

# CONFEDERATED TRIBES of the CHEHALIS RESERVATION

Resolution No. 2020-102

**RE: Updated Home Site Lease Policy**

**Whereas:** The Business Committee of the Confederated Tribes of the Chehalis Reservation is the duly constituted governing body of the Chehalis Tribe, in accordance with the Constitution and By-laws adopted by the voting members of the Tribe and approved by the Commissioner of Indian Affairs; and

**Whereas:** The Business Committee is responsible for protecting and enhancing the social, health, educational and economic well-being of Tribal members; and

**Whereas:** The Business Committee seeks to encourage homeownership among tribal members and seeks to provide opportunities for tribal members to lease trust land; and

**Whereas:** The Chehalis Tribes previously approved a Home Site Lease Program Policy in 2019; and

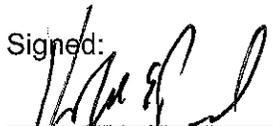
**Whereas:** It was determined that the Home Site Lease Program Policy required some minor editing to better serve the tribal community; and

**Whereas:** The Business Committee reviewed the updated Home Site Lease Program Policy; and

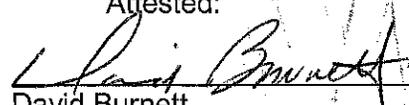
**Now Therefore Let It Be Resolved:** That the Business Committee on behalf of the Confederated Tribes of the Chehalis Reservation does hereby approve the updated Chehalis Tribe Home Site Lease Program Policy.

**Certification:** This Resolution, Number 2020-102, was duly considered and approved at a regularly scheduled meeting of the Chehalis Business Committee held on September 15, 2020, at which a quorum was present. The vote being 4 For, 0 Against, with 0 Abstentions and with the Chairman not voting.

Signed:

  
Harold Pickernell Sr.  
Chairman

Attested:

  
David Burnett,  
Secretary



# Home Site Lease Program

Effective Date: \_\_\_\_\_

Approved by Resolution #: \_\_\_\_\_

## Introduction

## Table of Contents

Introduction.....1

Purpose.....2

Scope .....2

Available Lands.....2

Eligibility .....2

Application .....3

Timing.....3

Lease.....3

Payment .....3

# Home Site Lease Program

## Purpose

The purpose of this program is to encourage single family home ownership among Tribal Members. Tribal owned trust Land designated by the Business Committee may be made available for lease to Tribal Members who wish to construct or purchase a home as set forth in the attached Lease, using their own credit and resources. This program is not intended to lease lands for any other purpose other than single family residences.

## Scope

The Home Site Lease Program will provide for a half acre home site to be leased for residential use. The Lessee and the Lessor shall be required to execute the Lease attached hereto and made a part hereof. The leased trust property will be owned by the Chehalis Tribe. The lease will have 25 year term plus a renewal term of an additional 25 year term at a rate of \$1 per year; payable \$25 in advance for the lease.

## Available Lands

The Planning Department shall prepare a subset of the Master Plan identifying available properties which might be available for the Home Site Lease Program. Home site leases for properties identified as being available for inclusion in this Program will be made available on a first come first served basis. All leases are subject to approval by the Business Committee, which decision shall not be appealable. An inventory of trust land sites available for lease will be maintained by the Realty Office of DNR.

Home Site parcels for development under this Program shall not exceed one half of an acre, which is similar to those sites available at the Vosper Housing development.

A map(s) will be maintained by the Realty Office showing lands available, which will be updated quarterly to show new trust lands, if any, available and indicating lands that have been leased.

All trees on Tribal Trust lands are property of the Chehalis Tribe. If any trees need to be removed to construct a house, the cost of that tree removal is the responsibility of the leasee. The value of the trees to be removed can be used to cover the cost of removal. If there is any excess value after the removal is completed, then that amount must be returned to the Tribe.

If there are existing structures, fences, or landscaping that may interfere with the building of a new house, any removal or changes will be the responsibility of the leasee.

## Eligibility

Any enrolled adult Chehalis Tribal Member will be eligible to lease a parcel to be used for a single family residence. Only one site shall be available to a tribal member and his or her spouse, whether the spouse is a tribal member or not.

# Home Site Lease Program

## Application

A person wishing to participate in this Program will contact the Realty Office to complete an application and identify the parcel they wish to lease from the inventory of available parcels. The application will include, but not be limited to, whether the applicant will seek to build a stick built house, move a mobile home on to the property, and who will be living in the single family residence. The applicant will also be required to review the Lease and agree to the terms.

The only pre-conditions for having the application considered will be:

- that the applicant and no one who will live in the single family residence can be a registered sex offender or have a felony drug conviction within the last 5 years.
- that the applicant provide a pre-approval letter, or other financial proof that they can afford to build a house on the site.

## Timing

This program will be operated on a first come, first served basis and an applicant is required to provide evidence that he / she / they can construct or purchase a single family residence and meet the other requirements under the terms of the attached Lease. If after a total of 2 years after signing the Lease, the applicant fails to build or move a single family residence on the Leased Property, that parcel will go back into the inventory and be available to any other applicant.

No applicant who enters into the Lease and has the Lease terminated for any reason will be eligible for the Program for a period of 10 years after the Lease is terminated.

## Lease

Once an applicant has completed the application and selected a home site, this information will be forwarded to the Business Committee for approval.

After approval from the Business Committee, the lease agreement will be signed.

The terms of the Lease will govern the requirements for the single family residence for the Lessee.

The form of Home Site Lease required under this program is attached hereto and made a part hereof.

## Payment

Upon executing the Lease, the Lessee shall pay the first 25 years of rent under the lease at the Tribe's finance department.

# Home Site Lease Program

## Compliance with Tribal Codes

Violation of Chehalis Tribal Codes, particularly those related to the health, safety and welfare of the Community will result in the termination of the Lease. If the Lease is terminated, the Lessee will have 60 days to remove their single family residence or the residence and all other structures will revert to the Tribe's ownership at no cost to the Tribe.

The development of the home site and construction of the home must follow all Chehalis Tribal Codes. All appropriate permits must be attained from the Tribal Planning Department, including but not limited: to a Residential Construction permit and a Timber Harvest permit.