Northern Quest Resort & Casino 2017
Kalispel Tribe of Indians
Northwest Region Mortgage Conference
Spokane, Washington

What's New
Mortgage Processing!

LAND TITLE AND RECORDS OFFICES
HUD SECTION 184 BACKLOG AND MODERNIZATION PROJECT

PRESENTED BY: BETH A. WENSTROM, CHIEF LAND TITLES AND RECORDS
United States Department of the Interior
Bureau of Indian Affairs
Office of Trust Services
Division of Land Titles and Records
Branch of Geospatial Support
February 7, 2017
1. **PART 1 – LAND TITLES AND RECORDS**

   Overview and Basics of Indian Land Title and Records

2. **PART 2 – HUD SECTION 184 Backlog and Modernization Project**

   Background and what it is?
   - Products
   - Contact Guide
   - How to Use it
Part 1
OVERVIEW AND BASICS OF LAND TITLES AND RECORDS
The Land Titles and Records Office (LTRO) is the “Office of Record” for all Land Title Documents for Indian Trust and Restricted Lands - Delegated authority – 25 CFR 150

- Operation and maintenance costs for 9 federal and 7 tribal title offices and the oversight of one agency with title service responsibilities. (16 Title Offices)

- The DLTR has Indian landowner and Title responsibility for the largest land Trust in the world, with over 10 million acres belonging to individual Indians and 46 million acres held in trust or restricted status for Indian Tribes.

- 36 States have Indian Trust Land or Restricted Land

- Tribal land bases as large as 15.9 million acres, and as small as 1 acre

- Over 61,000 land and resource management transactions are conducted by Indian Affairs each year; and each requires some form of title service or product to complete the transaction

- Records all conveyance, probate and encumbrance documents affecting title to all trust and restricted Indian land.
### BUREAU OF INDIAN AFFAIRS
#### Office of Trust Services
#### Land Title and Records Offices

<table>
<thead>
<tr>
<th>For Indian land located in the:</th>
<th>Go to the LTRO at:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska Region</td>
<td>Anchorage, AK</td>
</tr>
<tr>
<td>Eastern Region</td>
<td>Anadarko, OK</td>
</tr>
<tr>
<td>Eastern Oklahoma Region (including the Miami Agency)*</td>
<td>Muskogee, OK</td>
</tr>
<tr>
<td>Great Plains Region</td>
<td>Aberdeen, SD</td>
</tr>
<tr>
<td>Midwest Region</td>
<td>Ashland, WI</td>
</tr>
<tr>
<td>Navajo Region</td>
<td>Albuquerque, NM</td>
</tr>
<tr>
<td><strong>Northwest Region</strong></td>
<td>Portland, OR</td>
</tr>
<tr>
<td>Pacific Region***</td>
<td>Sacramento, CA</td>
</tr>
<tr>
<td>Rocky Mountain Region</td>
<td>Billings, MT</td>
</tr>
<tr>
<td>Southern Plains Region</td>
<td>Anadarko, OK</td>
</tr>
<tr>
<td>Southwest Region</td>
<td>Albuquerque, NM</td>
</tr>
<tr>
<td>Western Region</td>
<td>Albuquerque, NM</td>
</tr>
</tbody>
</table>

*If the Indian land is located on one of the following Indian reservations, go to the LTRO listed below instead of the Region’s LTRO. * These compacted Tribes do not provide Federal Title Services consistent with BIA DLTRs.

<table>
<thead>
<tr>
<th>For Indian land located on the:</th>
<th>Go to the LTRO at:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cherokee Reservation*</td>
<td>Tahlequah, OK</td>
</tr>
<tr>
<td>Choctaw of Oklahoma Reservation*</td>
<td>Durant, OK</td>
</tr>
<tr>
<td>Muscogee (Creek) Reservation*</td>
<td>Okmulgee, OK</td>
</tr>
<tr>
<td><strong>Colville Reservation</strong></td>
<td>Nespelem, WA</td>
</tr>
<tr>
<td><strong>Flathead Indian Reservation</strong></td>
<td>Pablo, MT</td>
</tr>
<tr>
<td>Morongo Reservation***</td>
<td>Banning, CA</td>
</tr>
<tr>
<td>Agua Caliente Reservation***</td>
<td>Palm Springs, CA</td>
</tr>
</tbody>
</table>
Division of Land Titles and Records

