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**Little River Band of Ottawa Indians**
**Housing Commission Report to Tribal Council**

**September 13, 2018**

1. **Housing Commission Members**
   Chairperson: Judy Hardenburgh
   Secretary: Marcella Leusby
   Commissioner: Julia Chapman
   Commissioner: Theresa Callis
   Commissioner: John Pabami

2. **Activities for the month of**
   September, 2016

3. **Special Concerns of the Commission**
   Getting all Resolutions done for 2018
   Updating By-Laws

4. **Attachments**

Respectfully,

Marcella Leusby

Housing Commission Secretary

Little River Band of Ottawa Indians

Housing Commission Meeting
Aki maadiziwin Conference Room

**September 13, 2018**

**Agenda**

1. Prayer
2. Roll Call
3. Stipend
4. Approval of Agenda
5. Approval of Minutes
   a. August 9, 2018
6. Department Update: Housing Update
7. Closed Session
   a. 10:30
   b. 11:00
   c. 11:45
8. New Business:
9. Old Business:
10. Public Comment:
11. Open Session:
12. Policies and Procedures (limit discussion to ½ hour): Regulations
13. Next Meeting Date: October 11, 2018
14. Adjournment:

Little River Band of Ottawa Indians
Stipend Payment Request
**Housing Commission**

Meeting Held on: September 13, 2018

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Members Present at Meeting:

1. Judy Hardenburgh Judy Hardenburgh Attended? Yes ☒ No ☐
2. Julia Chapman Julia Chapman by phone - left Attended? Yes ☐ No ☐
3. Marcella Leusby Marcella Leusby Attended? Yes ☒ No ☐
4. Theresa Callis Theresa A. Callis left at 12:15 pm Attended? Yes ☒ No ☐
5. John Pabami John Pabami Attended? Yes ☒ No ☐

Sandy Lewis Sandy Lewis Attended? Yes ☑ No ☐
Ron Wittenberg _____ Attended? Yes ☐ No ☐
Shannon Crampton _____ Attended? Yes ☐ No ☐

Meeting start time: 10:05 am

Meeting end time: 3:15 pm

The stipend for this Commission is $100.00 for attendance.

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*Certification*

By the officer's signatures below, this commission certifies that the meeting identified above took place and the members listed were present and that the stipend should be paid to the members present.

Judy Hardenburgh
Chairperson Signature

9-13-2018
Date

Marcella Leusby
Commissioner Signature

9/13/2018
Date

# Little River Band of Ottawa Indians

## Housing Commission Meeting
## Aki Maadiziwin Conference Room

## August 9, 2018

**MEETING MINUTES**

The LRBOI Housing Commission meetings was held on August 9,2018 at Aki Conference Room. Following are the minutes of that meeting.

### 1-3. Opening Prayer, Roll Call and Stipend

Commissioner Judy Hardenburgh called meeting to order at 10:10 AM.

**Roll Call:**

| | | |
|---|---|---|
| Judy Hardenburgh-Here | Marcella Leusby-Here | Julia Chapman-Absent |
| John Pabami-Absent | Teresa Callis-Here | |

Quorum: 3-2-0-0

Others Present: Elise Cuellar-McGowen

Council members: None

### 4. Approval of Agenda

Motion to approve the Agenda for: August 9, 2018

Motion carried: Commissioner Teresa Callis moved to accept agenda.

Commissioner Judy Hardenburgh seconded, Motion carried.

| | | |
|---|---|---|
| Judy Hardenburgh-Yes | Marcella Leusby-Yes | Teresa Callis-Yes |
| John Pabami-Absent | Julia Chapman-Absent | |

Motion carried: 3-2-0-0

### 5. Approval on Minutes

Motion to approve minutes:

Motion carried by Commissioner Judy Hardenburgh moved to approve July minutes

Commissioner Teresa Callis seconded, Motion carried.

| | | |
|---|---|---|
| Judy Hardenburgh- Yes | Marcella Leusby- Yes | Teresa Callis- Yes |
| John Pabami- Absent | Julia Chapman- Absent | |

