



MILLE LACS BAND OF OJIBWE

Executive Branch of Tribal Government

EXECUTIVE ORDER NO. 173 -15

AN EXECUTIVE ORDER TO INCREASE AND PROTECT BAND MEMBER HOME OWNERSHIP

- WHEREAS,** Pursuant to 4 MLBSA § 6(e), the Chief Executive is authorized to issue Executive Orders on any subject matter within the Executive Branch of government pursuant to the authority conferred by Band Statute;
- WHEREAS,** Pursuant to 4 MLBSA § 6(e), the Chief Executive is the custodian of all Band property;
- WHEREAS,** Pursuant to 4 MLBSA § 3(b), the Executive Branch has the power to negotiate and execute agreements and contracts on behalf of the Band, subject to ratification by the Band Assembly wherever required by Band statute;
- WHEREAS,** Pursuant to 4 MLBSA § 8(g), the Administration Policy Board presumptively exercises the foregoing power on behalf of the Executive Branch unless expressly delegated elsewhere by Band statute;
- WHEREAS,** Pursuant to 12 MLBSA § 12(b)(6), the Housing Board maintains authority to approve loans relating to housing, which are developed by the Housing Department;
- WHEREAS,** Pursuant to 4 MLBSA § 6(m), the Chief Executive is authorized to make rules and policies consistent with the provisions of Band Statute;
- WHEREAS,** Pursuant to 4 MLBSA § 7(k), the Commissioner of Community Development is required to perform any duties as may be lawfully assigned by the Chief Executive;
- WHEREAS,** Pursuant to 12 MLBA § 3, the Mille Lacs Band of Ojibwe Housing Department administers all housing programs and services under the supervision of the Commissioner of Community Development;
- 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; and
- WHEREAS,** The sale, ownership, and financing of homes in Indian Country is a complex matter which requires specific policies to properly address.

NOW THEREFORE, be it ordered that:

1. Executive Order 125-99 was neither reasonably intended to apply nor shall be applied to the sale of Band owned houses or other buildings of similar type.

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2. The Mille Lacs Band Community Development Department is required and empowered to create and implement a fair and appropriate policy for the sale of Band owned houses and buildings to Band members taking into account the unique issues of financing homes on Band owned land.
3. Under this policy, houses shall be appraised by a third party appraiser familiar with Indian land ownership and sold for 75% of the appraised value, plus all the costs of the sale, including appraisal and inspection. The purchase of such houses shall be financed through the Mille Lacs Band Home Loan Program; such financing is not to exceed the loan amount normally available under the Home Loan Policy. Band members on the list of applicants for the home loan program shall be given the option to purchase in the following order:
 - i. Disabled Elders
 - ii. Veteran Elders
 - iii. Other Elders
 - iv. Non-Elder Veterans
 - v. All other Band Members


Within each category, options shall be given in the order of seniority on the list. The Band member who exercises his or her option to buy shall be moved to the head of the Home Loan waitlist and shall be considered for the next available loan.

4. The Mille Lacs Band Community Development Department is required and empowered to create and implement a fair, transparent, and appropriate policy to aid Band Members who have a mortgage held by a non-Band entity and are facing the imminent loss of their house due to foreclosure.

DATED at Vineland, Minnesota this 1st day of October in the year two thousand and fifteen.

Effective Date: October 1, 2015
Expiration Date: October 1, 2025





Melanie A. Benjamin
Chief Executive Officer