FY2016 land title ownership certifications at LTROs Nationally formed the basis for monetary distributions in Indian Country amounting to:

- $1.1 billion in mineral royalty payments
- $210 million in surface lease and related payments,
- $550 million in Cobell Settlement Land Buy-Back Program (LBB) conveyance payments and
- $83 million in home mortgages on Indian trust land.

Certification work at LTRO’s, as of September 2016 is estimated to be over $752 million in value added to the US economy and $1.4 billion in economic output, and supported about 9,000 jobs nationwide.
Division of Land Titles & Records

Major Program Functions

- Document Recordation & Encoding & Imaging
  - Similar to recording at a County Recording Office
  
  - Products:
    - Certified Title Status Reports (TSR),
    - Land Status Maps (LSM),
    - Individual Trust Interest Reports (ITI)
    - Probate Inventory Reports (INV)

- Titles Maintenance
  - Similar to work performed at a Title Abstract Co.
  - Examination, Adjudication & Chain of Title
  - Perform detailed examination, identify defects, seek corrections, certify current ownership,

- Cartographic Services
  - Land Area Boundaries and Land Status Maps

- Indian Probate Curative Actions
  - Issue Certified Inventories for Probate of Decedent Estates
  - Process OHA Re-Hearing, Re-Opening & Appeals

- Document Certification- Legal Proceedings
“All title documents shall be submitted to the appropriate Land Titles and Records Office for recording immediately after final approval, issuance, or acceptance. Bureau officials delegated authority by the Secretary to approve title documents or accept title are responsible for prompt compliance with the recording requirement. Documents submitted for recording shall be completed in accordance with prescribed Bureau regulations.
How is Land Title Determined?

- Title for **non-Indian land** usually follows the “evidence of title” approach and is documented in a “title insurance policy” issued by a title insurance company, or in an “abstract of title” issued by a title abstract company.

- Title for **Indian land** follows a combination of the “evidence or chain of title” approach and the “certificate of title” approach, and is documented in the “Title Status Report (TSR) issued by the BIA or Authorized Tribal Land Titles and Records Office (LTRO) pursuant to 25 CFR 150.
Components of Land Title Ownership

- **“Land Title” must:** (1) describe a specific area of land (2) state who owns the land and the type and amount of ownership, and (3) whether the ownership is encumbered, and the type and extent of encumbrance.

- **Ownership:** Ownership of land consists of 2 types of ownership interests: the legal or title interest, and the equitable or beneficial interest. **Title and beneficial are the terms used in trust management.**

- **Title Interest:** The title interest indicates to whom the land belongs, the “ownership of record”. The title interest has limited rights in the “use” of the land or “benefits” derived from the use of the land.

- **Beneficial Interest:** The beneficial interest does not have title to the land but has full use of the land and derives the majority of benefits from the use of the land (e.g. income derived from the use of the land).
Fee Simple v. Indian Trust Land Ownership

- Ownership of Indian lands is the same as ownership of non-Indian lands except that the title interest is held in trust by the Federal Government.

- **Fee Simple Ownership**: Normally land is owned in fee simple, which means that the beneficial and title interests are merged (not separate) and owned by the same owner(s).

- **Indian Trust Ownership**: For Indian trust land the title and beneficial interests have been separated by the conveyance of the United States of America “in trust” for an Indian tribe or one or more individual Indians. The *United States owns the title interest in trust* and the *Indian Tribe or Individual Indian(s) own the beneficial interest.*
Indian Restricted Ownership

- **Indian Restricted Ownership**: For Indian restricted land ownership the land is owned in “fee simple” by an Indian tribe or by one or more individual Indians and the fee simple ownership is subject to a restriction on alienation without the approval of the United States of America.

