

LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
HOMEOWNERSHIP PROCEDURES AND APPLICATION
THIRD PARTY FINANCING
Approved Tribal Council Motion 6/4/24

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1. **PURPOSE.** The Lac Vieux Desert Band of Lake Superior Chippewa Indians (“Tribe”) through the Lac Vieux Desert Housing Department (“Department”) is to fulfill the Tribe’s commitment to providing homeownership opportunities to all eligible Tribal members.
2. **HOMEOWNERSHIP HOUSE DESIGNATION.** Houses available for homeownership shall be designated from time to time by motion of the Tribal Council and all proceeds from the sale of such homes shall be used for the construction of new housing units or rehabilitating older housing units to meet the housing needs of the Tribe.
3. **PURCHASE PRICE.** The purchase price of homes available for homeownership will be established on a house-by-house basis by motion of the Tribal Council.
4. **COMPLETION OF SALE & CLOSING COSTS.** Buyer will be responsible for costs associated with closing and title work typical of any real estate transaction. Buyer may access the Lac Vieux Desert Homeowner Assistance Program or other assistance programs available to applicant to defray closing costs and purchase price.
5. **ELIGIBILITY REQUIREMENTS.** These eligibility requirements shall be met at the time of application but may change over time based on the circumstances of the family.
 - a. Be a Tribal Member at least eighteen (18) years of age.
 - b. Provide proof of successful completion of a homebuyer education class.
 - c. Provide a release of information for the determination of the absence of convictions of criminal activity for the following crimes:
 1. Murder;
 2. Criminal Sexual Conduct I, II, III (excluding Romeo and Juliet situations); and
 3. Arson.
 - d. Provide rehabilitative evidence for any other felony criminal conviction that occurred within the last (ten) 10 years not listed in (c) above.
 - e. Proof of qualification for a THIRD-PARTY loan/mortgage to finance a leasehold mortgage or proof of funds indicating the ability to pay in cash the established purchase price of the home. **TRIBAL FINANCING OF DESIGNATED HOMEOWNERSHIP UNITS UNDER THIS PROCEDURE IS NOT AVAILABLE AT THIS TIME.**
 - f. Acknowledgement that the Tribal Member must occupy the home as a principal residence and is solely responsible for maintenance and upkeep of the homeownership unit, insurance and taxes, where applicable.
 - g. Be willing to execute and adhere to the requirements of a Fee Land Lease or Trust Land Lease, respectively determined by property location.
 - h. Be willing to execute a Disclaimer of interest in the real property for purposes of fee land designated for application to the United States Department of Interior to be taken into trust for the benefit of the Tribe.

6. SUBMISSION OF APPLICATION AND WAITING LIST.

- a. Applications may be submitted in person or via email. All applications will be date and time stamped by Department staff, for emailed applications the date and time stamp of the email will be used.
- b. Tribal Members seeking homeownership must complete a Tribally sponsored and/or Department approved homebuyer education program. **The Applicant must provide the name of the homebuyer education program attended and attached proof of completion to his or her application. An application will not be considered complete until proof of homebuyer education is received.**
- c. Priority assignment of units designated for homeownership will be based on the time and date an application is received by the Department and determined complete unless otherwise determined by Council; e.g. designation of an occupied rental unit after specific request for such designation by the current occupant. For unoccupied homeownership units, applications will be processed according to qualifying information provided on the initial application. If an unoccupied homeownership unit is not available upon receipt of a completed application, the applicant will be placed on a waiting list, which shall be kept in accordance with the Housing Department policy. **To ensure that your application is processed without delay, make certain that all forms are signed and all required documentation is provided when returning this application.**
- d. **Incomplete applications will not be processed and may be returned to the Applicant for completion.** Applicants are responsible for keeping the information on their application current. The Department will attempt to notify applicants of available homeownership opportunities of unoccupied units via postal mail at their last known address on file with the Department. If an Applicant cannot be located at the last known address, the application will be placed at the bottom of the homeownership waiting list.
- e. Once the Applicant has been determined eligible, and an unoccupied unit designated for homeownership is available or the Council designates an occupied unit for homeownership for the current tenant, the Department and Applicant will execute a Purchase Agreement.
- f. If an Applicant on the waiting list is selected for a homeownership unit and declines to proceed or is otherwise ineligible due to a change in circumstances or loss of financing, the Applicant will be removed from the homeownership waiting list and must complete a new application.

