

Oneida Nation

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Oneida, WI 54155

BC Resolution # 11-13-24-M Adoption of Affordable Home Ownership Strategy

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

Background

WHEREAS, the Oneida Business Committee has received and reviewed reports regarding housing needs of members, the market activity within the Oneida Reservation, and programming of the Comprehensive Housing Division (CHD); and

WHEREAS, housing programming within the Nation addresses a broad array of needs from income-based to market-based programs, as well as home construction programs; and

WHEREAS, the Oneida Business Committee has been made aware of housing issues from members, Bay Bank mortgage lending reporting, funding shortfalls, increasing home prices and mortgage interest rates, and identification of a request to increase Veteran's home purchase opportunities; and

WHEREAS, the Comprehensive Housing Division, a consolidated single point of entry for all home sales and rentals, has researched a proposed strategy to address current and short-term housing needs; and

WHEREAS, on July 10, 2024, the General Manager and the Comprehensive Housing Division presented the "Affordable Home Ownership Strategy" to the Oneida Business Committee which contained four parts:

- a. A budget request specifically for Comprehensive Housing Division's in-house revolving loan program to assist with Homeownership by Independent Purchase Program (*HIP*) and For Sale by Owner (*FSBO*) Program;
- b. Collaboration with Land Commission to purchase ready to sell homes for the Residential Sales Program;
- c. Collaboration with internal areas to revamp and create a successful Home Building Opportunity (*HBO*) Program that prepares and provides Oneida members with vacant lots to build homes; and
- d. Collaboration with Bay Bank to administer a Construction Loan Program on behalf of the Division, in which the Nation guarantees the construction loan; and

WHEREAS, the Oneida Business Committee adopted a motion, “to accept the report on Affordable Home Ownership Strategy/Veteran Loan Assessment and direct the Treasurer, Chief Financial Officer, General Manager, and Chief Counsel to work together to identify/recommend funds to be used for the program in the amount of four (4) million dollars for each of the two (2) programs”; and

Proposed Programming

WHEREAS, upon review of available funds (current revenue resources, carry-over funds, and ARPA FRF LR Tribal Contribution Savings) and current mortgage funding activities the Treasurer, Chief Financial Officer, General Manager, and Chief Counsel have recommended CHD’s revolving loan fund be funded with Tribal Contribution Savings as a single resource of \$8 million rather than two loan resources of \$4 million each to reduce accounting steps and increase programming re-evaluation should changes be needed in the future through rulemaking; and

WHEREAS, the Comprehensive Housing Division currently services mortgages that were previously issued by the former Division of Land Management prior to consolidation of housing services into CHD or, since the establishment of CHD, pursuant to the Mortgage and Foreclosure law and corresponding rules; and

WHEREAS, the Oneida Business Committee believes that supporting funding requests in the Affordable Home Ownership Strategy aligns with the General Tribal Council directive from the July 1, 2024 meeting, which “direct[ed] the Land Commission to bring back a revised 2033 land acquisition plan that prioritizes residential housing and to bring to the General Tribal Council at the semi-annual meeting in 2025”; and

WHEREAS, the General Manager and the Comprehensive Housing Division have identified amendments needed to existing housing and mortgage related laws and rules to better serve the Oneida community in the current housing market, some of these amendments are already approved and others are yet to be considered; All amendments are required to be processed in accordance with the applicable of Legislative Procedures Act or Administrative Rulemaking law, each of which require opportunity for Oneida citizens to review and comment before the final approval by the Oneida Business Committee; and

WHEREAS, The Comprehensive Housing Division provided a report at the September 8, 2024, General Tribal Council meeting that included a response to the Kestell Petition and provided information about existing housing programs as summarized below:

- a. The Comprehensive Housing Division has a revolving loan program which administers loans to tribal members on tribal land including Oneida Veterans, but the program is not currently funded. The program began at Land Management in 1982 and transferred to Comprehensive Housing Division about 7 years ago;
- b. The loan program included a preferential rate specific for veterans when it was housed at Land Management and that practice carried over to Comprehensive Housing Division in the development of the Mortgage and Foreclosure law, which was adopted in 2016 and defers rate setting to the Oneida Land Commission on an annual basis;
- c. Veteran loans were offered by Comprehensive Housing Division as recently as early 2024, at which time they received a rate .5% lower than the standard interest rate set by the Oneida Land Commission;
- d. If Comprehensive Housing Division's loan program was funded, Oneida citizens, including veterans, could use it to purchase a home; and
- e. Comprehensive Housing Division is responsible to build affordable housing programs for all Oneida Citizens residing on the reservation, not just a select group;

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee adopts the Affordable Home Ownership Strategy proposed by the General Manager and the Comprehensive Housing Division and hereby funds the effort in the amount of \$8 Million from Tribal Contribution Savings to be managed by the General Manager and the Oneida Comprehensive Housing Division in accordance with applicable laws and rules provided that the Comprehensive Housing Division and the General Manager shall work with the Chief Financial Officer to transfer funds as needed to fund the Affordable Home Ownership Strategy;

BE IT FURTHER RESOLVED, the Oneida Business Committee directs that the Affordable Home Ownership Strategy, at a minimum:

- a. Consists of programs which clearly address the homeownership needs of all Oneida citizens residing within the Reservation;
- b. Ensures that, in recognition of their service to the Oneida Nation and the United States of American, Oneida Veterans continue to receive preferential mortgage rates within any applicable laws and/or rules of the Nation that are lower than the standard rate by a minimum of 0.5% and Comprehensive Housing Division shall provide housing updates to the Oneida Nation Veteran's Affairs Committee a minimum of twice annually: (1) once in advance of CHD's submittal of recommended loan interest rates wherein CHD seeks feedback from ONVAC regarding their annual rate proposal for Land Commission; and (2) again after rates are set by Land Commission to report the veteran interest rates approved by the Oneida Land Commission;
- c. Requires the General Manager work with the Comprehensive Housing Division to ensure informational materials regarding the Nation's various housing programs are provided to the Nation's citizens;
- d. Requires the General Manager to monitor the development of any necessary amendments to the Oneida Nations laws and rules to improve homeownership programming pursuant to the Administrative Rulemaking law and the Administrative Procedures Act provided that all future rulemaking shall include direct consultation with the Oneida Nation Veteran's Affairs Committee (ONVAC) in advance of the public meeting required by the rulemaking process; and
- e. Requires the General Manager to develop a proposal for the purpose of evaluating the efficacy of the Affordable Home Ownership Strategy with proposed measurable data and evaluation schedules for the Oneida Business Committee's review and approval no later than 90 days from the date of this resolution and shall thereafter implement said evaluation in accordance with approved evaluation model; and

BE IT FINALLY RESOLVED, the General Manager and the Comprehensive Housing Division shall:

- a. Open non-construction based loan programming as soon as possible using the existing Mortgage and Foreclosure laws and rules while CHD monitors rules for potential amendments for improved functionality;
- b. Ensure that construction loan programming is deployed at Bay Bank within six (6) months from the date of this Resolution, with any necessary amendments to the Mortgage and Foreclosure rules occurring prior thereto; and
- c. Ensure the General Manager is able to routinely assess the program, including if lending should be paused before funds are completely depleted to allow for funds to rebuild in the revolving loan account and, if paused or depleted, when lending should be re-opened using accounting information provided by the Comprehensive Housing Division, Bay Bank, and the Finance Department.

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 13th day of November 2024; 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."