- **“Restricted lands”** are managed and treated the same as “trust lands” for real property and natural resource management purposes and are under the jurisdiction of the Federal or Tribal LTRO for land title purposes.
Components of Indian Land Title: Encumbrance & Location

- **Encumbrance:** Encumbrance is not on the land but on the ownership of the land; an encumbrance is created when one or more “property rights” are granted from ownership in the land. Examples of encumbrances are a lease, a right-of-way, an easement, a covenant, a mortgage, etc.

- **Location:** The location of the land must be known and stated clearly and correctly as a “legal land description”. Legal land descriptions can be “metes and bounds”, “rectangular, containing references to Section, Township, Range and Aliquot Part” or can be based on “Subdivision (Lot, Block, and Subdivision Name).

- The location requirement can be met by an appended plat or Bureau of Land Management (BLM) approved cadastral survey that is incorporated by reference or by reference to a recorded plat or survey.
**Fractional Ownership in Indian Land**

- **Fractional Interest**: Land ownership is conveyed and maintained as “fractional interests” in a tract of fee simple, trust or restricted land ($\frac{1}{4}, \frac{1}{4} + \frac{1}{4} = \frac{1}{2}, \frac{1}{52}$, etc.) Sole ownership of all interests in a tract of Indian land is stated as “1/1” (One-Over-One) interest.

- **Fractionation Problem**: Unlike non-Indian land ownership, Indian land ownership is a “closed system” that required the approval of the United States to convey interests in land. As a result, most Indian ownership interests were conveyed by a testate or intestate probate order to the heirs of a decedent and Indian allotted lands became “highly fractionated.”
Land Title Documents

Land Title Document or Title document is defined as any document that
1) conveys or affects the title to Indian land (e.g., patents, deeds, probate orders) or
2) encumbers the ownership of Indian land (e.g., leases, rights-of-way or easements, mortgages, etc.), or
3) that describes or locates Indian lands or divisions thereof (e.g., Cadastral Surveys, plats, subdivisions, etc.), and is approved by a properly delegated Federal official and required to be recorded by law, regulation, or Bureau policy.
Record of Title

Record of title is the compilation of deeds and other conveyances and encumbrances recorded at the land title office of record, the Land Titles and Records Office, as required by a recording act. See, Act of July 26, 1892, ch. 256, Sec. 2, 27 Stat. 273, codified as 25 USC §5.
Indian Land Title Examination

- **Title examination** means an examination and evaluation by a qualified title examiner of the completeness and accuracy of the title documents affecting a particular tract of Indian land with certification of the findings by the Manager of the Land Titles and Records Office.” 25 CFR 150.2(n).

- **Title document** is any document that affects the title to or encumbers Indian land and is required to be recorded by regulation by Bureau policy.” 25 CFR 150.2(l). Title documents include conveyances, such as patents, deeds, and probate documents, and encumbrances (leases, rights-of-way, easements, mortgages).
Indian Land Title Examination

➢ “Recordation or recording is the acceptance of a title document by the appropriate Land Titles and Records Office. The purpose of recording is to provide evidence of a transaction, event or happening that affects land titles; to preserve a record of the title document; and to give constructive notice of the ownership and change of ownership and the existence of encumbrances to the land.”

➢ To “preserve a record of the title document” images of the title Document are made as true and accurate representations of the titles document, and are a “duplicate original” of the title document for which a “chain of custody” is maintained by the LTRO for all legal, financial, and evidentiary purposes.
Part 1

How is Indian Land Title Processed?

- Trust land title documents are processed through probates, conveyance transactions, and the recording of encumbrance transactions.

- The examination and certification of Indian land title requires that all the documents affecting the title to the tract of land be recorded and examined for accuracy, and to verify each owner’s interest in the tract and the encumbrances on such ownership.
Title Examination Basic Requirements: TAAMS

- Access to the Trust Asset and Accounting Management System (TAAMS) is the most basic and essential requirement for operating the title office and for the examination of title for Indian lands.

- TAAMS is the system-of-record for all recorded title documents and the Federal repository for all image copies of recorded title documents.