Motion carried: 3-2-0-0

### 6. Closed Session: None

### 7. Old Business: None

8. **New Business:** Housing Update by Michelle Pepera. Michelle has the 2019 IHBG grant funding ready. It is stated in the budget that Elders Row will get their porches redone. A possible security camera for the pavilion and playground. Housing put in for 1 or 3 new maintantence help from the tribal funding's.
Housing Commission finished the Resolutions 18-0809-04:
Establish maximum amount of allotted water that Housing pays for Elders Designated Housing. Anything over the allotted amount the elder will have to pay for.
Resolution
for rent on the new 2-4 bedroom houses on lots 51 and 52.
Resolution HC-18-0809-03
Establish Grass cutting of Elders 62 and over and those in ADA qualified homes at Aki.
The new elder's apartments will be included in the allotted amount of water usage.
John Pabami has missed 3 meetings, Housing Commission voted to remove him. A letter will be sent out to him and a hearing will be September 13 for his removal.
Housing Commission had also Julia Chapmans position, she has only missed 2 meetings. Will be sending Julia a letter of warning. And Judy will call her and see if she will resign or if she plans on coming back.
Rent on the 2 new Fair Market 4 bed room houses will be $725.00 a month.
**9. Public Comment**: Elise will be leaving shortly for maternity leave and Rebecca Liebring will be taking her spot.

**10. Next Meeting: September 13, 2018**

**11. Adjournment:** Commissioner Judy Hardenburgh moved to adjourn the meeting at 12:05 pm. Commissioner Marcella Leusby seconded. Motion carried.

| | | |
|---|---|---|
| Teresa Callis- Yes | Julia Chapman- Absent | John Pabami- Absent |
| Marcella Leusby- Yes | Judy Hardenburgh- Yes | |

Motion carried: 3-2-0-0

Respectfully,

Marcella Leusby
Commission Secretary

Attachment #4

**Little River Band of Ottawa Indians**
**Housing Department**
**Office Location: 2953 Shaw Be Quo ung**
**Mailing Address: 2608 Government Center Drive**
**Manistee MI 49660**
**(231) 723.8288**

August 23, 2018

Boozhoo LRBOI Elder Designated Housing Department Tenants.

Dear Head of Household:

At the July Housing Commission monthly meeting the Housing Commission approved Resolution # 18-0809-04, *Resolution to establish the maximum allotted amount of water that the Housing Department will pay for in Elder Designated Housing.* Resolution #18-0809-04 is attached to this letter for your review.

Whereas the Utilities Department determined that the average use of water in Elder designated housing is 5000 gallons per unit, per month, the Housing Commission has established this allowance for continued free service.

Effective October 1, 2018, the Housing Department will only be paying up to 5000 gallons per unit, per month. If the unit goes over the maximum allowed amount, the tenant will be responsible for paying the difference to the Housing Department. Tenants will be provided with an invoice documenting usage with a bill for any amount over 5000 gallons. This bill will be due with the next months rent. There is no need for further action by any tenant and no need to contact the Utilities Department. For those tenants that are curious about their use and would like a record of use for planning future expenses, please contact the Housing Department and we will assist you.

If you have any questions please contact me at your earliest convenience.

We hope you all had a great summer full of fun and good health.

William (Bill) Willis
Members Services Lead

Cc: Ogema Romanelli
Tribal Council Speaker Riley II
Housing Commission
Unified Legal Department

**Little River Band of Ottawa Indians**
**2608 Government Center Drive**
**Manistee, Michigan 49660**

# LITTLE RIVER BAND OF OTTAWA INDIANS
# HOUSING COMMISSION

**Housing Commission Resolution # 18-0913-06**

*Approval to Submit to Tribal Council the FY2019 Indian Housing Plan for the Little River Band of Ottawa Indians as Developed by the Housing Department*

WHEREAS, the status of the *Gaá Čhíng Zíibi Daáwaa Aníšhinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council of the Little River Band of Ottawa Indians established the Little River Band Housing Commission, Housing Commission Ordinance #04-700-01; and

WHEREAS, the Housing Ordinance authorizes the Housing Commission to develop and adopt regulations governing Tribal Housing on Tribal Trust or fee lands. Housing Commission Ordinance, Section 6.01(a); and

WHEREAS, the Tribe is required to submit a Tribal Indian Housing Plan to the U.S. Department of Housing and Urban Development on an annual basis, the submittal of which provides to the U.S. Department of Housing and Urban Development the basis of allocating NAHASDA funding through the Indian Housing Block Grant; and

WHEREAS, this submittal is due to U.S. Department of Housing and Urban Development no later than October 17, 2018 for the fiscal year 2019; and

WHEREAS, the FY2019 Indian Housing Plan also provides both program descriptions and budgets for the identified plan which are allowable activities through the Indian Housing Block Grant and does serve the long term interest of the Housing Department, the Tribe and its members.