7. HOMEOWNERSHIP APPLICATION INSTRUCTIONS.

- a. **Homeownership Application:** Fill out all sections and sign the application. Faxed applications will not be accepted.
- b. **Tribal Enrollment:** Provide copies of Tribal enrollment of all household members. (Note: The Head of Household must be an enrolled Tribal Member.

- c. **Eligibility:** Please provide all information requested within this application and provide documentation where requested.
- d. **Criminal History:** You must disclose to the Department whether or not you have been convicted of any crime. Criminal convictions do not necessarily render you ineligible for Homeownership, however certain criminal convictions of the Applicant or family members who will reside in the Homeownership unit may render the Applicant ineligible.
- e. **Release of Information:** Complete and submit the attached Release of Information Form signed by the Applicant and each member of the household over the age of eighteen (18).
- f. **Driver's License / Identification Card:** Provide a copy of each family members' Drivers License or Michigan Identification Card, where applicable.
- g. **Education Requirement:** Provide proof of completion of Homebuyer Education Program.

It is the responsibility of the Applicant to submit all necessary information. Incomplete applications will not be processed until complete.

HOMEOWNERSHIP APPLICATION

GENERAL INFORMATION. Please provide the following information:

- 1. Applicant Name: _____
- 2. Any Aliases, Nicknames, or Other Names Used by Applicant:

- 3. Phone (Home and Cell) : _____
- 4. Current Address: _____
City: _____ State: _____ Zip Code: _____
- 5. Marital Status of Applicant (Check One): Single Married Divorced Widow
- 6. Are you the Head of Household OR Other?

7. Tribal Enrollment # _____

8. Homeownership Unit Address: _____

9. List individuals who will be residing in your household in the space below (Attached Separate Piece of Paper If Needed):

Family Members Name	Relationship	Social Security Number	Date of Birth	Sex	Enrolled with Tribe Yes/No	Enrollment Number
	Head of Household					

CRIMINAL HISTORY INFORMATION.

The Applicant must have a background that indicates he or she, and family members who will reside in the Homeownership unit, will be able to live harmoniously in the community without presenting a danger to the health and safety of other residents. Any criminal background must not include a felony conviction for Murder, Criminal Sexual Conduct or Arson. Any felony criminal conviction, within the last ten (10) years, will require submission of rehabilitative evidence as detailed in eligibility requirements in the cover pages of this application.

10. Have you or any member of your household ever been convicted of the crime of Murder, Criminal Sexual Conduct I, II, or III (excluding Romeo and Juliet situations)? []Yes []No

If yes, please provide the names of the person(s) convicted, the nature of the offense, and the date of conviction below (use a separate sheet of paper, if necessary):

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11. Have you or any member of your household ever been convicted of any felony crime not listed in Question 10 within the last 10 years whether or not expunged? []Yes []No

If yes, please provide the names of the person(s) convicted, the nature of the offense, and the date of conviction below (use a separate sheet of paper, if necessary and attach rehabilitative evidence as provided in Appendix A):

12. Are you or any member of your household required to permanently register in any national, state, or tribal sex offender database? [] Yes [] No

If yes, please explain:

FAILURE TO DISCLOSE CRIMINAL CONVICTIONS MAY RESULT IN A FINDING OF INELIGIBILITY FOR HOMEOWNERSHIP APPLICATION.

SIGNING THIS APPLICATION

Do NOT sign any form unless you have read it, understand it, and are sure all forms are complete and accurate, and all documentation has been provided.

APPLICANT CERTIFICATION

I/We certify that the information provided within this Application and the attached documents and given to the Lac Vieux Desert Band of Lake Superior Chippewa Indians Housing Department on household composition, criminal history, and financing is accurate and complete to the best of my/our knowledge and belief. I/We also understand that false statements or information are grounds for denying my application and termination of any pending purchase agreement.

Signature of Head of Household

Date

Signature of Spouse or Other Adult

Date



CONFIDENTIAL
Background Check Authorization
Must Be Completed By All
Household Members Over 18 Years Old

Name: _____
 (First) (Middle) (Last)

Date of Birth: _____ (MM/DD/YYYY)

Previous Name(s) and Dates Used:

Current Address Since: _____
 (Mo/Yr.) (Street) (City) (State) (Zip)

Previous Address From: _____
 (Mo/Yr.) (Street) (City) (State) (Zip)

Previous Address From: _____
 (Mo/Yr.) (Street) (City) (State) (Zip)

Social Security Number: _____ Telephone Number: _____

Driver's License Number/State: _____

Please include a copy of your Tribal ID or your Driver's License along with this form.

