

Oneida Nation

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Oneida, WI 54155

BC Resolution # 09-27-17-H

Defining Comprehensive Housing Division: Landlord-Tenant Law, Eviction and Termination Law, and the Mortgage and Foreclosure Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee adopted the Landlord-Tenant law with resolution BC-10-12-16-C (and emergency amendments to Landlord-Tenant law with resolutions BC-01-25-17-C and BC-07-26-17-I), adopted the Eviction and Termination law with resolution BC-10-12-16-A, and adopted the Mortgage and Foreclosure law with resolution BC-08-10-16-K; and
- WHEREAS,** the Landlord Tenant law, Eviction and Termination law, and Mortgage and Foreclosure law all assign responsibilities and authorities, including rulemaking authority, to the Comprehensive Housing Division; and
- WHEREAS,** the Landlord-Tenant law defines the Comprehensive Housing Division as the entity responsible for housing matters specifically related to rental agreements as defined by Oneida Business Committee Resolution; and
- WHEREAS,** Oneida Business Committee resolution BC-10-12-16-D defined the Comprehensive Housing Division for the purposes of the Landlord-Tenant law as the Division of Land Management for general rental agreements, the Oneida Housing Authority for income-based rental agreements and Elder Services for rental agreements through the Elder Services program; and
- WHEREAS,** the Eviction and Termination law defines the Comprehensive Housing Division as the entity responsible for housing matters specifically related to contracts governed by this law as defined by Oneida Business Committee Resolution; and
- WHEREAS,** Oneida Business Committee resolution BC-10-12-16-B defined the Comprehensive Housing Division for the purposes of the Eviction and Termination law as Division of Land Management for general residential contracts, the Oneida Housing Authority for income-based residential contracts and Elder Services for residential contracts through the Elder Services program; and
- WHEREAS,** the Mortgage and Foreclosure law defines the Comprehensive Housing Division as the entity responsible for housing matters specifically related to mortgages and foreclosures as defined by Oneida Business Committee Resolution; and

WHEREAS, Oneida Business Committee resolution BC-08-10-16-L defined the Comprehensive Housing Division for the purposes of the Mortgage and Foreclosure law as the Division of Land Management; and

WHEREAS, when the Oneida Business Committee adopted resolutions BC-10-12-16-D, BC-10-12-16-B, and BC-08-10-16-L the reorganization and creation of the Comprehensive Housing Division was still under development and not currently active; and

WHEREAS, as of October 1, 2017, the Comprehensive Housing Division reorganization will be active and complete encompassing all housing and residential services matters into one central division; and

NOW THEREFORE BE IT RESOLVED, that for the purposes of the Landlord-Tenant law, the Eviction and Termination law, and the Mortgage and Foreclosure law the Oneida Business Committee hereby defines the Comprehensive Housing Division as the division within the Oneida Nation under the direction of the Comprehensive Housing Division Director which consists of all residential services offered by the Nation, including but not limited to, all rental programs, the rent-to-own program, and the residential sales and mortgages programs.

NOW THEREFORE BE IT FURTHER RESOLVED, that the footnote contained in the Landlord-Tenant law adopted by resolution BC-10-12-16-C referencing the definition found in resolution BC-10-12-16-D, the footnote contained in the Eviction and Termination law adopted by resolution BC-10-12-16-A referencing the definition found in resolution BC-10-12-16-B, and the footnote contained in the Mortgage and Foreclosure law adopted by resolution BC-08-10-16-K referencing the definition found in resolution BC-08-10-16-L, will all be updated to reference this resolution.

NOW THEREFORE BE IT FINALLY RESOLVED, that the above definition of Comprehensive Housing Division is effective for the purposes of the Landlord-Tenant law, the Eviction and Termination law, and the Mortgage and Foreclosure law October 1, 2017.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 27th day of September, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Lisa Summers, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."