WHEREAS, the Housing Department readied this submission to the U.S. Department of Housing and Urban Development which was reviewed by the Little River Band of Ottawa Indians Housing Commission;

IT IS NOW THEREFORE RESOLVED THAT the Housing Commission of the Little River Band of Ottawa Indians whereby approves the submission of the 2019 Indian Housing Plan to Tribal Council for approval and submission to U.S. Department of Housing and Urban Development no later than October 17, 2018.

## CERTIFICATION OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Housing Commission with 4 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a meeting of the Little River Band of Ottawa Indians Housing Commission held on September 13, 2018, at the Little River Band Aki Conference Room in Manistee, Michigan with a quorum being present for such vote.

Judy Hardenburgh

Judy Hardenburgh, Chairperson

Distribution: Tribal Council
Housing Department
Unified Legal Department

# Little River Band of Ottawa Indians

Housing Department

Mailing Address: 2608 Government Center Drive
Physical Address: 2953 Shaw Be Quo ung
Manistee, Michigan 49660
231-723-8288


**HOUSING DEPARTMENT**
**Activity Report**
**For August 2018**

## I. Housing Activities.

**A.** The Construction of the two four-bedroom Fair Market rentals at Aki are progressing nicely. Lot 51 the painting is complete and the cabinets are in, Lot 52 the drywall is hung and cabinets are being installed. The landscaping for the Aki 10 and these two units is scheduled to start first of September.

**B.** The Elder Housing Project came in over budget and with some hard decisions and a lot of discussion from Tom St. Dennis, Marcella Leusby, Travois Architects, Wieland and myself we accomplished getting the project under budget, so the contractor will be breaking ground the first week in September.

**C.** I met twice this month with Elise McGowan-Cuellar, Staff Attorney and Bill Willis, Members Services Lead.

**D.** I attended two Tribal Council work session this month, for setting of the rental rates for the two-four bedroom homes and housing commission suggested changes to the Aki maadiziwin Building Ordinance.

**E.** The Housing Department sent out correspondence to the Elder Designed Homes advising them of the new maximum allotted amount of water usage per month that the department will pay for starting October 1, 2018, along with a copy of the Housing Commission Resolution.

**F.** Tammy Burmeister, Grants Coordinator, Bill Willis, Members Services Lead, Chad Gehrke, Grants Clerk and myself attend a two day ONAP training for EPIC (Energy and Performance Information Center) held at the Aki maaiziwin Community Center Conference room to learn the new electronic format for the Indian Housing Plan and Annual Performance Report.

**G.** The department mailed out to all Aki tenants an informational newsletter

**H.** During the month the Department performed the following activities.
Lease renewals due during the month: 3
Leases renewed: 2
New leases: 0
Annual Inspections: 2
Move-out Inspections: 0
Move outs: 0
Transfers: 0

I. Down Payment and Closing Cost assistance grant (HI 100). This program was approved for the Calendar Year of 2018 in the amount of $75,000.
Applications received this month: 1
Number of Awards made during the month: 3
Amount of Awards made for the Month: $16,997.00
Total Number of Awards made during the Year: 12
Total Amount of Awards for the Year: $58,977.00

## II. Rental Payment Information for the Month.

A. Notice of Delinquency issued: 8
B. Termination Notice(s) issued: 5
C. Notice(s) to Vacate or Renew: 0
D. Court Filing(s): 0

## III. Condition of Properties.

A. Please see the attached daily log kept by the Housing Maintenance Technicians. This log is not intended to be an in depth description of the work performed each day, but instead a snap shot of their daily activities.

## IV. Number of Units and Vacancies.

LRBOI Housing Department has 67 rental units in total of which all 67 were rented giving us an occupancy rating of **100%.**

A. Aki has 45 income based rental units of which 45 were rented during the month as follows:
   1. Aki has 9 low income elder designated rental units and 9 units are rented.
   2. Aki has 2 low income elder ADA designated rental units and 2 are rented.
   3. Aki has 28 low-income family rental units and 28 are rented.
   4. Aki has 6 low income family ADA rental units and 6 are rented.
B. Aki has 22 Fair Market rentals and 22 are rented.

