



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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Resources and Development Committee approves new Navajo Home Site Lease Regulations

TSE BONITO, N.M. – On Tuesday, the Resources and Development Committee approved Legislation No. 0380-15, which amends the Navajo Nation Home Site Lease Regulations. The amendments to the home site lease regulations have been an on-going initiative since 2007.

In November 2015, RDC chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichí, Steamboat) introduced Legislation No. 0380-15, however, the bill was tabled to allow for additional input and increased public awareness.

The RDC held two work sessions with the Navajo Nation Land Department in February and July to review the proposed amendments.

“The proposed amendment will set new regulations for home site leases. The last amendments were done in 1993. Recommendations from the RDC and the Navajo public have been inserted into the new regulations. The amendment will allow clarity for many home site lease issues and concerns. The new regulations will provide solutions,” stated NNLD department manager Mike Halona.

According to the legislation, the regulations will establish a proprietary fund account to provide better services to the public, an increase in the home site lease application fee, the approval of home site lease penalties and fine fees, such as illegal parking of mobile homes, storage sheds, corrals, and burial sites, creating new five Compliance Officer positions, changes to the forms for Navajo Trust Land and Fee Lands, and home site lease location restrictions. The proposed changes must be considered and approved by RDC before it is implemented.

“What are the new annual rental fee rates for home site leases? Are the new fees only applicable to new applicants or does it include existing lease holders?” asked RDC member Council Delegate Davis Filfred (Mexican Water, Aneth, Tecnospos, Tófikan, Red Mesa).

Current home site leases will continue to pay the same annual rate of \$1 and new applicants shall pay a monthly fee of \$1 with no refunds or reimbursements of early lease termination or partial condemnation, added Halona.

RDC member Council Delegate Leonard H. Pete (Chinle) asked how the new restrictions will be enforced.

“In the new regulations, it states that new applicants can’t have a lease within 750-feet of a major highway right-of-way. Has NNLD identified what a major highway is? Can the applicant also have more than one home within the lease area? What other new restrictions are included and how will they be enforced?” asked Delegate Pete.

NNLD senior program and project specialist Harlan Charley stated that a home site lease is intended for residential purposes, primarily a single-family residence. Residential restrictions include the follow:

- Applicants shall not disturb or construct on proposed site until home site lease is approved
- Home site leases will not be issued within another home site lease
- Home site lease shall not be issued located within 750-feet of a major right-of-way
- A home site lease and permit is required to transport mobile homes within the lease site
- Home site lease shall not be used for unlawful conduct
- Lessee cannot establish more than one home building improvement as the primary residential structure and family members can’t not build additional homes or mobile homes within the site
- No home site leases shall be sold but the lease can be transferred or assigned to another qualified applicant through NNLD
- Livestock, corrals, burial sites, mobile home parks, and rental structures are prohibited on the home site lease site
- Lessee may operate a business on site with a permit from the Navajo Division of Economic Development Business Regulatory Department

“Another concern that was raised by other delegates was over lease restrictions for sex offenders. Sexual offenders lease restrictions are not included in the regulations but NNLD can establish those restrictions and amend the regulations when it is ready. Any additional improvements can be introduced as amendments in the future,” stated Delegate Shepherd.

The Resources and Development approved Legislation No. 0380-16 with a 3-2 vote and the RDC serves as the final authority for the bill. The resolution is finalized and signed.

For more information regarding the amended Home Site Lease Regulations, please visit NNLD’s website at <http://www.dinehbikeyah.org>.

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