- TAAMS calculates and maintains all title and beneficial ownership and chains of title, maintains all active encumbrances, and is the Indian land title system-of-record.
What is a Title Status Report (TSR)?

“Title status report means a report issued after a title examination which shows:

1) the proper legal description of a tract of Indian land;

2) current ownership, including any applicable conditions, exceptions, restrictions or

3) encumbrances on record; and whether the land is in unrestricted, restricted, trust, or other status as indicated by the records in a Land Titles and Records Office.” 25 CFR §150.2(o) Definition of Title Status Report.
Title Status Report for Mortgage Purposes

- If a TSR is requested for a mortgage case the LTRO will give the request for a mortgage **TSR priority over other non-mortgage TSR requests.**

- Further, the LTRO is authorized to transmit the certified TSR to the lender of record for the mortgage case and to the agency managing the mortgage case.

- Transmission of the TSR to the lender will be according to Federal laws, regulations, and rules, and the policies of the BIA and the Department, concerning the secure transmission of Federal and trust information and data.

- The issuance of subsequent TSR to report the existence of the completed and recorded mortgage on title will be a verification of title status.
## LAND STATUS TYPES - MORTGAGING

<table>
<thead>
<tr>
<th>Tribal Land Assignment</th>
<th>Tribal Leasehold</th>
<th>Allotment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right of Use—ownership still vested in Tribe.</td>
<td>Not considered ownership but ownership of Leasehold for purpose of mortgage</td>
<td>Beneficial title can be mortgaged by SOLE OWNER—subject to Tribal Law (foreclosure remedies)</td>
</tr>
<tr>
<td>Usually considered to be “forever”</td>
<td>Has a specific term—usually 50 years</td>
<td>Fractional Interest: 5 or less owners 90%; More than 5 but less than 11, 80%; More than 10 but less than 20, 60%; More than 20 owners shall be majority of the interests in the allotted land. Recommended Lease – 50 year term.</td>
</tr>
<tr>
<td>Can be passed down to heirs and can be “sold” under certain circumstances w/tribal approval.</td>
<td>Can be passed down to heirs and can be sold with tribal approval.</td>
<td>Can be passed down to heirs if sole owner of allotment (probate in tribal court); also dependent on policy by region (State laws).</td>
</tr>
<tr>
<td>A legal use subject to tribal customs and law, which may be written or unwritten.</td>
<td>A “legal right of use”. The tribal government must honor the terms of the lease.</td>
<td>Lease agreement is drawn up by Agency and submitted to DLTR for recording.</td>
</tr>
<tr>
<td>No signed lease submitted to agency and no recording of any documents at DLTR takes place. It cannot be mortgaged.</td>
<td>Can request a mortgage. Document prepared at agency, encoded at DLTR.</td>
<td>Can request a mortgage. Document prepared at agency, encoded at DLTR.</td>
</tr>
<tr>
<td>Tribal customs, social standards, rights of Banishment, etc. remain in place.</td>
<td>Tribal customs, social standards, banishment, mortgage foreclosure and eviction codes should be referenced in the lease agreement.</td>
<td>Mortgage, foreclosure and eviction codes should be referenced in the lease agreement.</td>
</tr>
<tr>
<td>Land assignment can be identified using common language</td>
<td>The land is specifically described and surveyed and the lease is approved at agency. Environmental &amp; archeological assessment is required with lease package.</td>
<td>The land is specifically described and surveyed, and lease is approved at agency. Environmental/archeological assessment is required with lease package.</td>
</tr>
<tr>
<td>BIA is not involved</td>
<td>BIA agency submits lease document to DLTR for recording.</td>
<td>BIA agency submits lease document to DLTR for recording.</td>
</tr>
</tbody>
</table>
BIA Agency prepares Lease/Mortgage Package. Encodes Lease in TAAMS. Submits to DLTR for Recording and, if required, requests a TSR.

