



NAVAJO HOUSING AUTHORITY

# Navajo Housing Authority

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**FOR IMMEDIATE RELEASE**

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## **NHA reaches settlement with HUD in four-year old case**

**WINDOW ROCK, Ariz.** – The Navajo Housing Authority (NHA) is announcing a settlement reached with the United States Department of Housing & Urban Development (HUD) over a dispute about housing expenditures dating from 2012.

On April 2013, HUD issued a Letter of Warning citing that NHA did not complete a number of housing activities as outlined in its 2012 Indian Housing Plan. After an administrative hearing, HUD ordered NHA to repay \$96 million for failure to complete 10 of 17 affordable housing projects in 2012. NHA appealed this decision to the 9th Circuit Court of Appeals whose mediator asked the parties to mediate if possible before continuing court proceedings. With the assistance of the 9th Circuit Court mediator, the NHA and HUD signed a settlement agreement on Sept. 8<sup>th</sup> for \$26 million.

“As a result of the mutually negotiated settlement, NHA was able to avert a potential loss of \$70 million,” said attorney Craig Kaufman, who presented the case and negotiated on behalf of NHA. “Furthermore, the \$26 million will be returned to the housing funding pool and will be included in NAHASDA’s 2018 formula allocation.”

NHA has kept the public and tribal leaders informed about the case, starting with a 2013 press release on the initial HUD notice. “Over the years, we have also periodically updated the Council’s Resources & Development Committee (RDC) on this issue,” said Interim Chief Executive Officer Roberta Roberts. RDC is the oversight committee for NHA.

“We evaluated all the options and determined it was in the best interest of the Navajo people to settle with HUD and restore balance rather than endure a lengthy and costly litigation process,” said Roberts. “The new Board wanted to begin with a clean slate and a renewed relationship with HUD so with this behind us, we are now out of the unknown and we can now begin to move forward.”

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## 23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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### **Resources and Development Committee continues support for Navajo Housing Authority's administration and board of commissioners**

**SANTA ANA PUEBLO, N.M.** – Last Thursday, the Resources and Development Committee held a work session with the Navajo Housing Authority's administration and board of commissioners regarding ongoing initiatives, progress, and barriers that may hinder housing development.

NHA interim chief executive officer Roberta Roberts reviewed the fiscal year 2017 performance report, the 2018 Indian Housing Plan, fiscal year 2018 appropriations, and U.S. Department of Housing and Urban Development updates. Other NHA administrators presented updates regarding grants management, model activities, procurement requirements, projects, land information management system, and chapter master planning.

RDC chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) said that the purpose of the meeting is to receive in-depth updates on NHA's recent initiatives and to continue to work adjacently with the administration and board of directors.

"The updated reports clearly demonstrate that the new administration and newly appointed board of commissioners is headed in the right direction for NHA's progression. Now, the committee has to assist to identify the barriers that NHA faces for homes to be built and the challenges must be explored and resolved—that is why we are here today," said Delegate Shepherd.

RDC member Council Delegate Leonard H. Pete (Chinle) raised several questions regarding the FY2017 expenditures and the upcoming FY2018 appropriations from HUD.

"I am concerned about how much money was spent last year. How much was spent? Is NHA going to use the 2018 HIP this year and how much is NHA going to spend?" asked Delegate Pete.

According to Roberts, NHA has expended to-date approximately \$69 million in FY2017, which funded planning, administration, development and construction, facilities, housing providers, and housing management. She added that NHA is expected to receive an estimated allocation of \$71 million in FY2018 from HUD, and NHA seeks to expend approximately \$94 million in FY2018.

RDC member Council Delegate Davis Filfred (Mexican Water, Aneth, Teecnospos, Tólikan, Red Mesa) commended Roberts for leading NHA in the right direction, but also questioned what challenges could hinder proposed housing developments.

“What are the critical barriers that needs to be addressed that would require policy changes, because we need many homes built as quickly as we can,” said Delegate Filfred.

NHA board chair Kris Beecher said the biggest challenge NHA encounters is the availability of land areas to construct homes on. According to NHA’s land information system, there is only 17-percent of land within the Nation that is “buildable.”

RDC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsiidi To ii) said that the majority of the Nation is “unbuildable” because the Nation has accepted federal regulations, which classified the majority of the land as unsuitable for constructing homes.

“This is a huge barrier for NHA. How can NHA build homes if they have to comply with federal regulations? We expect so much from them when they have their hands tied behind their back. Policy changes need to be made to address unbuildable lands,” said Delegate Phelps.

At the end of the work session, the committee recommended NHA to invite all appropriate tribal entities and departments involved with constructing homes to address the barriers and challenges. A follow-up work session will be scheduled later in November.

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