhabitants. According to the Bureau of Indian Affairs (BIA), the total resident Indian population on or near the reservation was 39,734 in 1997."

"We estimate that there are 9,155 households living on the reservation or adjacent trust lands in 1997."

"According to the 1990 U.S. Census, there were 4,552 dwelling units within the reservation in April 1990. Very few housing units have been built on the reservation since 1990."

"The majority of the units are single-family homes, many of which are substandard and overcrowded."

"In 1990, 23% lacked complete plumbing facilities and 19% lacked adequate kitchen facilities."

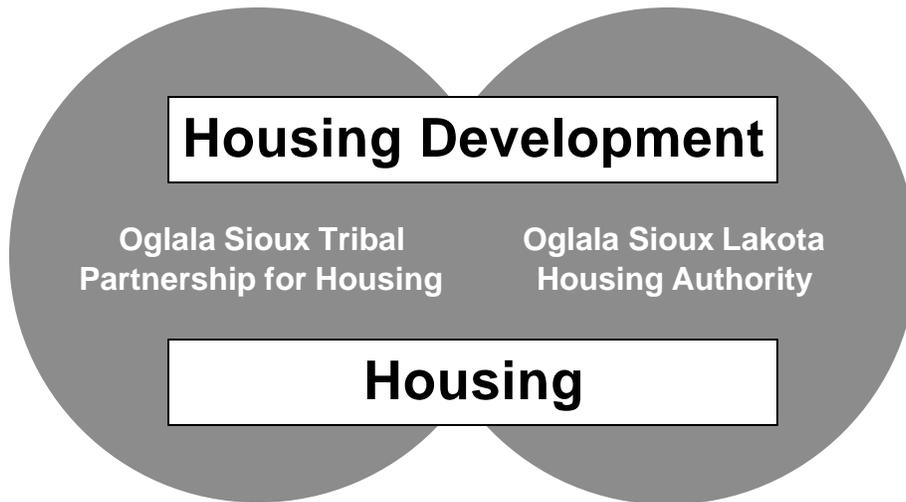
"On June 4, 1999, the reservation community of Oglala was hit by tornadoes that damaged more than 120 homes, displacing more than 200 families. Heavy rain, wind, and hail caused additional damage to homes, including trailers and shanties."



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**The Strategic Partnership Model for
 the Shared Visions Housing Initiative**



Oglala Sioux Tribe Partnership for Housing	Oglala Sioux Lakota Housing Authority
<p>Enabling Public-Private Partnerships</p> <ul style="list-style-type: none"> • Facilitating Home Mortgage Loans • Role of Developer • Path to Homeownership Program • Housing Counseling 	<p>Meeting the Basic Needs of the Tribe</p> <ul style="list-style-type: none"> • Low Income Housing • Low Income Rental Housing • Rehabilitation Grants • Supportive Services • Special Needs (Elders, Disabled)
<ul style="list-style-type: none"> • Developing a Tax Credit Program • Facilitating Rehabilitation Loans 	



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Steps Toward Making a Real Difference

The Shared Visions Housing Initiative is a long-term project. Like all long journeys, the Shared Visions Housing Initiative begins the trek one step at a time. The Strategic Plan encompasses a multi-year, three-phased vision for bringing homeownership to the people of Pine Ridge and to begin to make a significant dent in the total demand for housing identified in the Housing Market Survey.

Phase I (1999) occurred last year. Phase II (2000-2001) is just beginning and will result in many homes being constructed or rehabilitated. Phase III will build on the successes of the first two phases and carry the vision to self-sustainment.