**RECORDING UNIT**
- Recorder Reviews Document for Encoding Accuracy
- Document Recorded and imaged in TAAMS
- Recorder notifies Examination Unit—Lease /subsequent documents recorded in TAAMS
- Original document(s) mailed back to Agency

**TITLE EXAMINATION UNIT**
- TSR Request logged in database/request reviewed
- Legal Description Submitted to Cartographic Unit
- Title examination conducted and TAAMS updated
- Quality Assurance conducted by Unit Supervisor
- TSR Certified & mailed back to Agency

**CARTOGRAPHIC UNIT**
- Legal description submitted to Cartographic Unit for plotting (if required)

**Returned to Agency and/or 3rd party**
Part 2
HUD SECTION 184 Backlog and Modernization Project
Project Background

- March 10, 2014, Director of the Office of Loan Guarantee, HUD Office, of Public and Indian Housing requested assistance from the BIA Director in expediting “pending” TSR’s that were impacting loan guarantees for HUD Section 184 Indian borrowers.

- Director provided a listing of 814 pending TSR’s by tract and region from his HUD Office. List was distributed to the Regional Director’s on April 8, 2014 and the LTRO managers to provide details concerning the status of the “pending” TSR’s.
In April 2014, the DLTR combined the results of a detailed responses from each of the 16 LTRO’s and the summarized the results in White Paper.

The White Paper provides explanations and recommendations on improvements to expedite the business workflow and understanding on how to request a TSR.

The statistics clearly indicates efficiencies can be gained by focusing on the business process involving HUD (USDA, VA) the Lender, DRES and the LTRO.

Need to update Handbooks, Guidance, Outreach and Training to match modern methods.
## 2014 Starting Statistics

### HUD SECTION 184 LIST OF TSRs

**STATISTICS AS OF MARCH 2014**

<table>
<thead>
<tr>
<th>JURISDICTION</th>
<th>TOTAL LISTED</th>
<th>Certified Sent to Requesting Office</th>
<th>Pending at Agency</th>
<th>Need Documents Pending at LTRO</th>
<th>Wrong Jurisdiction</th>
<th>Never Received at LTRO</th>
<th>Incomplete Information</th>
<th>Duplicate Requests</th>
<th>FEE Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Great Plains</td>
<td>135</td>
<td>88</td>
<td>0</td>
<td>0</td>
<td></td>
<td>23</td>
<td>24</td>
<td>0</td>
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<tr>
<td>Northwest</td>
<td>54</td>
<td>43</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>2</td>
<td>1</td>
<td>0</td>
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<tr>
<td>Colville</td>
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<td>2</td>
<td>0</td>
<td>0</td>
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<td></td>
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<tr>
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<td>6</td>
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<tr>
<td>Agua Caliente</td>
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<td>1</td>
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<td></td>
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<tr>
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<td>Rocky Mtn</td>
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<tr>
<td>Southern Plains</td>
<td>7</td>
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<td>0</td>
<td>1</td>
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<td></td>
<td></td>
<td>0</td>
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<tr>
<td>Navajo</td>
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<td>0</td>
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<td></td>
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<tr>
<td>Western</td>
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<td>0</td>
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<td></td>
<td></td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>814</strong></td>
<td><strong>615</strong></td>
<td><strong>2</strong></td>
<td><strong>10</strong></td>
<td><strong>31</strong></td>
<td><strong>125</strong></td>
<td><strong>34</strong></td>
<td><strong>0</strong></td>
<td><strong>2</strong></td>
</tr>
</tbody>
</table>
What happened to the TSR’s?

Possible reasons that the TSR has not been received by the requestor:

1. Request for TSR simply not sent to LTRO.
2. No legal description for the home site lease.
3. Home site lease not encoded into TAAMS as required.
4. Mortgage not submitted to LTRO for recordation as required.
5. No request for LTRO to send a copy to a Mortgage Company.
6. The agency or Tribe holds on the title report and does not send to Mortgage Company.
7. Land Area Codes for Jurisdictions are incorrect or missing.
8. Tract Numbers are missing, addresses are insufficient.
9. Duplicate or multiple requests are enumerated in the listing for the same applicant.
10. LTRO recorded but did not encode the Mortgage and apply to the Tract or issue TSR (RARE!)
HIGHLIGHTS

• On February 6, 2015 a meeting was held with HUD Director & staff, the DLTR and DRES to discuss a way forward and to develop a plan to address the business process of Mortgage lending and the interface with the stakeholders, Lenders, HUD (USDA & VA) and the BIA DRES and the LTRO.

