



# SQUAXIN ISLAND TRIBE

RESOLUTION NO. 07-14  
OF THE  
SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and,

**WHEREAS**, under the Constitution and the Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of the tribal members, and with protecting and managing the lands and treaty resources and rights of the Tribe; and,

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education, and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and,

**WHEREAS**, the Squaxin Island Tribal Council delegated to the Squaxin Island Tribal Housing and Utilities Commission the authority to create policies governing the Tribal Housing Program and the tribal Utilities Program and to adjudicate interpretation of these policies; and,


**WHEREAS**, the Squaxin Island Tribal Housing and Utilities Commission has determined it necessary to create a separate policy regarding Eviction Prevention in the Housing and Utilities Commission Housing Policies; and,


**WHEREAS**, the Squaxin Island Tribal Housing and Utilities Commission approved the new Eviction Prevention Policy on January 19, 2007 by Resolution 07-02; and,

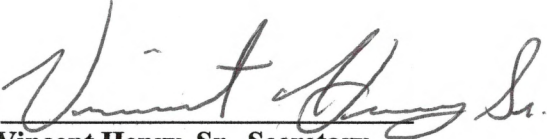
**NOW THEREFORE BE IT RESOLVED**, that the **Squaxin Island Tribal Council** does hereby approve the New Eviction Prevention Policy.

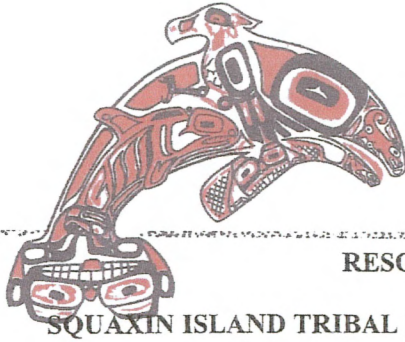
**CERTIFICATION**

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 8<sup>th</sup> day of February, 2007, at which a quorum was present and was passed by a vote of 2 for, and 1 against with 0 abstentions.

  
James L. Peters, Chairman

  
Andy Whitener, Vice-Chairman

Attested by:   
Vincent Henry, Sr., Secretary



**SQUAXIN ISLAND TRIBE**  
Housing and Utilities Commission

**RESOLUTION NO. 07-02**  
**OF THE**

**SQUAXIN ISLAND TRIBAL HOUSING AND UTILITIES COMMISSION**

**WHEREAS**, the Squaxin Island Tribal Housing and Utilities Commission is authorized under the Tribal Commissions and Committees Policy Ordinance and created by the Squaxin Island Tribal council under the Tribal Ordinance Establishing the Squaxin Island Housing and Utilities Commission adopted by Resolution of the Tribal Council on October 8, 1998; and,

**WHEREAS**, under Squaxin Island Tribal Law, the Squaxin Island Tribal Housing and Utilities Commission is charged with the duty to serve as the advisory, decision-making, and policy authority for the Squaxin Island Tribal Housing Program and the Tribal Utilities Program; and,

**WHEREAS**, the Squaxin Island Tribal Housing and Utilities Commission serves at the pleasure of the Squaxin Island Tribal Council with authority as delegated by the Tribal Council to create policies governing the Tribal Housing Program and the Tribal Utilities Program and to adjudicate interpretation of these policies; and,

**WHEREAS**, the Squaxin Island Tribal Housing and Utilities Commission adopted the Housing and Utilities Commission Housing Policies by Resolution 99-01 and revised policies by Resolution 05-04; and,

**WHEREAS**, the Squaxin Island Tribal Council approved the Housing and Utilities Commission (HUC) Housing Policies by Resolution 99-59 and revised policies by Resolution 05-106; and,


**WHEREAS**, the Squaxin Island Tribal Housing and Utilities Commission has determined it necessary to make a revision to the Rent Collection Policy in the Housing and Utilities Policies; and,

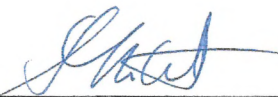
**WHEREAS**, the Squaxin Island Tribal Housing and Utilities Commission has determined it necessary to create a separate policy regarding Eviction Prevention in the Housing and Utilities Commission Housing Policies; and,

**THEREFORE BE IT RESOLVED**, that the Squaxin Island Tribal Housing and Utilities Commission does hereby approve the new Eviction Prevention Policy.

**CERTIFICATION**

The Squaxin Island Tribal Housing and Utilities Commission does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Housing and Utilities Commission, held on this 19 day of January, 2007, at which a quorum was present and was passed by a vote of 5 for, and 0 against with 0 abstentions.

  
\_\_\_\_\_  
Mary Whitener, Chairperson

Attested by:   
\_\_\_\_\_  
Mark West, Secretary-Treasurer

  
\_\_\_\_\_  
Rose Algea, Vice-Chairman

# EVICITION PREVENTION POLICY

## I. Purpose and Applicability

### A. Purpose

Goals of the Squaxin Island Tribe (SIT) include: (1) the provision of adequate services to Tenants participating in the SIT Housing Program; (2) the promotion of fairness and due process in providing the services; and (3) the minimization of the eviction process to remove Tenants from the Housing Program. The purpose of this Eviction Prevention Policy is to inform Tenants of the process utilized by the SIT Housing Program to meet these goals.