The Three Phases of the Shared Visions Housing Initiative

Phase I: 1999

Initiation of Shared Visions & Completion of Phase I Production

Phase II: 2000 - 2001

First Year of Full Production

Phase III: 2002 - 2003

Self-Sustainment and Exploration of New Avenues



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Details of the Three Phases of Shared Visions Housing Initiative

Phase I 1999 (Initiation of Shared Visions & Completion of Phase I Production)

- Establishment of the Oglala Sioux Tribe Partnership for Housing
- Development of a pre- and post-purchase homebuyer counseling program and providing homebuyer education to over 300 potential homebuyers
- Completion of 13 NAHASDA units by the Housing Authority
- Relocation of 15 units of Department of Defense homes
- Construction of the first 21 houses by the Partnership
- Development of loan products using Section 184 guarantees and South Dakota Financing agency to finance these first 21 Partnership homes
- Facilitating access to the Federal Home Loan Bank and Ginnie Mae for home financing
- Building of 12 units of Governors Homes (for elderly residents)
- Building of 12 units through USDA 515/NAHASDA
- Rehabilitation of 47 units by the Housing Authority

Phase II 2000 - 2001 (First year of full production)

- Provision of up to 20 more houses by the Partnership
- Construction of up to 10 more units of Department of Defense homes
- Relocation of up to 25 more units of Department of Defense homes
- Establish Funding to construct of up to 20 units through the Path to Homeownership program
- Construction of up to 12 more units through USDA 515/NAHASDA
- Rehabilitation of up to 45 more units by the Housing Authority
- Rehabilitation of up to 90 (30 in 2000 and 60 in 2001) units through a variety of rehabilitation efforts sponsored by the Partnership
- Access tax credit financing for the construction of up to 30 units by the Partnership
- Establish and implement a Self-Help Development Initiative to build up to 10 units
- Establishment of new partnerships with corporations to attract investment at Pine Ridge
- Provide homeownership/homebuyer education to over 360 potential homebuyers
- Forging public-private partnerships to spur private corporate investment at Pine Ridge

Phase III 2002 - 2003 (Self-sustainment and exploration of new avenues)



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-
- Development and implementation of new strategies for expanding homeownership and securing economic opportunities at Pine Ridge



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Housing Construction and Rehabilitation Potential

Phases I and II of the Shared Visions Housing Initiative explores and employs at least nine different housing construction and rehabilitation methods.

Estimated Potential Housing Targets		
<u>1999</u>	<u>2000-2001</u>	
Oglala Sioux Tribe Partnership for Housing		
20	20	Homeownership Program
	10	Department of Defense Housing Construction
	20	Path to Homeownership Program
	30	Tax Credit Home Construction Program
	90	Rehabilitation Loans
		Oglala Sioux Tribe Partnership for Housing Total Units = 190
Oglala Sioux Lakota Housing Authority		
15	25	Department of Defense Relocated Houses
12		Governors Homes (for elderly residents)
12	12	USDA 515/NAHASDA
47	45	Rehabilitation Grants
	13	Housing Authority NAHASDA Development
		Oglala Sioux Lakota Housing Authority Total Units = 181
Total Potential Units Constructed or Rehabilitated or Planned = 371 (27% of the demand for housing according to the Housing Market Survey)		

"Estimated Potential Housing Units" refers to the estimated possible number of units the Oglala Sioux Tribe Partnership for Housing and the Oglala Sioux Lakota Housing Authority would strive to construct or rehabilitate under each program initiative.



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Brief Descriptions of Housing Initiatives

Housing Construction/Development/Financing –

These programs address the specific housing needs identified in the Housing Market Study, the Indian Housing Plan, and the Empowerment Zone Application. Combined with homebuyer counseling, these programs promise to bring more housing and homeownership opportunities to Pine Ridge.

Home Loan Program: The Partnership, working with builders, develops a wide variety of new homes – stick built, manufactured, and modular. The Partnership provides closing costs and third party resources to subsidize the cost of homes sold to eligible homebuyers with an average mortgage amount of approximately \$65,000. Combined with the Partnership's pre- and post-purchase homebuyer counseling program, this program brings more opportunities for homeownership to Pine Ridge.

Walking Shields Initiative: The not-for-profit organization, Walking Shields, was established to facilitate and manage coordination with the Department of Defense on two important home production programs –

Department of Defense Construction: The U.S. Army and the U.S. Navy have committed to building 10 homes on the reservation. The Army (8 homes) and the Navy (2 homes) will take advantage of this valuable construction training opportunity while directly contributing to the efforts at Shared Visions. The Partnership will pay for the foundation, site development, and specific interior and exterior work necessary to prepare the houses for sale; the military will provide the labor for construction.