• The members of the team agreed to schedule a one week workshop to kick off the development of a new business model.
Committee Workshops:

• March 17-19, 2015 – DC
• May 19 – 21, 2015 – DC
• DLTR to host Team conference calls every 2 weeks to monitor progress on efforts identified to improve mortgage processing.
Committee Meeting March 17-19, 2015

- Team reviewed mortgage process starting from BIA Realty, HUD-Lender and to the LTRO
- Found locations processed mortgages differently
- Need for direction in order to modernize the process and correct the deficiencies
- HUD, DRES and DLTRO each addressed concerns
- HUD recommended a routing sheet to incorporate HUD-LTRO-DRES
- HUD provided updated listing of contacts
- BIA DRES & LTRO – provide listing of contacts (Regional/Agency)
- Team made plan and set a schedule
- Follow-ups were made via conference calls until next meeting in May, 2015
Committee Meeting May 19-21, 2015

- To date Team lead by DLTR continues to meet bi-monthly to complete tasks
- Close out HUD TSR Backlog and close files
- Complete Flow Charts – Process & Procedures for HUD & BIA
- Recommended HUD Liaison Project Office/Alignment of IEED – Sponsor to report to Director/Regions
- Streamline system for efficiently reporting and closing Files
- BIA update handbooks & policy (DRES & LTRO)
- BIA TAAMS Enhancement – TSR Module to standardize the process at all Regions
- Training LTRO and DRES
- Update Encumbrance language
Accomplishments from Committee

- BIA Contact Guide created & Testing in progress with LTRO’s & HUD
- DLTR constructed standard language for mortgages - implemented
- HUD, DRES & LTRO working on Backlog with continued closing of files with Central Office oversight
- DRES working on Handbooks
- DLTR submitted 2 Mortgage Based Enhancements to TAAMS which are before the TAAMS Change Management Board Feb 9, 2017.
  - TSR Formatting
  - TSR Requesting
Status of HUD TSR Backlog

LTRO reissued 649 TSR to HUD to close
Cases Closed: 649
BIA - HUD TSR Mortgage Project
Streamlines process affects $83 million lending

2014 outstanding
Uncategorized
Need the Mortgage Release
Lease but No Mortgage Recorded
No Lease and No Mortgage Recorded
White Mtn Apache Cases
2014 Cases Open: 165
Key Players in the Mortgage Process

**Applicant** - applies to Tribal Housing Authority for a homesite lease (HS)

**Tribe** - approves Applicant for HS lease and prepares Tribal Resolution. Tribe submits survey, request a environmental clearance, and preliminary TSR from Agency. (Heart Act)

**Agency** - assembles & coordinates the home leasing package—HS lease, environmental impact statement, etc. Encodes data into trust system + submits to DLTR for recording and request a TSR

**DLTR** - performs QA on HS ease and records document. TSR request is routed for title examination. Mortgage docs encoded into trust system. Certified TSR sent to Agency and/or Lender

**Lender** - verifies income, credit, employment. Lender requires approved HS lease with environmental clearance, and a TSR. Lender closes loan through title company. BIA does not close loans.
CONTACT GUIDE FOR MORTGAGE LENDING IN INDIAN COUNTRY

This guide is prepared for the specific purpose of supporting the lending process in Indian Country. Mortgage production proceeds in four phases: origination, processing, underwriting and closing. However, before the application process begins lending officers taking applications from prospective borrowers should use this guide to ensure the appropriate office of the Bureau of Indian Affairs (BIA) is involved and the correct processing codes are included on all mortgage applications and in all phases of the process. Using this guide will expedite the lending process in Indian Country.
Part 2

Mortgage Lending Contact Guide

Inter-Agency Mortgage Package Business Process (see Handout)
Part 2

Inter-Agency Routing Slip

Mortgage Lending Contact Guide

INTER-AGENCY AND PROGRAM MORTGAGE PACKAGE ROUTING SLIP

LENDER INSTRUCTIONS: (Complete all required sections)

DATE: ______________________

Please use the BIA Contact Guide for Mortgage Lending to complete this section and to obtain additional information, including direction related to mortgage approvals when working with a tribe that has leasing regulations approved under the HEARTH Act.

