**MORTON COUNTY HOUSING AUTHORITY**
**MONTHLY MEETING**
**MORTON COUNTY COMMISSION ROOM**
**MORTON COUNTY COURT HOUSE**
**210 2ND AVE NW, MANDAN**
**THURSDAY, JULY 23, 2026 – 2:00 P.M. CST**

# AGENDA

1) Call to Order
2) Financial Review
3) Public Comment
4) Approval of Minutes
5) Approval of Expenditures
6) Financial Statements
7) Voucher Activity
8) 2026 Voucher Equity
9) Bylaws Update – New Board Member Positions
10) 2025 Administrative Fees Reconciliation
11) Attorney General Open Records Opinion
12) HAP Set Aside Funds Request - Portability
13) Mgmt Agreement & Lease - Morton County Housing Corporation
14) Audit Firm Discussion
15) HUD Review Investigation Documents
16) Board Meeting Website Posting
17) Other Business
18) Adjourn

# MORTON COUNTY HOUSING AUTHORITY
# MEETING MINUTES
# JUNE 11, 2026

The regularly scheduled meeting of the Board of Commissioners of the Morton County Housing Authority was called to order by DeNae Kautzmann, Chairwoman, on Thursday, June 11, 2026, at 3:00 p.m., at the Morton County Commission Room at the Morton County Courthouse in Mandan. In attendance, in addition to DeNae were Commissioners Paul Tokach, Steve Maershbecker, Rory Anderson and Carly Retterath. Also, in attendance were Rick Horn and Kayla Golke of the Management Firm.

No Public Comment.

The minutes from the previous meeting were reviewed. Rory motioned to approve of the minutes as presented with Carly seconding. On a roll call vote, all members present voted Yes. Motion passed 5-0.

The expenditures from May 9, 2026, through June 7, 2026, were reviewed. DeNae had questions on 2 checks that were written out to HJL Management, Rick informed that they were administrative fees paid from MCHA Voucher and MCHA Contract accounts. Rick showed where the management fee income is on the trial balance sheets. DeNae had questions on the port out admin fees, Rick informed that it is the port admin fee that MCHA Voucher pays to the port outs. MCHA Voucher gets paid from HUD for a voucher, when individuals port out MCHA must pay a proration factor to the other housing authorities. The board would like to have a specific meeting regarding the financials. Board members would like more understanding on how the financials work. The next board meeting will start at 2:00pm to accommodate the extra time learning about the financials. Carly motioned to accept the expenditures as presented with Steve seconding. On a roll call vote, all members present voted Yes. Motion passed 5-0.

The May 31, 2026, financial statements were reviewed. No questions or discussion.

Rick presented to the Board the year-to-date voucher activity for the current fiscal year. A discussion regarding the Morton County Housing Authority Voucher Program was had. As of May 2026, our average HAP payment was $590.76 vs $560.63 in January 2026. As of May 31, 2026, we had 272 applications received YTD, 45 vouchers issued, 49 vouchers utilized with 28 outstanding vouchers, and we are currently processing 306 applications. The number of applications that are currently being processed is 306 compared to 208 as of 12/31/2025.

A discussion regarding the 2026 Voucher Equity was had. The HAP Equity balance as of May 2026 was $113,103.07. The Admin Equity balance as of May 2026 was $1,159,782.17.

A discussion regarding the FY 2026 Income Limits that were effective as of June 30, 2026, was had. These numbers come from HUD. Morton, Oliver, and Burleigh County are considered a metro area, all the income limits are the same. The income limits change once a year, and HUD will tell us when it is effective.

A discussion regarding the SEMAP Corrective Action Approval for the fiscal year ending December 31, 2025, was had. The housing authority's plan is to review and process at least 30 applications each month, issue between 10-15 vouchers each month and this will result in an increase in monthly HAP spending.

A discussion regarding the Voucher Wait List Preferences was had. Rick contacted a HUD Coordinator. We would need to determine if adding waiting list preferences would be a substantial deviation / modification or significant amendment to our current 5 year PHA Plan. We would need to comply with the requirements listed in PIH 2025-18. There would be a process to go through to change the MCHA 5 Year Plan. There are currently several upcoming changes occurring in the administration of the voucher program. HOTMA will be in effect January 1st, 2027, as well as the new inspection standards (NSPIRE) will be in effect early next year. After some discussion, the Board concluded that there are more important items to worry about this year than wait list preferences. They will revisit this conversation at a later date.

A discussion regarding the House Subcommittee FY 27 HUD Funding Bill. The House is proposing deep cuts for most of the core housing programs. The House is proposing a 1.4% increase for voucher contract renewals and a 20% decrease for the voucher administrative fees. Overall, the House is proposing nearly $6 billion (8% percent) less than was enacted for FY26.

A discussion regarding the Mandan Golden Age Building was had. DeNae had heard that the MCH Corporation was interested in that building. Rick stated that the MCH Corporation is interested in that building but it all comes down to the price. DeNae was concerned with how the building would be added into the agreement if it was purchased by MCH Corporation. Rick stated that the building could just roll into the agreement.

A discussion regarding the Management Agreement & Lease with MCH Corporation was had. DeNae has concerns about the lease which was written in 1992 and currently it is on a month to month basis. The management agreement was entered into 2004 for 1 year and have continued to go forward without signing another agreement. The Board would like Rick to reach out to MCH Corporation to see if a meeting can be set up to talk about the management agreement and office lease.

A discussion was had regarding the HUD Review of December 31, 2025 Audit Report and the segregation of duties finding. A response must be provided to HUD regarding their concerns and any changes in procedures.

A discussion regarding the Bylaw Update was had. A red line copy of the bylaws was presented. A secretary and treasurer will be picked at the next meeting. Carly motioned to accept the bylaws as presented with Rory seconding. On a roll call vote, all members present voted Yes. Motion passed 5-0.