## V. Significant Problems and Accomplishments.

A. Housing Commission passed by Resolution HC-18-0809-05 the new rate for the two-four bedroom fair market homes
B. Tribal Council passed by Resolution #18-0815-250 the new rental rate for the two-four bedroom fair market homes at $725.00 per month
C. Housing Commission established the maximum allotted amount of water that the Housing Department will pay for in Elder Designated Housing by Resolution #18-0809-04, of 5000 gallons per unit
D. Housing Commission authorizing and directing the Housing Department to provide grass cutting for Elder homes aged sixty-two (62) and over and those that are ADA qualified at Aki maaiziwin by Resolution #18-0808-03

## VI. Plans for the Future.

A. Complete construction of the two four bedroom fair market rentals by the end of October

B. Start of construction of the Elders Apartment Complex at Aki maadiziwin.

## VII. Other Information

A. None

**End of Report**
**Michelle L. Pepera**
**Administrative Assistant**
September 13, 2018

Attachments: August 2018 daily maintenance log, attachment #1
Photos of Lot 51 & 52, attachment #2
Aki tenant's informational newsletter, attachment #3
Letter notifying the Elder Designed Homes of the new maximum allotted amount of water usage, attachment #4

Cc: File

Attachment #1

# Housing 2018
## Daily Worksheet

Date 7-30 EOM Paperwork, Mileage, Talk to Renee @ Stillwater about Window @ 2684 OC, Replaced Vent Cover and ordered faucet parts for shower @ 2727 OC, Sprayed for bees in outlet and let tenant know we are aware of Bees under Deck @ 2698 OC Checking with Carter for Manufacturer Warranty and Contact info for slider Screen / Faucet Hardware for 2727 OC

Date 7-31 Sprayed Round Up Elders Drives and around houses, Mowed

8-1
Date Mowed Elder and Handicap Units, Installed hose connections and hoses to clean out under deck of mower Spoke to Jeld Wen Window Rep about windows and cranks @ 2573, 2581, 2589 OC

8-2
Date Clean shop area, orginized faucet Parts area Mowed, Power washed Pavilion concrete (Builder) Mike caulked egress window, Installed Mixing Valve @ 2727 OC

8-3
Date Secured Facia on elder units Porches, Reinstalled weather strip on Garage Door @ 2677 OC, Reattached Facia @ 2596 IC, Adjusted feet on dishwasher @ 2727 OC Mowed, Checked Pavilion Bathrooms

Thank you for filling out this Daily Worksheet

# Housing 2018
## Daily Worksheet

Date 8-20 Sprayed for Beetles in Lounge @ 2693 OC
Reorginized utility Room Restocked materials @ Pavilion

Date 8-21 Continued cleaning and orgizing shop / storage areas, Cutt ~~fields~~ Feilds, Checked Pavillion, Emailed Renee about Dryer vent issue @ 2684 OC

Date 8-22 Continued shop orginization + Storage
Cutt Feilds, Landscapeing

Date 8-23 Continued sorting and orgizing tools / materials @ shop, continued landscaping project removal of invassive tree ~~spp~~
Inspection @ 2576 OC reinstalled Door handle, new unit

Date 8-24 Continued landscaping Projects invasive species removal, weed whacked spray area

Thank you for filling out this Daily Worksheet

# Housing 2018
## Daily Worksheet

Date 8-27 NO Jim Adjusted Anti scald shower handle @ 2683 IC, Assisted Maintenance in removal of balloons and stringers From Farms Community Center, Meeting with Bill W/ + Chad about occupancy issues, Ordered salt/ Ice melt

Date 8-28 No Jim Fueled Red truck, Picked up shovels and paint for ground breaky For new Elder Complex sanded Finish off shovels, Paint First Coat paint Removed Brush Main Drive Visibility issue Check back porch For broken Rotted Board @ 2690 OC cleaned tools + wood shop

