

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 06-25-25-C Amendments to the 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 Landlord Tenant Law ("the Law") was adopted by the Oneida Business Committee through resolution BC-10-12-16-C, and amended by resolution BC-12-13-17-D; and
- WHEREAS,** the purpose of this Law is to provide mechanisms for protecting the rights of the landlords and tenants on all land owned by the Nation or members of the Nation within the Reservation boundaries; and
- WHEREAS,** the amendments to the Law expand the scope of the law to include all land owned by the Nation or members of the Nation within the Reservation boundaries instead of only to the Nation's rental programs; and
- WHEREAS,** the amendments to the Law expand the Nation's policy of providing a fair process to landlords and tenants of the Nation's rental programs to include all residents of the Nation; and
- WHEREAS,** the amendments to the Law expand the definition of landlord to include any person or entity within the Nation's jurisdiction, instead of limiting it to the Nation acting in its capacity as the landlord; and
- WHEREAS,** the amendments to the Law redefine "rule" to grant rulemaking authority solely to the Comprehensive Housing Division instead of jointly to the Land Commission and the Comprehensive Housing Division; and
- WHEREAS,** the amendments to the Law remove rulemaking authority over applicant selection for the issuance of rental agreements from both the Land Commission and the Comprehensive Housing Division; and
- WHEREAS,** the amendments to the Law organize the law to flow from general to specific in accordance with the Legislative Procedures Act; and

- WHEREAS,** the amendments to the Law clarify that rental agreements shall state that nothing in the agreement may be considered a waiver of the Nation's sovereign immunity when the Nation is acting in its capacity as a landlord; and
- WHEREAS,** the amendments to the Law clarify that all landlords or their staff must keep a written log of the date and the work time expended storing and/or removing personal property and/or removing debris left at the property after the expiration of the timeframe provided in the order to vacate; and
- WHEREAS,** the amendments to the Law remove language applying any section of this law to leases; and
- WHEREAS,** the amendments to the Law clarify that a landlord may bring an action for eviction when it is authorized by the Eviction and Termination law based on contacts with an entity for law enforcement services, health services, or safety; and
- WHEREAS,** the amendments to the Law provide that when the Nation is the landlord, and a property has become untenable due to damage by fire, water or other casualty, or because of any condition hazardous to health, or if there is a substantial violation of 611.5-3(a) materially affecting the health and safety of the tenant, alternative housing shall be provided if it is reasonably available; and
- WHEREAS,** the amendments to the Law Expand protections provided to a child of a tenant to a child of the household when the landlord is presented with documentation of any of the following:
- An injunction order under Wis. Stat. 813.122 protecting a child from a co-tenant;
 - An injunction order or criminal complaint filed under Wis. Stat. 813.125(4) protecting a child from a co-tenant, based on the co-tenant's engaging in an act that would constitute sexual assault under Wis. Stat. 940.225, 948.02 and 948.025;
 - A criminal complaint filed under Wis. Stat. 940.32 alleging the co-tenant stalked the child. [6 O.C. 611.6-1(b), (c), (e), and (f)]; and
- WHEREAS,** the Legislative Operating Committee developed the proposed amendments to the Law through collaboration with representatives from the Comprehensive Housing Division, Land Management, Oneida Law Office, General Manager; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were completed for the proposed amendments to the Law; and
- WHEREAS,** the Legislative Operating Committee held a public meeting on the proposed amendments to the Law on March 14, 2025, with no individuals providing oral comments, and the public comment period for the amendments to this Law was held open until March 21, 2025, with one (1) individual providing written comments; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby adopts the amendments to the Landlord Tenant Law, which shall become effective on June 25, 2025.

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 25th day of June, 2025; 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 Liggins, Secretary
Oneida Business Committee

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