Other Business:

Paul spoke to the County Commission Board, States Attorney and MCHA attorney about a potential conflict of interest with Carly being on housing board and her oversight over Rick and his roll on the school board and her roll on the school board. Currently there are no issues.

Rory motioned to adjourn the meeting with Carly seconding. On a roll call vote, all members present voted Yes. Motion passed 5-0.

_________________________________ _________________
DeNae Kautzmann, Chairwoman Date

_________________________________ _________________
Rick Horn, Management Agent Date

Morton County Housing-Vouchers

Check Register

For the Period From Jun 8, 2026 to Jul 12, 2026

Filter Criteria includes: Report order is by Date.

| Check # | Date | Payee | Cash Account | Amount | | |
|---|---|---|---|---|---|---|
| 12574 | 6/12/26 | Wells Fargo Vendor Financial Services | 111.10 | 169.11 | | |
| 12575 | 6/12/26 | Innovative Office Solutions LLC | 111.10 | 73.98 | ______ | **Steve Maerschbecker** |
| 12576 | 6/12/26 | Quadient Leasing USA Inc | 111.10 | 239.97 | | |
| 12577 | 6/12/26 | BEK Communications Cooperative | 111.10 | 309.24 | ______ | **Carly Retterath** |
| 12579 | 6/26/26 | Nan McKay | 111.10 | 79.67 | | |
| 12578 | 6/30/26 | Ashton Nahs | 111.10 | 250.00 | ______ | **DeNae Kautzmann** |
| 12580 | 7/1/26 | HJL Management Company | 111.10 | 35,145.00 | | |
| 12581 | 7/1/26 | Morton County Housing Corp | 111.10 | 900.00 | ______ | **Rory Anderson** |
| 12582 | 7/10/26 | Presort Plus | 111.10 | 52.50 | | |
| 12583 | 7/10/26 | Innovative Office Solutions LLC | 111.10 | 390.78 | ______ | **Paul Tokach** |
| 12584 | 7/10/26 | BEK Communications Cooperative | 111.10 | 309.24 | | |
| 12585 | 7/10/26 | Uniti | 111.10 | 9.23 | | |
| 12586 | 7/10/26 | Quadient Finance USA | 111.10 | 363.03 | | |
| 12587 | 7/10/26 | Online Information Services Inc | 111.10 | 579.71 | | |
| Total | | | | 38,871.46 | | |

# Morton County Contract
## Check Register
## For the Period From Jun 8, 2026 to Jul 12, 2026

Filter Criteria includes: Report order is by Date.

| Check # | Date | Payee | Cash Account | Amount |
|---|---|---|---|---|
| 1321 | 6/26/26 | HJL Management Co | 111.10 | 8,459.44 |
| **Total** | | | | **8,459.44** |

Morton County Housing-Vouchers

# General Ledger Trial Balance

As of Jun 30, 2026

Filter Criteria includes: Report order is by ID. Report is printed in Detail Format.

| Account ID | Account Description | Debit Amt | Credit Amt |
|---|---|---|---|
| 111.10 | CASH | 384,624.66 | |
| 1145.00 | Accrued Interest Receivable | 13,167.65 | |
| 124.00 | Prepaid Insurance | 4,140.00 | |
| 125.10 | A/R OTHER | 100.00 | |
| 128.00 | Tenant A/R | 10,477.00 | |
| 128.10 | Allowance for Doubtful Account | | 10,477.00 |
| 131.20 | Investments-Starion | 766,051.56 | |
| 1400.00 | Leasehold Improvements | 148,851.01 | |
| 1400.90 | Furniture & Equipment | 4,276.00 | |
| 163.10 | OFFICE FURNITURE & EQUIP | 3,343.74 | |
| 166.10 | Accumulated Depreciation | | 21,413.17 |
| 167.10 | Accumulated Amortization | | 43,153.14 |
| 2112.00 | Interest Payable | | 280.79 |
| 2115.00 | ST Lease Liability | | 8,840.01 |
| 2215.00 | LT Lease Liability | | 66,207.49 |
| 511.10 | Restricted Net Assets | | 81,063.99 |
| 512.10 | Unrestricted Net Assets | | 1,010,648.10 |
| 512.11 | Unrestr Net Assets - Pre 2004 | | 158,615.00 |
| 706.00 | ANNUAL CONTRIBUTIONS H | | 1,740,370.00 |
| 706.10 | ANNUAL CONTRIBUTION - A | | 239,028.00 |
| 711.00 | Investment Income - Unrestrict | | 17,695.10 |
| 714.00 | Fraud Recovery | | 5,684.16 |
| 720.00 | Other Income - Port In | | 9,946.18 |
| 911.00 | MANAGEMENT FEES | 210,657.00 | |
| 912.00 | ACCOUNTING & AUDITING | 17,004.75 | |
| 916.00 | SUNDRY | 11,556.45 | |
| 916.10 | Port admin fee | 10,325.74 | |
| 919.00 | Storage Rental | 690.00 | |
| 941.00 | GENERAL EXPENSE | 3,365.73 | |
| 945.00 | Interest Expense | 1,744.98 | |
| 961.00 | INSURANCE EXPENSE | 3,032.52 | |
| 973.00 | HAP PAYMENTS | 1,604,518.00 | |
| 973.10 | Port out vouchers | 199,500.00 | |
| 973.20 | Port in Voucher | 8,838.00 | |
| 974.00 | Depreciation Expense | 1,149.48 | |
| 975.00 | Amortization Expense | 6,007.86 | |
| | Total: | 3,413,422.13 | 3,413,422.13 |

MORTON COUNTY DEVELOPMENT ACCOUNT

# General Ledger Trial Balance

As of Jun 30, 2026

Filter Criteria includes: Report order is by ID. Report is printed in Detail Format.

