

Commissioner's Order 168 -15

**A COMMISSIONER'S ORDER TO PROVIDE ADDITIONAL HOUSING FOR
ELDERLY AND DISABLED BAND MEMBERS**

- WHEREAS,** The purpose of the Mille Lacs Band of Ojibwe Housing Department is to provide affordable, attractive, safe and comfortable homes to Mille Lacs Band members;
- WHEREAS,** In accordance with the history, tradition and culture of the Mille Lacs Band of Ojibwe, Elders merit the highest respect;
- WHEREAS,** Elders have special needs in view of economic and social challenges that they have faced, including health issues and limited incomes in retirement;
- WHEREAS,** The Elder population of the Band is growing faster than Elder Housing is becoming available;
- WHEREAS,** One of the missions of the Housing Department is to ensure that priority placement be given to Elders due to their distinctive status;
- WHEREAS,** Pursuant to Title 4 MLBSA § 7(h), the Commissioner of Community Development has the authority to issue Commissioner's Orders on any subject matter within their jurisdiction pursuant to the authority conferred by Band statute;
- WHEREAS,** Pursuant to Title 4 MLBSA § 7 (i), the Commissioner of Community Development has the authority to take such measures as are deemed necessary to prevent any action which threatens the well-being of programs within their respective jurisdiction, by issuance of a formal commissioner's order;
- WHEREAS,** Pursuant to Title 13 MLBSA § 1001(j), the Commissioner of Community Development shall have the responsibility to administer, manage, supervise and coordinate activities for Community development, Public Works, Facilities Management, Transportation and the Housing Department of the Mille Lacs Band of Ojibwe Indians. In carrying out the responsibilities within his or her jurisdiction, the Commissioner of Community Development shall have the power to negotiate contracts on behalf of the Mille Lacs Band of Ojibwe and when authorized to do so by Band Statute to enter into such contracts not otherwise inconsistent with other applicable law;

NOW THEREFORE, be it ordered that:

1. Any Leaseholder Elder over the age of fifty-five (55) or Leaseholder identified by the Housing Department as having a disability making them eligible for Elder Housing may

request that they no longer pay rent by virtue of their special status. This shall begin July 1, 2015 or the first month after the request is made to the property manager.

2. Upon making this request, the Elder shall be removed from the Elder Housing waitlist.
3. The Housing Department retains the right to move the elder to a smaller unit if the family size so warrants, as determined by the property manager, Director of Housing, or Commissioner of Community Development.
4. Rent will be charged on any unit where a tenant is not paying rent under this order when the Elder or person with a disability no longer resides there, as determined by the property manager, Director of Housing, or Commissioner of Community Development.
5. Only leaseholders in regular rental stock are eligible for rental relief under this Commissioner's Order. Low-rent housing and transitional housing are not eligible.
6. The property manager shall identify Elders who are eligible for this program and ensure that eligible leaseholders are informed of this Commissioner's order.
7. Any eligible Elder who chooses not to exercise this option at this time shall be informed that they may do so at any time. Residential Services shall have any person declining to exercise this option sign a waiver and that waiver shall be entered into the rental file.
8. By declining to exercise this option, the leaseholder continues to pay rent and may remain on the Elder Housing waiting list.
9. If a leaseholder who is eligible for this option does not pay rent for three (3) months, they shall be deemed to be exercising this option. They shall no longer be charged rent and shall be removed from the Elder Housing waitlist. The leaseholder may be returned to the waitlist by paying all back rent.

DATED at Vineland, Minnesota this 9 th day of June in the year two thousand and fifteen.

Effective Date: July 1, 2015



Percy Benjamin
Commissioner of Community Development

OFFICIAL SEAL OF THE BAND