### B. Applicability

This policy shall apply to all Tenants of the SIT Housing Program who are served a Notice to Quit pursuant to the provisions of the SIT Housing Code (Sec. 11.12.150 et.seq.).

### C. Definitions

Definition of any terms contained herein shall be consistent with the Squaxin Island Tribe Housing Code.

## II. SIT Housing Support Team

### A. SIT Housing Support Team Membership and Authority to Act

There is hereby created a SIT Housing Support Team (HST). The HST shall consist of five members made-up of the SIT Deputy Executive Director, Chairman of the Housing and Utilities Commission, a representative appointed by the Director, Northwest Indian Treatment Center, the Family Services Manager, and the TANF Manager. The SIT Planning Director, or his/her designee, shall act as a technical advisor to the HST.

The HST shall meet on an as needed basis. Any formal action shall be taken by majority vote, with the minimum of three members being present to make up a quorum. Consistent with the provisions set out below, the HST shall have the authority to determine the merits of a Notice to Quit, or the implementation/compliance of a Continued Occupancy Agreement. HST shall have the authority to act even if the affected Tenant fails to appear before the HST.

### B. HST Considerations and Tenant Rights

Notice of an HST meeting shall be included in any Notice to Quit issued by the Housing Program. The HST meeting shall occur no later than one day prior to the date to quit, as specified in the Notice to Quit. The HST meeting shall be

**Squaxin Island Tribe  
Housing Policy**

conducted informally, and the HST shall consider any and all appropriate information offered by either the Office of Housing or the Tenant. Tenants may have one personal representative present. Tenants may request relevant Tribal staff to appear to provide appropriate information.

**C. Authorized HST Actions**

The HST actions are limited to one of the following:

1. Find the Office of Housing appropriately issued the Notice to Quit and authorize such office to proceed with eviction proceedings consistent with the terms of the SIT Housing Code.
2. Find the Office of Housing inappropriately issued the Notice to Quit and direct such office to cease and desist with the eviction proceedings.
3. Authorize the Office of Housing to enter a Continued Occupancy Agreement with the Tenant, under the following terms and conditions:
  - a. Where the Notice to Quit was issued as a result of delinquent rent payments, the Continued Occupancy Agreement shall contain any terms or conditions that will assist the Tenant in becoming current on their rent, including but not limited to:
    - i. a payment plan to bring the Tenant current within 90 days
    - ii. financial counseling,
    - iii. evaluation by a healthcare professional,
    - iv. participation/completion in a mental health, alcohol or drug treatment program,
    - v. use of the Tenant's MEPA account,
    - vi. performance of in-kind services,
    - vii. the conversion of the premises from a Mutual Help Unit to a rental unit.
  - b. Where the Notice to Quit was issued as a result of Tenant engaging in illegal activity, the Continued Occupancy Agreement shall contain any terms or conditions that will prevent the Tenant in engaging in future illegal activity, including but limited to:
    - i. evaluation by a healthcare professional,
    - ii. participation/completion in a mental health, alcohol or drug treatment program,
    - iii. financial restitution to the Housing Program or other third parties.  
Provided: Where the illegal activity is the manufacturing of illegal drugs in or on the premises, a Continued Occupancy Agreement shall not be offered to the Tenant, and the HST shall limit its action to either C (1) or (2) above.

- c. Where the Notice to Quit was issued as a result of engaging in activity other than that addressed in paragraphs (a) or (b) above, any plan, condition, restriction or course of conduct that will reasonably prevent the Tenant from engaging in the inappropriate conduct in the future.

A Continued Occupancy Agreement shall have a specific start and end date. The Agreement shall clearly state that the failure of the Tenant to comply with all the terms of the Agreement shall result in termination of their rental agreement. The HST will review all outstanding Continued Occupancy Agreements on a periodic basis (no less than quarterly), or at any time the Office of Housing requests such a review. HST's determination that a Tenant has failed to fulfill any provision of the Continued Occupancy Agreement shall result in HST authorizing the Office of Housing to immediately issue and serve a Notice to Quit on the Tenant, without further appeal or right to appear before the HST.

4. For good cause, defer a decision for no more than 30 days.

In all cases, HST shall have authority to waive and forgive any outstanding penalties or late fees owed by Tenant, or extend or forgive rent payments during the time in which a Tenant is in a professional treatment program.

### **III. Legal Proceedings**

#### **A. Court Proceedings**

The Office of Housing shall initiate eviction proceedings in the Squaxin Island Tribal Court when:

1. The HST has determined the Office of Housing has appropriately issued a Notice to Quit and the date to quit the premises has expired.
2. The HST has determined the Tenant violated the terms of a Continued Occupancy Agreement, authorizes the Office of Housing to issue a Notice to Quit, and the date to quit the premises has expired.

#### **B. Assessment of Fees and Costs**

Upon the court filing of the eviction proceedings, there shall be assessed against Tenant's account an administrative fee of \$400.00. In addition to this administrative fee, and regardless of the final determination in the eviction proceedings, tenant shall reimburse the Housing Program all costs of court, including reasonable attorney fees.