| Account ID | Account Description | Debit Amt | Credit Amt |
|---|---|---|---|
| 111.00 | CASH | 24,714.09 | |
| 1145.00 | Accrued Interest Receivable | 5,126.63 | |
| 131.30 | Starion CD | 365,591.01 | |
| 1400.50 | Accumulated Depreciation | | 4,400.72 |
| 1400.90 | Furniture & Equipment | 857.92 | |
| 1475.10 | OFFICE FURNITURE & EQUIPMENT | 3,542.80 | |
| 512.10 | RETAINED EARNINGS | | 388,658.88 |
| 711.00 | INTEREST INCOME | | 6,772.85 |
| | Total: | 399,832.45 | 399,832.45 |

# Morton County Contract
## General Ledger Trial Balance
## As of Jun 30, 2026

Filter Criteria includes: Report order is by ID. Report is printed in Detail Format.

| Account ID | Account Description | Debit Amt | Credit Amt |
|---|---|---|---|
| 111.10 | CASH | 91,849.17 | |
| 1120.00 | Accrued Interest Receivable | 6,864.73 | |
| 1162.00 | GENERAL FUND INVESTMENTS | 373,481.29 | |
| 512.10 | RETAINED EARNINGS | | 452,654.45 |
| 711.00 | INTEREST INCOME | | 7,382.50 |
| 715.00 | Management Fee Income | | 62,580.56 |
| 913.10 | Management Fees | 50,160.46 | |
| 916.00 | SUNDRY | 261.86 | |
| | **Total:** | **522,617.51** | **522,617.51** |

Morton County Housing-Vouchers
Income Statement
Compared with Budget
For the Six Months Ending June 30, 2026

| | Current Month Actual | Current Month Budget | Current Month Variance | Year to Date Actual | Year to Date Budget | Year to Date Variance |
|---|---|---|---|---|---|---|
| Revenues | | | | | | |
| ANNUAL CONTRIBUTIONS HAPS | $ 229,690.00 | $ 292,000.00 | (62,310.00) | $ 1,740,370.00 | $ 1,752,000.00 | (11,630.00) |
| ANNUAL CONTRIBUTION - AD MIN | 42,956.00 | 42,500.00 | 456.00 | 239,028.00 | 255,000.00 | (15,972.00) |
| Investment Income - Unrestrict | 2,822.91 | 2,900.00 | (77.09) | 17,695.10 | 17,400.00 | 295.10 |
| Fraud Recovery | 696.00 | 1,700.00 | (1,004.00) | 5,684.16 | 10,200.00 | (4,515.84) |
| Other Income - Port In | 1,121.14 | 1,600.00 | (478.86) | 9,946.18 | 9,600.00 | 346.18 |
| Total Revenues | 277,286.05 | 340,700.00 | (63,413.95) | 2,012,723.44 | 2,044,200.00 | (31,476.56) |
| Expenses | | | | | | |
| MANAGEMENT FEES | 35,287.00 | 35,855.00 | (568.00) | 210,657.00 | 215,130.00 | (4,473.00) |
| ACCOUNTING & AUDITING | 0.00 | 0.00 | 0.00 | 17,004.75 | 16,200.00 | 804.75 |
| SUNDRY | 1,933.71 | 3,500.00 | (1,566.29) | 11,556.45 | 21,000.00 | (9,443.55) |
| Port admin fee | 1,802.64 | 1,600.00 | 202.64 | 10,325.74 | 9,600.00 | 725.74 |
| Storage Rental | 0.00 | 120.00 | (120.00) | 690.00 | 720.00 | (30.00) |
| GENERAL EXPENSE | 410.53 | 750.00 | (339.47) | 3,365.73 | 4,500.00 | (1,134.27) |
| Interest Expense | 285.39 | 320.00 | (34.61) | 1,744.98 | 1,920.00 | (175.02) |
| INSURANCE EXPENSE | 416.10 | 420.00 | (3.90) | 3,032.52 | 2,520.00 | 512.52 |
| HAP PAYMENTS | 283,750.00 | 265,000.00 | 18,750.00 | 1,604,518.00 | 1,590,000.00 | 14,518.00 |
| Port out vouchers | 34,000.00 | 27,000.00 | 7,000.00 | 199,500.00 | 162,000.00 | 37,500.00 |
| Port in Voucher | 935.00 | 1,650.00 | (715.00) | 8,838.00 | 9,900.00 | (1,062.00) |
| Depreciation Expense | 191.58 | 192.00 | (0.42) | 1,149.48 | 1,152.00 | (2.52) |
| Amortization Expense | 1,001.31 | 1,000.00 | 1.31 | 6,007.86 | 6,000.00 | 7.86 |
| Total Expenses | 360,013.26 | 337,407.00 | 22,606.26 | 2,078,390.51 | 2,040,642.00 | 37,748.51 |
| Net Income | ($ 82,727.21) | $ 3,293.00 | ($ 86,020.21) | ($ 65,667.07) | $ 3,558.00 | ($ 69,225.07) |

# 2026 HAPs LEASES, HAP DOLLARS AND ADMIN FEE EARNED

| Month | HAPS Leased | HAP $s Received | HAP $s Spent | Admin Fee Received | Admin Expenses | Net | Balance |
|---|---|---|---|---|---|---|---|
| Jan | 517 | 298,248 | 290,742 | 36,596 | 41,491 | 2,611 | 1,231,802 |
| Feb | 514 | 302,186 | 289,876 | 36,595 | 42,305 | 6,600 | 1,236,484 |
| Mar | 522 | 296,253 | 298,671 | 36,595 | 55,935 | (21,758) | 1,217,016 |
| Apr | 517 | 302,590 | 300,044 | 41,143 | 42,382 | 1,307 | 1,222,833 |
| May | 516 | 311,403 | 306,935 | 43,143 | 42,032 | 5,579 | 1,242,347 |
| Jun | 524 | 229,690 | 317,750 | 43,143 | 41,328 | (86,245) | 1,150,676 |
| Jul | | | | | | 0 | |
| Aug | | | | | | 0 | |
| Sep | | | | | | 0 | |
| Oct | | | | | | 0 | |
| Nov | | | | | | 0 | |
| Dec | | | | | | 0 | |
| | 3,110 | 1,740,370 | 1,804,018 | 237,215 | 265,473 | | |

