

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

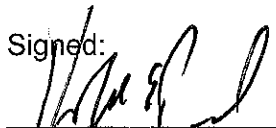
Whereas: It was determined that the Home Site Lease Program Policy required some minor editing to better serve the tribal community; and

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

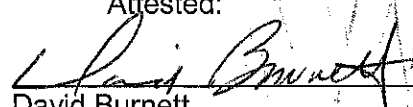
Now Therefore Let It Be Resolved: That the Business Committee on behalf of the Confederated Tribes of the Chehalis Reservation does hereby approve the updated Chehalis Tribe Home Site Lease Program Policy.

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

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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.

Chehalis Tribe

Home Site Lease Program

Home Site Lease Application

The following documents are required before an application will be reviewed for eligibility:

1. A completed Home Site Lease Application.
2. A signed Release of Information form (all individuals 18 years old or older that will live at the property must sign a Release of Information form).
3. Proof of Chehalis Tribe enrollment.
4. A prequalification letter from a lending institution.

Incomplete applications will not be accepted. Applicants will not be put on the waiting list unless all of the required documentation is received.

Upon receiving a complete application package:

1. Applicant will be notified and will meet with Tribal Realty to sign the Home Site Lease and confirm their preferred site.
2. Applicant and all family members over 18 who will live in the home will undergo background checks. (A fee of \$11.00 per adult will be charged for background checks.)
3. If all qualifications are met, the Home Site Lease will be brought to the Business Committee for approval.
4. Upon Approval from the Business Committee, the Home Site Lease will be submitted to the Bureau of Indian Affairs (BIA) for final approval.
5. Once the lease is approved by the BIA, the Applicant can proceed with plans to construct, or place a home on the approved site.
6. If the applicant has not begun construction of a home after two years from the date of the approved lease, then the applicant will forfeit their lease.

APPLICANT INFORMATION:

Applicant Name _____

SS #: _____ Date of Birth: _____

Telephone Number: _____

Address: _____ City: _____

State: _____ Zipcode: _____

Email: _____

Chehalis Tribe

Home Site Lease Program

Are you a Chehalis Tribal Member? Y / N Enrollment # _____
(Tribal ID or other proof of enrollment is required)

FAMILY COMPOSITION: (please list all people who will live on the property, anyone listed over 18 years old shall sign a Release of Information form)

Name	Relation to Applicant	Age	Sex (M/F)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

PREQUALIFICATION:

Bank: _____

Branch: _____

(Attach Prequalification Letter to this application.)

HOME SITE PLAN:

What type of home do you intend to place on the site?

Chehalis Tribe

Home Site Lease Program

PREFERRED SITE: (applicants will be shown a map of available properties)

I would like to lease the following property: _____

PLEASE READ CAREFULLY BEFORE SIGNING

In considering this application from you, the Chehalis Tribe will rely heavily on the information, which you have supplied. It is important that the information be accurate and complete. By signing this application, you represent and warrant the accuracy of the information, and you authorize the Chehalis Tribe to verify references that you have listed. All persons responsible for payment must sign application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Signed: _____ Date: _____

Signed: _____ Date: _____

Received by: _____ Date: _____
Realty Program

WARNING! Title 18, Section 1001 of the United States Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any Departments or Agencies of the United States.

Chehalis Tribe

Home Site Lease Program

Chehalis Tribal Realty Release of Information

I, _____, hereby give the Chehalis Tribe permission to obtain any information necessary to verify and complete my housing application, or recertify my occupancy.

Verifications and/or reports include, but are not limited to, records of:

Employment; State Public Assistance; Unemployment Compensation; Workers Compensation; Internal Revenue Service; Social Security; SSI; Other Housing Authorities, or Federally Assisted Home Loan Programs; Credit Reporting Agencies; Current and Past Landlords; Energy Providers; Law Enforcement Agencies; any Tribal Department or Agency.

Name: _____
 First *Middle* *Last*

DOB: _____ SS#: _____ - _____ - _____
 Month/Day/Year

Signature: _____

***** Every member of the household over the age of 18 years old must complete and sign a Release of Information Form. Make as many copies of this page as needed.***