Date 8-29: Finished Shovels, Cut fields

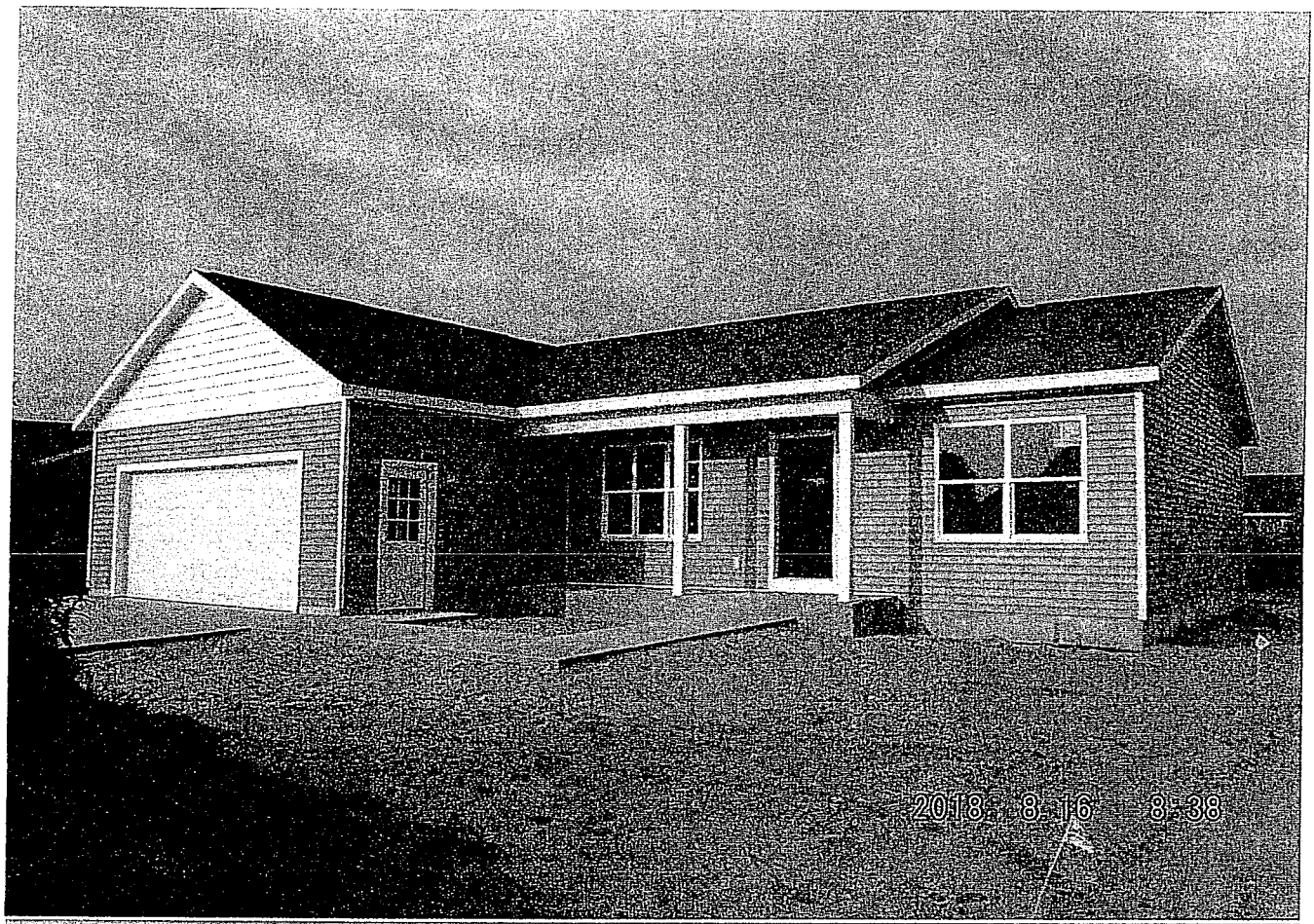
Date 8-30 No Jake Cut ditches & fields

Date 8-31 No Jake Cut ditches & fields

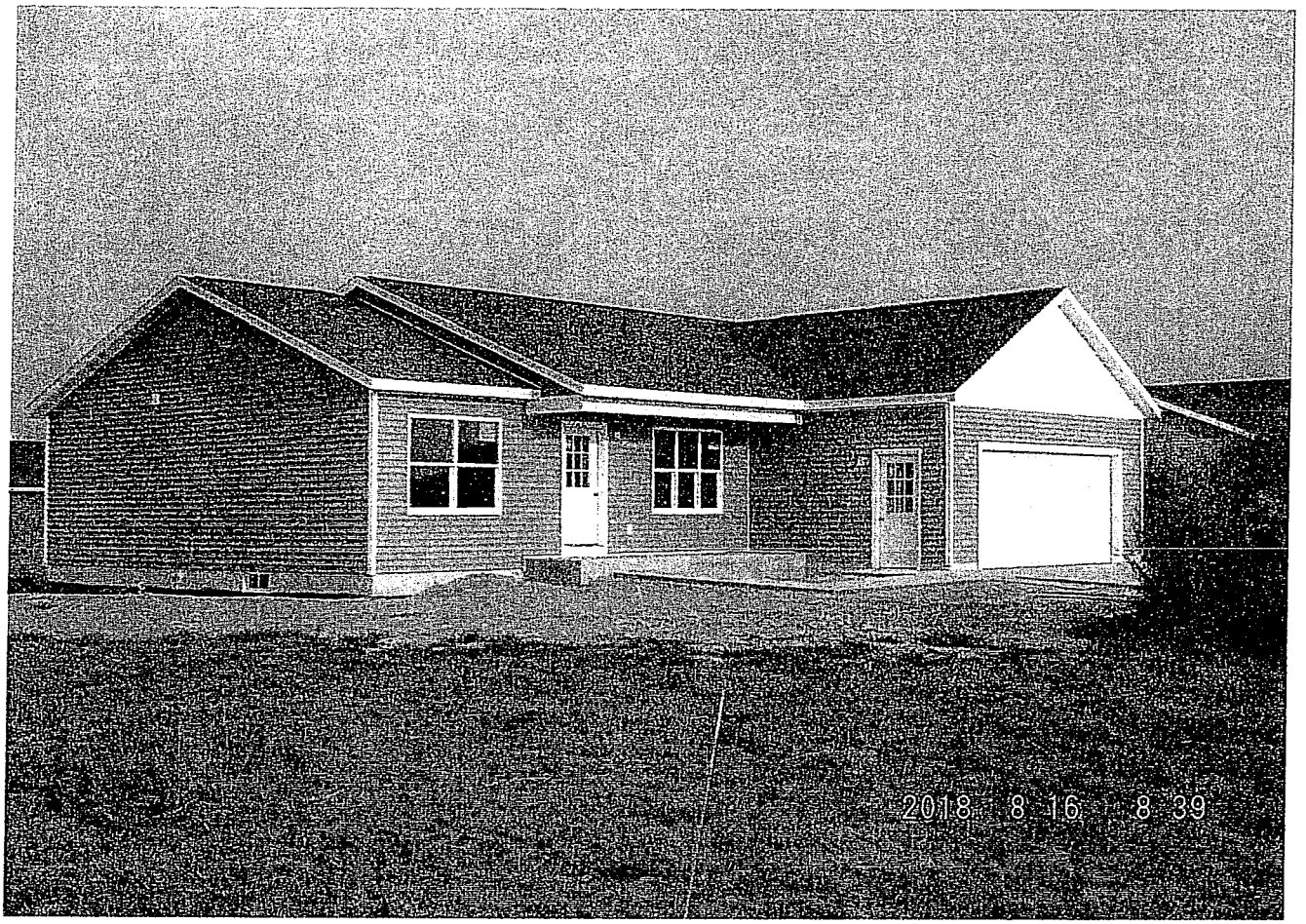
Thank you for filling out this Daily Worksheet

Lot 51

Attachment #2



Lot 52



### What Should I Expect If the Tribal Housing Department Seeks to Evict Me?

Chapter 4 of the Housing Regulations governs evictions from tribal public housing at LRB. If the tenant fails to comply with the notice of termination within 20 days by paying the rent due, entering into a payment plan, or moving out, the Housing Department may start a lawsuit in tribal court to ask the court to evict the tenant. The Housing Department may agree to withdraw the petition if the tenant pays the entire amount owed or enters into a payment agreement. After notice and a hearing, the court can enter an order of eviction. The Housing Department may request assistance from the Public Safety Department to execute an eviction judgment. Housing Regulations Ch. 4 § 5.

### Filing a Complaint or Requesting a Hearing with the Housing Commission.

If a tenant disagrees with any final action or decision of the Housing Director, the tenant may follow the procedures in section 6.03 of the Housing Commission Ordinance to request an appeal.

The Housing Commission sits as the hearing body for tenant grievances. The Commission's decisions can be appealed to the tribal court. The tenant must pay rent while any appeal is pending. Housing Regulations Ch. 4 § 10.


