

Oneida Nation

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Oneida, WI 54155

BC Resolution # 01-27-21-A Oneida Nation Eviction and Foreclosure Moratorium

- 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 Constitution by the Oneida General Tribal Council; and
- WHEREAS,** on March 12, 2020, the Oneida Nation Business Committee declared a Public Health State of Emergency due to the COVID-19 (Coronavirus) outbreak in our state, which has been extended to February 11, 2021 as of today's date; and
- WHEREAS,** COVID-19, is a respiratory disease that can result in serious illness or death and possesses a higher risk to our elders and community members who have underlying medical conditions and compromised immune systems; and
- WHEREAS,** in recognition of the financial impacts of the global COVID-19 pandemic, the Oneida Nation previously issued rent and mortgage forgiveness in resolution BC 04-08-20-L that applied to payments due April 12, 2020 through July 30, 2020; and
- WHEREAS,** in further recognition of the financial impacts of the global COVID-19 pandemic, the Comprehensive Housing Division developed a COVID-19 specific mortgage deferral program available to mortgagors able to identify a loss/reduction in income and that program is set to expire on January 31, 2020; and
- WHEREAS,** the Center for Disease Control and Prevention (CDC) issued an eviction moratorium that prevents evictions for nonpayment of rent that went into effect on September 4, 2020 and is set to expire January 31, 2021; and
- WHEREAS,** the CDC's eviction moratorium applies to all income-based units based on the program's use of federal funds, but the Oneida Comprehensive Housing Division has applied the moratorium equally to all of its rental programs; and
- WHEREAS,** the Oneida Comprehensive Housing Division and Oneida Business Committee recognize that the members of the Oneida community continue to feel the economic impacts of the global COVID-19 pandemic and that increased homelessness caused by evictions and/or foreclosures for nonpayment would be detrimental in slowing the spread of COVID-19; and
- NOW THEREFORE BE IT RESOLVED,** the Oneida Nation shall not terminate any rental agreements and/or evict tenants for nonpayment of rent, at a minimum, until August 1, 2021, provided that tenants will continue to be responsible for the rent payments for the duration of the moratorium – this is not rent

forgiveness – and provided further that agreements may naturally expire and/or be terminated for enforcement reasons not related nonpayment, such as criminal activity; and

BE IT FURTHER RESOLVED, when the eviction moratorium is lifted, tenants with past due balances will be eligible to enter repayment agreements in order to catch up with rent payments over time to avoid eviction and termination of the rental agreement for nonpayment of rent;

BE IT FURTHER RESOLVED, that tenants of the Comprehensive Housing Division will continue to be required to renew their rental agreements and submit information pertaining to eligibility, income and household composition as required in accordance with the applicable rental program's rule; and

BE IT FURTHER RESOLVED, the Oneida Nation shall not foreclosure upon at customer having a mortgage with the Comprehensive Housing Division, at a minimum, until August 1, 2021, provided that mortgagors will continue to be responsible for the mortgage payments for the duration of the moratorium – this is not mortgage forgiveness; and

BE IT FURTHER RESOLVED, the Comprehensive Housing Division shall extend the offering of its COVID-19 mortgage deferral program through July 31, 2021 to mortgagors with loans at the Comprehensive Housing Division, which provides the following relief to mortgagors that apply for it and qualify by demonstrating a loss/reduction in income:

- Temporarily suspends mortgage payments for an initial period of up to six (6) months with those payments being moved to the end of the loan;
- Provides one (1) additional period of suspended mortgage payments of up to six (6) months with those payments being moved to the end of the loan;
- Does not affect eligibility for the traditional deferral program that is not related to COVID-19; and
- Mortgagors will still be required to pay any escrow payments for insurances and/or taxes that may apply to their account for the entire duration of the deferral.

NOW THEREFORE BE IT FINALLY RESOLVED, the Oneida Comprehensive Housing Division will continue to work to apply for grants and other external funding sources to bring rental and mortgage relief to its customers and will keep customers updated of the resources available for rent, mortgage and utility assistance.

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; 8 members were present at a meeting duly called, noticed and held on the 27th day of January, 2021; that the forgoing resolution was duly adopted at such meeting by a vote of 7 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

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