| | Amount | Accr Int | Maturity | Rate |
|---|---|---|---|---|
| Checking | 384,624.66 | | | |
| Cert of Dep - Starion | 117,438.58 | 371.62 | 6/29/2027 | 3.50% |
| Cert of Dep - Starion | 61,186.96 | 33.44 | 12/29/2026 | 3.99% |
| Cert of Dep - Starion | 121,975.14 | 385.98 | 6/29/2027 | 3.50% |
| Cert of Dep - Starion | 120,023.60 | 3,086.88 | 9/23/2026 | 3.74% |
| Cert of Dep - Starion | 112,501.43 | 3,640.24 | 8/8/2026 | 4.11% |
| Cert of Dep - Starion | 112,501.43 | 3,640.24 | 8/8/2026 | 4.11% |
| Cert of Dep - Starion | 120,424.42 | 2,009.27 | 7/9/2026 | 3.50% |
| | 1,150,676.22 | 13,167.67 | | |

January 1, 2026 Balance of Development Account 381,777.15

| Month | Other Income | Interest | Donations | Balance |
|---|---|---|---|---|
| Jan | | 4,146.77 | | 385,923.92 |
| Feb | | 15.12 | | 385,939.04 |
| Mar | | 16.85 | | 385,955.89 |
| Apr | | 15.21 | | 385,971.10 |
| May | | 4,317.76 | | 390,288.86 |
| Jun | | 16.24 | | 390,305.10 |
| Jul | | | | 390,305.10 |
| Aug | | | | 390,305.10 |
| Sep | | | | 390,305.10 |
| Oct | | | | 390,305.10 |
| Nov | | | | 390,305.10 |
| Dec | | | | 390,305.10 |

| | Amount | Accr Int | Maturity | Rate |
|---|---|---|---|---|
| Checking | 24,714.09 | | | |
| Cert of Dep - Starion | 123,007.91 | 2,730.78 | 10/21/2026 | 3.65% |
| Cert of Dep - Starion | 120,424.42 | 2,009.27 | 7/9/2026 | 3.50% |
| Cert of Dep - Starion | 122,158.68 | 386.56 | 6/29/2027 | 3.50% |
| | 390,305.10 | 5,126.61 | | |

Total Housing Authority cash on 6/30/2026

| | |
|---|---|
| HAP Acct | 1,150,676 |
| Dev | 390,305 |
| Contract Fee | 465,330 |
| | $2,006,312 |

**MORTON COUNTY FINANCIAL INFORMATION**
**MANAGEMENT FEE ACCOUNT**
**2026**

| Month | Income / Contract | Interest Income | Other Income | Expenses/Admin/ Contract | Balance | |
|---|---|---|---|---|---|---|
| Beginning Balance | | | | | $ 446,915.56 | |
| January | 10,305.09 | 22.86 | | 8,521.94 | 448,721.57 | 82.70% |
| February | 10,334.03 | 21.81 | | 8,283.23 | 450,794.18 | 80.15% |
| March | 10,672.64 | 25.56 | | 8,554.11 | 452,938.27 | 80.15% |
| April | 10,225.15 | 24.62 | | 8,196.12 | 454,991.92 | 80.16% |
| May | 10,489.35 | 4,326.02 | | 8,407.48 | 461,399.81 | 80.15% |
| June | 10,554.30 | 1,835.79 | | 8,459.44 | 465,330.46 | 80.15% |
| July | | | | | 465,330.46 | #DIV/0! |
| August | | | | | 465,330.46 | #DIV/0! |
| September | | | | | 465,330.46 | #DIV/0! |
| October | | | | | 465,330.46 | #DIV/0! |
| November | | | | | 465,330.46 | #DIV/0! |
| December | | | | | 465,330.46 | #DIV/0! |
| | 62,580.56 | 6,256.66 | - | 50,422.32 | | |

| | | Accrued Interest | | |
|---|---|---|---|---|
| Checking | 91,849.17 | | | |
| Cert of Deposit - Starion | 47,129.03 | 15.46 | 12/29/2026 | 3.99% |
| Cert of Deposit - Starion | 56,250.72 | 1,820.12 | 8/8/2026 | 3.99% |
| Cert of Deposit - Starion | 122,118.69 | 386.43 | 6/29/2027 | 3.50% |
| Cert of Deposit - Starion | 147,982.85 | 4,642.73 | 8/16/2026 | 3.99% |
| | 465,330.46 | 6,864.74 | | |