By signing this form, I hereby acknowledge that the information I provided on this Background Check Authorization form is true and correct to the best of my knowledge.

I hereby authorize the Lac Vieux Desert Housing Department and its designated agents to conduct a comprehensive review of my background causing a report and/or an investigative report to be generated for Housing purposes. I understand that the scope of the report/investigative report may include, but is not limited to the following areas: verification of social security number, credit reports, current and previous residences; employment history, education background, character references; drug testing, civil and criminal history records from any criminal justice agency in any or all federal, state, and tribal jurisdictions; driving records, birth records, and any other public records.

I further authorize any individual, company, firm, corporation, or public agency to divulge any and all information, verbal or written, pertaining to me, to the Lac Vieux Desert Housing Department or its agents. I further authorize the complete release of any records or data pertaining to me which the individual, company, firm, corporation, or public agency may have, to include information or data received from other sources. The Lac Vieux Desert Housing Department and its designated agents shall maintain all information received from this authorization in a confidential manner to protect my personal identifying information, including, but not limited to, addresses, social security number, and date of birth. I acknowledge and agree that this authorization may be photocopied and used for the receipt of information described herein for a period of one (1) year from the signature date indicated below.

I further understand that I will have an opportunity to dispute the accuracy and relevance of the results in accordance with Lac Vieux Desert Housing Department policy.

Signature: _____ **Date:** _____

Housing Representative: _____ **Date:** _____

Date of Expiration (1 year after signing): _____

ORI (MIDI0029Q)

- FOR LVD POLICE/HOUSING DEPARTMENT INTERNAL USE ONLY -

Applicant Name: _____ **Applicant Date of Birth:** _____

Date Received by LVD Police Department: _____

Date of LEIN Report: _____

LEIN Operator: _____

LEIN Report Indicated a Criminal History (Circle One): **Yes** **No**

Date Received by Housing Department: _____

Housing Representative: _____

APPENDIX A – REHABILITATIVE EVIDENCE

UNDER CERTAIN CIRCUMSTANCES REHABILITATIVE EVIDENCE MAY BE PRESENTED IN ORDER TO SUPPORT AN APPLICANT’S POSITION THAT HE OR SHE (OR A MEMBER OF HIS OR HER FAMILY) HAS AND WILL MAINTAIN A LIFESTYLE THAT LENDS ITSELF TO A SAFE AND SECURE ENVIRONMENT FOR THE COMMUNITY, DESPITE PAST CRIMINAL CONVICTIONS.

Rehabilitative Evidence. In its consideration of any Applicant with a conviction record, the Department shall consider the following potential rehabilitative measures, as well as any others it deems relevant:

- 1) If the Tribe offers any form of certification of rehabilitation following a conviction, the Department will assume that an Applicant, existing Tenant, member of the Tenant’s Household, or Recipient of a housing program, who has such a certificate has been rehabilitated since his or her conviction.
 - 2) Participation in treatment program for addiction, if any, to illegal drugs or alcohol;
 - 3) Employment status or efforts to seek employment;
 - 4) Participation in any work training program or improvements in education;
 - 5) Participation in counseling or other behavioral management program;
 - 6) Involvement of family, friends or community groups in a support network;
 - 7) Recommendations by parole or probation officer, case worker, counselor, family member, clergy, traditional or spiritual leader, employer, community leader or other involved individuals;
 - 8) Any other rehabilitative efforts, regardless of whether it appears in this list;
 - 9) Any other information relevant to the current lifestyle of the individual.
2. For any Applicant who is disabled, elderly, or otherwise unlikely to be able to participate in the rehabilitative measures outlined above, the Department shall pay particular attention to any other factors brought to its attention and shall not discriminate against such an Applicant for his or her failure to participate in specific activities.
 3. If requested, an Applicant will be given an opportunity to review and explain any conviction record to the Department before any decision is made. The Department must consider the potential Applicant’s explanation about the circumstances of any conviction and/or any inaccuracies in the conviction record.