Michigan Indian
LEGAL SERVICES

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**Traverse City, Michigan 49686**
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**(231) 947-0122**
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We also thank the Tribes who provided matching funds:
Grand Traverse Band of Ottawa and Chippewa Indians
Little Traverse Bay Bands of Odawa Indians
Nottawaseppi Huron Band of the Potawatomi
Saginaw Chippewa Indian Tribe of Michigan

Finally, we thank all MILS donors, whose support allows MILS to provide legal services statewide to income-eligible individuals and Tribes, advocate for the rights of individuals, which advances systems of justice, and work to preserve Indian families through state and tribal courts.


# Landlord-Tenant Information

## Little River Band of Ottawa Indians

THIS BROCHURE PROVIDES GENERAL INFORMATION BUT DOES NOT PROVIDE LEGAL ADVICE AND DOES NOT CREATE AN ATTORNEY-CLIENT RELATIONSHIP. IF YOU NEED LEGAL ADVICE, CONTACT AN ATTORNEY DIRECTLY.

## Sources of Law

As a federally recognized tribe, the Little River Band of Ottawa Indians ("LRB") is a sovereign nation. Indian tribes are able to create their own laws concerning property on reservation. This can cause laws and procedures to be different than other tribes and the State of Michigan. LRB's tribal public housing is regulated by a federal law called the Native American Housing Assistance and Self Determination Act ("NAHASDA"), as well as LRB's Housing Commission Ordinance #04-700-01 and Chapters 1-7 of the Housing Regulations. NAHASDA gives tribes freedom to create their own rules for tribal housing, but provides some specific protections for tenants, such as capping the rent at 30% of the family's income.

## How Do I Contact the Housing Department?

Tribal Housing Office
2608 Government Center Drive
Manistee, MI 49660
Phone: (231) 723-8288

## Can I Be Kicked Out of My Home Without a Court Hearing?

No. The landlord must go through the court process and get an eviction order before the tenant can be forced to leave the home.

## What Is a Lease?

A lease is an agreement that legally binds both the landlord and the tenant to the terms for a specified period of time. The terms usually define the obligations of the parties and what happens if the terms are violated. The lease may be oral or written but oral agreements may be impossible to prove in court if a dispute arises.

## What Is a Security Deposit?

A security deposit, sometimes called a damage deposit, is money given to the landlord to ensure rent will be paid and to cover the cost of repair if the tenant damages the property. The security deposit is different from other deposits given for the first and/or last month's rent, which the landlord keeps. The landlord may keep the security deposit for damages caused by the tenant, however, normal wear and tear is not deductible. If the deposit is not enough to cover all damages, then the tenant may be held responsible for additional costs.

## What Are the Tenant's Responsibilities?

Chapter 3, section 4-5, of the Housing Regulations outlines some of the basic rules for tribal housing occupants. The lease agreement also contains rules that the tenant must follow.
Some examples include:

- Pay rent on time
- Keep the property clean and tidy
- Do not damaging the property
- Avoid unlawful and other disruptive behavior
- Use the home as a principal residence
- Do not use the home for a business purpose without permission
- Notify the Housing Department if a visitor will be staying for more than 3 days
- Follow the rules in Chapter 6 of the Housing Regulations regarding pet ownership
- Notify the Housing Department in writing within 10 days if the person listed as Head of Household on the lease no longer lives in the home

## How Do I Terminate My Tribal Public Housing Lease?

The tenant may terminate the lease by giving 30 days' written notice to the Housing Department and following any other procedures stated in the lease. Housing Regulations Ch. 3 § 4-3.

## When Can My Landlord Terminate My Tribal Public Housing Lease?

The Housing Department can terminate a lease agreement if the tenant violates any lease term. Examples include: failure to pay rent, failure to report household or income changes to the Housing Department within 7 days, and drug related criminal activity. Depending on the specific violation, the Housing Department may give the tenant time to fix the problem or simply terminate the lease by sending a notice of termination. Housing Regulations Ch. 3 § 4.

When the Housing Department seeks to terminate a tenancy for failure to pay rent, two notices must be served on the tenant. First, the notice of delinquency gives the tenant 7 days to pay the rent due or enter into a payment plan. If the tenant fails to do this, they will receive a notice of termination giving them 20 days to pay the rent due, enter into a payment plan, or move out. The notice of termination must be hand delivered or sent by certified mail. Housing Regulations Ch. 4 § 4.