# Morton County Housing Authority

## Waiting List Analysis

As of July 13, 2026

| | | YTD 7/13/2026 | FY AVG | FY 2025 | FY 2024 | FY 2023 | FY 2022 | FY 2021 | FY 2020 | FY 2019 | FY 2018 | FY 2017 | FY 2016 | FY 2015 | FY 2014 | FY 2013 | FY 2012 | FY 2011 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Applications | A | 336 | 525 | 572 | 526 | 549 | 421 | 525 | 462 | 473 | 504 | 457 | 493 | 558 | 619 | 491 | 648 | 577 |
| Applications on housing list | B | 52 | 246 | 141 | 178 | 244 | 216 | 271 | 225 | 262 | 246 | 243 | 148 | 288 | 285 | 266 | 340 | 338 |
| Vouchers Issued | C | 53 | 183 | 132 | 136 | 211 | 164 | 210 | 179 | 203 | 193 | 192 | 94 | 220 | 203 | 148 | 261 | 205 |
| Vouchers Issued - Move Ins & Port Ins | C | 13 | | | | | | | | | | | | | | | | |
| Vouchers Utilized | D | 47 | 112 | 87 | 96 | 123 | 75 | 144 | 125 | 145 | 151 | 141 | 80 | 140 | 107 | 75 | 85 | 111 |
| Vouchers Utilized Move Ins & Port Ins | D | 13 | | | | | | | | | | | | | | | | |
| % of applications on housing list to applications (B / A) | | 15% | 47% | 25% | 34% | 44% | 51% | 52% | 49% | 55% | 49% | 53% | 30% | 52% | 46% | 54% | 52% | 59% |
| % of vouchers issued to applications (C / A) | | 16% | 35% | 23% | 26% | 38% | 39% | 40% | 39% | 43% | 38% | 42% | 19% | 39% | 33% | 30% | 40% | 36% |
| % of vouchers utilized to vouchers issued (D / C) | | 89% | 63% | 66% | 71% | 58% | 46% | 69% | 70% | 71% | 78% | 73% | 85% | 64% | 53% | 51% | 33% | 54% |
| % of vouchers utilized to applications (D / A) | | 14% | 22% | 15% | 18% | 22% | 18% | 27% | 27% | 31% | 30% | 31% | 16% | 25% | 17% | 15% | 13% | 19% |
| Vouchers issued and outstanding as of 12/31 | | | 32 | 31 | 24 | 45 | 34 | 41 | 43 | 26 | 20 | 26 | 0 | 35 | 36 | 14 | 63 | 41 |
| Applications in process as of 12/31 | | | 138 | 208 | 129 | 178 | 95 | 115 | 110 | 120 | 150 | 137 | 250 | 180 | 124 | 120 | 136 | 84 |
| Vouchers issued and outstanding as of 7/13/26 | | 30 | | | | | | | | | | | | | | | | |
| Applications in process as of | | 344 | | | | | | | | | | | | | | | | |

# MORTON COUNTY HOUSING AUTHORITY
## 2026 EQUITY BALANCES

| | 688 January | 688 February | 688 March | 688 April | 688 May | 688 June | 688 July | 688 August | 688 September | 688 October | 688 November | 688 December | Available 4,128 Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Vouchers leases | 517 | 514 | 522 | 517 | 516 | 524 | | | | | | | 3,110 |
| Housing Assistance Equity - Beginning Balance | 81,063.99 | 89,149.99 | 101,863.42 | 99,682.92 | 102,576.42 | 107,970.07 | 20,258.07 | 20,258.07 | 20,258.07 | 20,258.07 | 20,258.07 | 20,258.07 | 81,063.99 |
| HAP revenue | 298,248.00 | 302,186.00 | 296,253.00 | 302,590.00 | 311,403.00 | 229,690.00 | | | | | | | 1,740,370.00 |
| | | | | | | | | | | | | | - |
| Fraud recovery revenue | 580.00 | 403.43 | 237.50 | 347.50 | 925.65 | 348.00 | | | | | | | 2,842.08 |
| Other revenue | | | | | | | | | | | | | - |
| Investment income | | | | | | | | | | | | | - |
| Total revenues | 298,828.00 | 302,589.43 | 296,490.50 | 302,937.50 | 312,328.65 | 230,038.00 | - | - | - | - | - | - | 1,743,212.08 |
| Housing assistance payments | 257,407.00 | 256,172.00 | 264,694.00 | 266,101.00 | 272,855.00 | 282,733.00 | | | | | | | 1,599,962.00 |
| Port In - Billing | | | | | | | | | | | | | - |
| Tenant protection | 1,028.00 | 1,028.00 | 1,028.00 | 1,028.00 | 1,017.00 | 1,017.00 | | | | | | | 6,146.00 |
| Port out vouchers | 31,389.00 | 32,676.00 | 32,949.00 | 32,915.00 | 33,063.00 | 34,000.00 | | | | | | | 196,992.00 |
| PY Port Out -Covington CDA | 918.00 | | | | | | | | | | | | 918.00 |
| | | | | | | | | | | | | | - |
| Total expenses | 290,742.00 | 289,876.00 | 298,671.00 | 300,044.00 | 306,935.00 | 317,750.00 | - | - | - | - | - | - | 1,804,018.00 |
| Difference | 8,086.00 | 12,713.43 | (2,180.50) | 2,893.50 | 5,393.65 | (87,712.00) | - | - | - | - | - | - | (60,805.92) |
| Housing Assistance Equity - Ending Balance | 89,149.99 | 101,863.42 | 99,682.92 | 102,576.42 | 107,970.07 | 20,258.07 | 20,258.07 | 20,258.07 | 20,258.07 | 20,258.07 | 20,258.07 | 20,258.07 | 20,258.07 |
| Average Monthly HAP | 562.36 | 563.96 | 572.17 | 580.36 | 594.84 | 606.39 | #DIV/0! | #DIV/0! | #DIV/0! | #DIV/0! | #DIV/0! | #DIV/0! | 580.07 |
| Administrative Equity - Beginning Balance | 1,169,262.69 | 1,168,240.71 | 1,165,893.27 | 1,150,032.76 | 1,154,252.80 | 1,159,477.81 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,169,262.69 |
| Administrative fee revenue | 36,596.00 | 36,595.00 | 36,595.00 | 43,143.00 | 43,143.00 | 42,956.00 | | | | | | | 239,028.00 |
| Administrative fee - special | | | | | | | | | | | | | - |
| Administrative fee revenue - prior year | | | | | | | | | | | | | - |
| Investment income | 3,110.11 | 2,775.69 | 3,058.66 | 2,928.36 | 2,999.37 | 2,822.91 | | | | | | | 17,695.10 |
| Port In - Billing | (1,742.00) | (1,742.00) | (1,742.00) | (1,742.00) | (935.00) | (935.00) | | | | | | | (8,838.00) |
| Other income - Port In billing | 1,925.18 | 1,925.18 | 1,925.18 | 1,925.18 | 1,124.32 | 1,121.14 | | | | | | | 9,946.18 |
| Other income | | | | | | | | | | | | | - |
| Fraud recovery revenues | 580.00 | 403.43 | 237.50 | 347.50 | 925.65 | 348.00 | | | | | | | 2,842.08 |
| Total revenues | 40,469.29 | 39,957.30 | 40,074.34 | 46,602.04 | 47,257.34 | 46,313.05 | - | - | - | - | - | - | 260,673.36 |
| Total operating expenses | 40,237.32 | 41,111.85 | 54,741.96 | 41,189.11 | 40,839.44 | 40,135.37 | | | | | | | 258,255.05 |
| PY Port Out -Covington CDA | 61.06 | | | | | | | | | | | | 61.06 |
| Amortization | 1,001.31 | 1,001.31 | 1,001.31 | 1,001.31 | 1,001.31 | 1,001.31 | | | | | | | 6,007.86 |
| Depreciation | 191.58 | 191.58 | 191.58 | 191.58 | 191.58 | 191.58 | | | | | | | 1,149.48 |
| Total expenses | 41,491.27 | 42,304.74 | 55,934.85 | 42,382.00 | 42,032.33 | 41,328.26 | - | - | - | - | - | - | 265,473.45 |
| Difference | (1,021.98) | (2,347.44) | (15,860.51) | 4,220.04 | 5,225.01 | 4,984.79 | - | - | - | - | - | - | (4,800.09) |
| Administrative Fee Equity - Ending Balance | 1,168,240.71 | 1,165,893.27 | 1,150,032.76 | 1,154,252.80 | 1,159,477.81 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 | 1,164,462.60 |
| VMS Admin Equity Balance | 1,172,952.80 | 1,176,131.92 | 1,179,428.08 | 1,182,703.94 | 1,186,628.96 | 1,189,799.87 | 1,189,799.87 | 1,189,799.87 | 1,189,799.87 | 1,189,799.87 | 1,189,799.87 | 1,189,799.87 | |
| Total fraud recovery | 1,160.00 | 806.86 | 475.00 | 695.00 | 1,851.30 | 696.00 | - | - | - | - | - | - | 5,684.16 |
| Total interest | 3,110.11 | 2,775.69 | 3,058.66 | 2,928.36 | 2,999.37 | 2,822.91 | - | - | - | - | - | - | 17,695.10 |
| Admin fee rate - $94.60 | 48,908.20 | 48,624.40 | 49,381.20 | 48,908.20 | 48,813.60 | 49,570.40 | - | - | - | - | - | - | |
| Proration factor - 88% Jan - Jun | 43,039.22 | 42,789.47 | 43,455.46 | 43,039.22 | 42,955.97 | 43,621.95 | | | | | | | 258,901.28 |
| Proration factor - 88% Jul - Dec | | | | | | | - | - | - | - | - | - | - |
| Proration factor - | | | | | | | | | | | | | - |
| Admin fee receivable / payable | 6,443.22 | 6,194.47 | 6,860.46 | (103.78) | (187.03) | 665.95 | - | - | - | - | - | - | 19,873.28 |

