

## **HOMESITE LEASE PROCESS**

*(August 1, 2012 Update)*

Upon completion of your application, you will be placed on the waiting list. The number of applications to lease Tribal land for home site purposes has tripled over the last few years. We now receive over 75 applications per year and we currently have a backlog of approximately 100 requests. When a home site becomes available, it will be leased to the applicant who has priority status and has been waiting the longest for that area. Priority status was determined by the Tribal council to be those with the greatest need (dire need families, homeless, elders, other families with minor children, and families or individuals with the financial means to develop a site) and those waiting longer than three years. More than 80 applicants have priority status and are being served on a first-come, first-served basis (according to Tribal Land Ordinance 45B); however, only about 50 lots become available each year, on average. It is important that you notify the Tribal Lands Department if any information you have given should change to assure that you will be prioritized correctly and you will not be moved down the list due to the inability to contact you.

Lands staff are working to see that current Lessees are using their sites. If a lessee is not permanently living on a site within 15 months of receiving a homesite lease, his or her lease will be cancelled and assigned to another Tribal member. Lands staff are also working to create more lots.

### **Creating a New Site**

A new home site must be on 100% Tribal trust land, or on a parcel of individually-owned trust land in which the applicant has permission from the owners to set up a homesite. The Tribal Council asks that we not develop Tribal fee tracts, potential commercial lands, tracts located along river or highway corridors, lands located within the buffer zone, irrigated tracts or prime farmland if at all possible.

A new site is checked for building and sewage treatment suitability, irrigation conflicts, and distance to surface waters, power and road access. If no community water system is available, Tribal staff members make every reasonable effort to determine if the site has enough water for a

domestic well, but cannot guarantee availability due to cost constraints. Tribal Historic Preservation, Housing, Natural Resources, Forestry and Law and Order staff are also asked to review each site. Their comments are included in an Environmental Assessment (EA) that is presented to the Tribal Council.

If approved, the BIA Superintendent signs a decision notice for advertisement in the newspaper. Federal law requires that all leases that involve a change in land use must undergo this process. If the Superintendent's decision to lease the property is not appealed, a lease is written and signed by the applicant, appropriate Tribal officials, and the Superintendent. The lease is then recorded at the Tribe's Title Plant. You must have a completely signed lease in hand before work can begin on the lease.

### **Improvements**

All improvements to the site, such as fencing, access, power, drainage and sewer and water development are the responsibility of the Lessee. The lease may have conditions that must be followed before development, and irrigation fees may apply on some sites.

### **Home Site Rental Rates**

Rental rates for individually-owned trust lands are determined by the owner(s). Owners may consent to a minimal rate, or they may require Fair Market Value, as determined by a professional appraiser. Each owner must consent to a rental rate.

On 100% Tribal land, lot rental is due annually and may be paid one year in advance. The first year's lease rent and a one-time \$10.00 administrative fee are due at time of lease signing. Lots smaller than 1.26 acres rent for \$25 per year (\$125 for five years). Lots larger than 1.25 and up to 2.5 acres lease for \$125. per year (\$625. for 5 years). Sites larger than 2.5 acres lease for \$250 per year (\$1,250. for 5 years). Rental is waived for the disabled and those older than 59.

## APPLICATION FOR LEASE OF TRIBAL LAND

Under the Confederated Salish and Kootenai Tribes

Name: \_\_\_\_\_  
First    Middle    Last    Suffix

Enrollment #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Social Security #: \_\_\_\_\_ Email Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Message #: \_\_\_\_\_

1. Have you or any member of your household been deemed – through a court conviction – to be either a sexual or violent offender?  
\_\_\_\_ No        \_\_\_\_ Yes – Level (if applicable)  
Name of Offender: \_\_\_\_\_

2. Have you or any member of your household been convicted of a felony?  
\_\_\_\_ No        \_\_\_\_ Yes – Nature of Offense & Date(s): \_\_\_\_\_

3. Please list all individuals who will be residing in the household:  
(Full name and date of birth)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **My Current Housing Status:**

**Rent**    *Please list your landlord’s contact information:*  
\_\_\_\_\_  
Landlord’s Name    Telephone #    Address

**Own**    *Please give the physical address to property owned:*  
\_\_\_\_\_

**Homeless**    *Please list your last community of record or explain your living arrangements:*  
\_\_\_\_\_

5. Are you Disabled? \_\_\_\_ No        \_\_\_\_ Yes        *If yes, please attach proof*

6. The location of my **first** preference is: \_\_\_\_\_  
The location of my **second** preference is: \_\_\_\_\_

7. Do you have the means (*financially ability*) to develop and be living upon a lease lot within the next 15 months?

\_\_\_ No      \_\_\_ Yes – Please describe; including your source of income:

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*Please attach verification and proof of your income*

8. Are you a Permanent resident of the Flathead Reservation?      \_\_\_ Yes      \_\_\_ No

9. Have you completed the SKHA Homebuyer Education Classes:      \_\_\_ Yes      \_\_\_ No

**PLEASE READ AND INITIAL THE FOLLOWING:**

10. I understand the first written application will have preference when a site becomes available unless I qualify as a priority per Tribal Council direction or policy change.

\_\_\_\_\_

11. I am aware that only one (1) homesite is allowed per household. Trading for a different site is a low priority on the waiting list.

\_\_\_\_\_

12. I understand that if my heirs are not enrolled members of the Confederated Salish and Kootenai Tribes, they are not eligible to inherit a homesite lease.

\_\_\_\_\_

13. I will personally inspect the lot and I will be available to Tribal Lands Department staff to show me the lease lot if needed.

\_\_\_\_\_

14. I understand that I have to obtain financing and/or develop and occupy the site permanently within 15 months of obtaining the lot, or the lease will be cancelled.

\_\_\_\_\_

15. I am aware that non-designated homesites can take an indefinite amount of time to process. I understand that I may be charged the additional costs related to the designation of a non-designated site including the preparation of but not limited to the required NEPA documents.

\_\_\_\_\_

16. I understand that water availability is not guaranteed at rural sites.

\_\_\_\_\_

17. I understand that it is **my responsibility** to notify the Tribal Lands Department of any changes in the information I have given, including my changes to my mailing address and telephone number(s).

\_\_\_\_\_

18. I understand that I must update my homesite lease application **annually** or I will be removed from the homesite waiting list due to the high number of requests received.

\_\_\_\_\_

19. I understand that if the Lands Department attempts to contact me and I am unavailable, the homesite office will move down the list to the next eligible applicant in line.

\_\_\_\_\_

20. I have read and understand the Homesite Lease Process page attached to the front of this application that describes lease fees and responsibilities.

\_\_\_\_\_

By signing below, I am confirming that I have read and understand the information requested by the Tribal Lands Department and further confirm that the information given on this application is true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Office Use Below**

Date Entered: \_\_\_\_\_

Priority Points: \_\_\_\_\_

TLD Staff Member: \_\_\_\_\_

Background Check Complete: \_\_\_\_\_