Department of Defense Relocation: Homes that are no longer needed due to military base closures are being relocated to supplement the housing stock at Pine Ridge. The Housing Authority is able to acquire these homes at a minimal cost, physically relocate



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them to Pine Ridge, and prepare them for move-in condition so that they can be provided to Tribal families.

Tax Credit Program: The Tax Credit Program would provide a substantial write-down of development cost from equity through the sale of state allocated tax credits. The Partnership and the Housing Authority would work together to bring this resource to housing development for those in the very low income category (i.e. \$8,000 - \$16,000 annual household income). In order to enable this process, a limited partnership would be established to function as the owners. The financial advantage resulting from the use of the tax credits would reduce the costs of developing new homes as approximately 80% of the costs are picked up by equity from the tax credits.

Path to Homeownership Program: This new program would leverage the benefits of a short-term lease to purchase agreement to enable prospective homebuyers who are not credit ready an opportunity to improve their credit and build equity in an escrow account while leasing the home in order to accumulate the cash or downpayment required to purchase the home. The Partnership has arranged for the OWEESTA Program to provide a loan guarantee to facilitate the program's financing.

Private Mortgage Lending: The Partnership is working to attract private mortgage lenders to obtain conventional mortgage products to finance the purchase of a variety of homes at Pine Ridge. A goal is to develop flexible loan products to respond to the individual homebuyers' needs. Such products can significantly add to the portfolio of financial tools available to prospective homebuyers on the reservation.

Governors Homes: Channeling the resources of the South Dakota prison system, the Governor has sponsored a program for prison inmates to build new homes. The Housing Authority has made some of these homes available at Pine Ridge specifically for the elderly. The



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Partnership will also be making some homes available for sale. These homes increase the availability of affordable homes at Pine Ridge.

USDA 515/NAHASDA: The Housing Authority has been able to leverage the benefits of the U.S. Department of Agriculture's 515 program and the U.S. Department of Housing and Urban Development's NAHASDA program to build homes at Pine Ridge. USDA's 515 Program enable the purchase of homes at below market mortgage interest rates (as low as 1%) on tribal lands. The Partnership works to increase homeownership through the use of direct program assistance as well as blended assistance with participation by private lenders.

Housing Rehabilitation/Rehabilitation Financing –

The Housing Market Study identified 2,303 families living in substandard housing units – these families comprise 25% of all of the families at Pine Ridge identified in the 1990 Census. The study also indicates that 23% of the housing units on the reservation lacked complete plumbing facilities and 19% lacked adequate kitchen facilities. In response to this tremendous need, the Housing Authority has successfully conducted rehabilitation of homes on the reservation and plans to further rehabilitate more homes in the years to come. The Partnership also endeavors to join the Housing Authority in an effort to channel a wide variety of non-traditional resources, and create new resources, in order to enhance ongoing rehabilitation efforts.

Rehabilitation Grants: The Housing Authority has rehabilitated a significant number of home at Pine Ridge using rehabilitation grant funding. In 1999, the Housing Authority rehabilitated 47 homes; it plans to rehabilitate another 45 in the years 2000 - 2001.

Rehabilitation Loans: Currently, there are no loan products specifically for the rehabilitation of homes. Working together with the Housing Authority, the Partnership intends to create various vehicles for



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meeting this need through the leveraging of a wide variety of programs to enable a robust homes rehabilitation effort. Potential products and resources which will be accessed include HUD Section 184 loans, Title I, Title VI (IHAMS), Federal Home Loan Bank services, USDA's Rural Housing Services, and the South Dakota Finance agency's services. The goal is to expand, through blending of bank financing and other resources towards offering new rehabilitation and home improvement opportunities. Up to \$25,000 per home in rehabilitation expenses is anticipated to be covered under the program with up to 45 units being rehabilitated through loans alone with another 45 units being rehabilitated through a combination of loans and grants.