| | | |
|---|---|---|
| 75% | 3,845,815.00 | 2026 Eligible funding |
| | (209,099.00) | Offset amount |
| | 3,636,716 | Renewal funding |
| | | NRA offset available |
| | 81,064 | NRA balance 12/31/25 |
| | | 2026 Set Aside funding |
| | 279,219 | Program reserves 12/31/25 |
| | 3,996,999 | CY 2026 Funds Available |
| | 3,636,716 | Renewal funding |
| | 2,842.08 | YTD Fraud Recovery |
| | (1,804,018) | YTD HAP |
| | 1,835,540 | Remaining HAP eligibility |
| | 305,923.35 | Remaining monthly average |
| | 3,454,880 | 95% funding |
| | - | Balance |

**Calculation of January - December 2025 Administrative Fees**
**Housing Choice Voucher Program**

| | | | |
|---|---|---|---|
| | HA Number: | ND010 | |
| | HA Name: | MORTON COUNTY HOUSING AUTHORITY | |
| 1 | VMS Unit Months Leased | 6,455 | |
| 2 | Unleased PBV UMLs | 0 | |
| 3 | Total UMLs (Line 1 + Line 2) | 6,455 | |
| 4 | Unit Months Available | 8,256 | |
| 5 | Overleased UMLs (Line 3 - Line 4 if overleased) | 0 | |
| 6 | Lesser of UMLs or UMAs (Minimum of Line 3 and Line 4) | 6,455 | |
| 7 | Unit Months Eligible for Column A Rate | 6,455 | |
| 8 | Column A Rate | $90.85 | |
| 9 | Eligibility - Column A Unit Months (Line 7 x Line 8) | | $586,437 |
| 10 | Unit Months Eligible for Column B Rate (Line 6 - Line 7) | 0 | |
| 11 | Column B Rate | $84.80 | |
| 12 | Eligibility - Column B Unit Months (Line 10 x Line 11) | | $0 |
| 13 | Total Eligibility (Line 9 + Line 12) | | $586,437 |
| 14 | Pro-Ration Factor | | 0.886770 |
| 15 | Pro-Rated Eligibility (Line 13 x Line 14) | | $520,035 |
| 16 | Fees Obligated | | $532,482 |
| 17 | Calendar Year End 2024 Admin Fee Reconciliation Overdisbursement | | $0 |
| 18 | Shortfall in Fees Obligated/Disbursed (Line 15 - Line 16 + Line 17, if positive) | | $0 |
| 19 | Excess Fees Obligated/Disbursed (Line 15 - Line 16 + Line 17, if negative) | | ($12,447) |

20 Comments

Line 18: Shortfall in Fees will be disbursed with this Reconciliation.
Line 19: If excess fees are identified, adjustments will be made on the next Administrative Fee distributions to PHAs in the amount of the excess.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

June 17, 2026

Dear Executive Director:

Subject: Housing Choice Voucher Program
**January through December 2025** Final Administrative Fees Reconciliation.

