

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 10-12-16-C Landlord-Tenant 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 Nation currently offers rental programs through the Division of Land Management, the Oneida Housing Authority and Elder Services; and
- WHEREAS,** the rental programs minimum requirements, selection criteria and rights and responsibilities of the landlord, the Nation, and the tenants are not included in the Real Property law or any other law and are contained only in standard operating procedures of the Division of Land Management, the Oneida Housing Authority and Elder Services; and
- WHEREAS,** an assessment of the rental programs has determined that it would be beneficial to create a law that contains the minimum framework that is similar for all of the Nation's rental programs and to delegate rulemaking authority in the law which would allowing for specific more detailed requirements for each program in the rules; and
- WHEREAS,** this law contains minimum eligibility requirements, selection criteria and rights and responsibilities of the landlord, the Nation, and the tenants and delegates joint rulemaking authority to the Land Commission and the Comprehensive Housing Division to create rules naming each rental program and the specific requirements related to each; and
- WHEREAS,** this law provides that, at a minimum, rental programs are required to be developed that functions to serve (1) the general population; (2) the low-income population; and (3) the elder population; and

WHEREAS, this law names the Oneida Judiciary as the hearing body able to hear appeals arising under this law (the Land Commission previously had hearing body authority for Division of Land Management administered rental agreements); and

WHEREAS, a public meeting on the proposed Law was held on July 21, 2016, in accordance with the Legislative Procedures Act; and

NOW THEREFORE BE IT RESOLVED, that the Landlord-Tenant law is hereby adopted; and shall become effective in 120 calendar days.

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; 6 members were present at a meeting duly called, noticed and held on the 12th day of October, 2016; that the forgoing resolution was duly adopted at such meeting by a vote of 5 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."