The purpose of this letter is to advise each public housing agency (PHA) participating in the Housing Choice Voucher Program (HCVP) of the calculation of earned administrative fees for the months of **January through December 2025**.

The Full-Year Consolidated Appropriations Act, 2025, (P.L. 119-4) enacted on March 15, 2025, requires that administrative fees be calculated based on PHA leasing in the HCV Program. Administrative fees will be paid for each voucher under lease on the first day of the month. PHAs are eligible for fee calculations based on their Column A rates for the first 600 units leased each month; if a PHA leases at least 7200 unit months for CY 2025, the PHA will receive fees based on the Column A rate for 7200 unit months, even if the leasing in some months is less than 600 units. The fee rates applicable to each PHA have been previously posted on the HUD website, and all PHAs have had the opportunity to request a blended rate and/or a higher rate if they qualify. Any additional eligibility resulting from an approved higher fee rate or a blended fee rate were applied to the December 31, 2025, reconciliation.

Enclosed with this letter is the calculation of administrative fee eligibility and pro-rated earnings for your PHA for the months of **January through December 2025,** for which Unit Months Leased (UML) data was taken from the validated VMS database as of January 22, 2026. The Department has calculated each PHA's eligibility and has established an estimated proration factor which is **88.677%**.

HUD compared total fees earned (after pro-ration) to total fees obligated and disbursed to your PHA for January through December 2025, including renewal fees and tenant protection on-going fees. At the end of the enclosure, the final of pro-rated fees earned is compared to the fees obligated and disbursed to your PHA. If your PHA has a shortfall (Line 18), meaning fees obligated and disbursed for the period were less than fees earned, an additional fee disbursement in the amount of the shortfall will be made. If the PHA received excess fees for the period (Line 19), the excess amount will be accounted for through CY2026 Reconciliation.

If your PHA was identified and subject to CARES Act-related permanent administrative fee sanctions for noncompliance, sanctions were applied to your eligibility calculation starting April 2023. Total sanction amount has been reduced from your December 31, 2025 Administrative Fee reconciliation. Please contact your FMC Financial Analyst for questions about administrative fee sanctions.

Finally, note that if your PHA is over-leased for the CY, the fee earnings for the final period(s) will be reduced such that fees are paid only for unit months up to your PHA's baseline.

PHAs that are significantly over-leased may experience a significant reduction, and agencies need to anticipate and prepare for this.

If you have any questions about the fee calculations or the data used for your PHA, please contact your assigned representative from the Financial Management Center.

Thank you for your continued participation in the HCV Program.

Sincerely,

Miguel A. Fontánez

Digitally signed by Miguel A. Fontánez
DN: CN = Miguel A. Fontánez, C = US
O = Housing Voucher Financial Management Division, OU = Director
Reason: I am approving this document

Miguel A. Fontánez
Director
Housing Voucher Financial
Management Division

STATE OF NORTH DAKOTA

# OFFICE OF ATTORNEY GENERAL

www.attorneygeneral.nd.gov

(701) 328-2210

**Drew H. Wrigley**
ATTORNEY GENERAL

## OPEN RECORDS AND MEETINGS OPINION 2026-O-13

DATE ISSUED: June 29, 2026

ISSUED TO: Morton County Housing Authority

### CITIZEN'S REQUEST FOR OPINION

Karen Jordan requested an opinion from this office under N.D.C.C. § 44-04-21.1 asking whether the Morton County Housing Authority (the Housing Authority) violated N.D.C.C. § 44-04-18 by failing to respond to a records request to its management agent in his capacity as a Mandan Public School Board member.

### FACTS PRESENTED

Rick Horn is the owner of HJL Management Company, which has a contract with the Housing Authority to provide management services.[1] He also serves as a member of the Mandan Public School Board.[2] On June 20, 2023, Ms. Jordan emailed Mr. Horn asking him for "the last email [he] received that can be released that shows all the email addresses of all members of the [Mandan Public School District] Board."[3] The beginning of Ms. Jordan's email stated, "[s]ince I think you're on the Board for the Mandan Public School District . . . ."[4] She never mentioned his role with the Housing Authority.[5] Less than ten hours later, Mr. Horn replied, "[o]ur practice is for all email requests to go through the Mandan School District office. Please contact Dr. Bitz at the Mandan District Office with your request."[6] Ms. Jordan responded to Mr. Horn, arguing that he had an obligation to personally go through his records to find the record that she requested.[7]

Ms. Jordan then emailed Mr. Horn again asking "[w]hat I'm asking for now is a copy of an email sent to [Mr. Horn's HJL Management Company's email address] this year by anyone connected

[1] Letter from Rick Horn, Mgmt. Agent, Morton Cnty. Hous. Auth., to Annique M. Lockard, Assistant Att'y Gen., Off. of Att'y Gen. (Dec. 1, 2023).
[2] *Id.*
[3] Email from Karen Jordan to Rick Horn, Member, Mandan Pub. Sch. Dist. Bd. (June 20, 2023, 10:41 PM).
[4] *Id.*
[5] *Id.*
[6] Email from Rick Horn, Member, Mandan Pub. Sch. Dist. Bd., to Karen Jordan (June 21, 2023, 8:28 AM).
[7] Email from Karen Jordan to Rick Horn, Member, Mandan Pub. Sch. Dist. Bd. (June 21, 2023, 8:12 PM).

to the Mandan Public School District."[8] Mr. Horn contacted Dr. Mike Bitz, Superintendent of Mandan Public Schools to respond on behalf of Mandan Public Schools.[9] Two emails were provided by Mandan Public Schools.[10]

The Housing Authority did not have any emails that were responsive to Ms. Jordan's request.[11] Neither Mr. Horn nor the Housing Authority provided a response to Ms. Jordan that the Housing Authority did not possess the requested records.[12]

Ms. Jordan timely filed a request with this Office for an opinion about her records requests. The request for an opinion was limited to Mr. Horn in his capacity as "an agent for Morton County government based on his position as Executive Director of the Morton County Housing Authority."[13] Ms. Jordan has also requested an opinion from this office regarding the response to her records request from Mandan Public Schools, which is being addressed in a separate opinion.[14]

## ISSUE

Whether the Housing Authority violated N.D.C.C. § 44-04-18 by failing to respond to a records request to its management agent in his capacity as a Mandan Public School Board member.

## ANALYSIS

The Housing Authority is a public entity subject to the open records law.[15] "Except as otherwise specifically provided by law, all records of a public entity are public records, open and accessible for inspection during reasonable office hours."[16] An entity must provide the requested public records "[u]pon request."[17] The records required to be disclosed only include records within the "possession or custody of the public entity or its agent."[18] A "public entity generally has no

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[8] Email from Karen Jordan to Rick Horn, Member, Mandan Pub. Sch. Dist. Bd. (June 25, 2023, 10:46 PM).
[9] Email from Dr. Mike Bitz, Superintendent, Mandan Pub. Sch. Dist., to Karen Jordan (June 27, 2023, 1:42 PM).
[10] *Id.*
[11] Letter from Rick Horn, Mgmt. Agent, Morton Cnty. Hous. Auth., to Annique M. Lockard, Assistant Att'y Gen., Off. of Att'y Gen. (Dec. 1, 2023).
[12] *See Id.*
[13] Email from Karen Jordan to Off. of Att'y Gen. (July 2, 2023, 7:36 PM).
[14] N.D.A.G. 2026-O-14.
[15] N.D.C.C. §§ 23-11-02, 44-04-17.1(13)(b).
[16] N.D.C.C. § 44-04-18(1).
[17] N.D.C.C. § 44-04-18(2).
[18] N.D.C.C. § 44-04-17.1(16).

obligation to obtain records it does not have."[19] "[E]ach agency of a political subdivision is responsible only for the records in its possession and not for records that are in the possession of another agency of the same political subdivision."[20] A public entity also does not have an obligation to provide records or respond if it has not received a request.[21] "When a public entity does not have the requested records, it must, within a reasonable time, inform the requester that the records are not in its possession or do not exist."[22]

The initial records request was for the last email Mr. Horn had received that included all the Mandan Public School board member email addresses.[23] Ms. Jordan's email indicated that it was sent to Mr. Horn because he was a school board member; it did not mention the Housing Authority. Ms. Jordan's second request was for all emails to Mr. Horn's management company email address from accounts associated with the school district.[24] It was reasonable for Mr. Horn to conclude that Ms. Jordan's request was received in his capacity as a Mandan Public School board member, not in his capacity as the management agent for the Housing Authority.

## CONCLUSION

It is my opinion that the Housing Authority did not violate N.D.C.C. § 44-04-18 because a request for records had not been made to the Housing Authority.

Drew H. Wrigley
Attorney General

wdw

cc: Karen Jordan

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[19] N.D.A.G. 2024-O-07, quoting N.D.A.G. 2019-O-13, *citing* N.D.C.C. § 44-04-17.1(16); N.D.A.G. 2014-O-22; N.D.A.G. 2010-O-02; N.D.A.G. 2004-O-05). *See* N.D.A.G. 2025-O-13; N.D.A.G. 2023-O-07.
[20] N.D.A.G. 2005-O-13, *citing* N.D.A.G. 2004-O-05.
[21] N.D.A.G. 2018-O-24.
[22] N.D.A.G. 2026-O-06, *citing* N.D.C.C. § 44-04-18; N.D.A.G. 2017-O-06; N.D.A.G. 2015-O-17; N.D.A.G. 2010-O-02; N.D.A.G. 2008-O-06.
[23] Email from Karen Jordan to Rick Horn, Member, Mandan Pub. Sch. Dist. Bd. (June 20, 2023, 10:41 PM).
[24] Email from Karen Jordan to Rick Horn, Member, Mandan Pub. Sch. Dist. Bd. (June 25, 2023, 10:46 PM).

## Appendix E: HAP Set-aside Category 3: Portability

As described in section IV subsection B, c, PHAs that want to apply for HAP Set-aside funds for Category 3: Portability must complete and sign the application by the deadline and through the DocuSign link provided in table 2. The information in this appendix is to assist PHAs in further understanding the application requirements to complete the DocuSign.

**HUD will only accept applications completed and signed through DocuSign.**

### PHA Application for HAP Set-aside Category 3: Portability

| | |
|---|---|
| **PHA Name** | Morton County Housing Authority |
| **PHA Code** | ND010 , |
| **Executive Director Name** | Rick Horn |

**Certifications:**

__x__ I hereby certify that my PHA has experienced a significant increase in renewal costs due to portability for tenant-based rental assistance under Section 8 (r) of the U.S. Housing Act of 1937. I certify that I am eligible for this HAP Set-aside category in accordance with the PHA eligibility criteria described in section IV, subsection B, c.

__x__ I, the undersigned, certify under penalty of perjury that the information stated herein, as well as any information provided in the accompaniment herewith, is true, accurate, and correct.

*Warning*: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties (18 U.S.C. §§ 287, 1001, 1010, 1012; 31 U.S.C. §§ 3729, 3802; 24 CFR §28.10(b)(1)(iii)).

Signed by:
Rick Horn
35996A26EE59424...

Signature of Executive Director

6/23/2026
Date

Rick Horn
Contact Name

701-663-7494
Phone Number