TO:

Bureau of Indian Affairs

Address

Contact

FROM:

Lender: __________________ Representative: __________________ Title: __________________

(Indicate with a checkmark Type) HUD: ______ USDA: ______ Veterans: ______ other: ______

Address: __________________ Phone: __________ Email: __________ Fax: __________

Return Requested Documents To: __________________ Title: __________________

Address: __________________ Phone: __________ Email: __________ Fax: __________

Tribal Member/Borrower Name(s): (Required)

Residential Lease No: (Required for Leasehold Mortgages)

Land Area Code: (Required)

Tract Number/Legal description: (Required)

Physical Address (Optional):

Office of Trust Services - Land Titles and Records – Branch of Geospatial Support
HEARTH ACT INSTRUCTIONS

Mortgage Lending Contact Guide

IMPORTANT NOTICE:
DETERMINE IF YOU ARE WORKING WITH A TRIBE
THAT HAS LEASING REGULATIONS APPROVED UNDER THE HEARTH
ACT OR ANOTHER STATUTORY AUTHORITY

If you are requesting approval of a leasehold mortgage that was executed under tribal leasing regulations approved by the Secretary of the Interior under the HEARTH Act (25 U.S.C. § 415(h)), you are working with a tribe that has the authority to approve leasehold mortgages on their tribal trust lands and the mortgage package must be submitted directly to the Tribe for approval.

* STILL NEED TO RECORD ALL DOCUMENTS AT LTRO
* STILL NEED TSR FROM LTRO
How to Use Guide for Mortgage Purposes

1. Review the color coded map of BIA Regions, Agency Locations and LTRO Codes.

2. Locate and Match the BIA Real Estate Services Color Coded Contact List to **Find the Correct Agency Office and Contact.**

3. Locate and Retrieve from the Color Coded Alphabetic Listing the **correct Land Area Codes (LAC)** and Land Area which is the subject of the TSR.

4. **Include the LAND AREA CODE** on all Mortgage Documents along with the Tract Number.
Part 2

Region, Agency and LTRO Jurisdictions
## Land Area Code Listing

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<tr>
<th>LOCATION</th>
<th>LAND AREA CODE</th>
<th>AGENCY LOCATION</th>
<th>AGENCY NAME</th>
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</table>
# Region and Agency Contact

## GREAT PLAINS

### A00 - Great Plain’s Regional Office, BIA & Land Titles and Records Office
- **Address:** 1154th Avenue, SE, Suite 400, Aberdeen, SD 57401
- **Phone No.:** (605) 226-7343
- **Fax No.:** (605) 226-7446

### A01 - Cheyenne River Agency, BIA
- **Address:** P.O. Box 325, Eagle Butte, SD 57625
- **Phone No.:** (605) 964-6011
- **Fax No.:** (605) 964-4960

### A04 - Crow Creek Agency, BIA
- **Address:** P.O. Box 139, Ft. Thompson, SD 57339
- **Phone No.:** (605) 245-2311
- **Fax No.:** (605) 245-2343

### A09 - Sisseton Agency, BIA
- **Address:** P.O. Box 688, Agency Village, SD 57262
- **Phone No.:** (605) 698-3001
- **Fax No.:** (605) 698-7784

### A08 - Yankton Agency, BIA
- **Address:** P.O. Box 577, Wagner, SD 57380
- **Phone No.:** (605) 384-3651
- **Fax No.:** (605) 384-3876

### A15 - Lower Brule Agency, BIA
- **Address:** 190 Oyate Circle, Lower Brule, SD 57548
- **Phone No.:** (605) 473-5900
- **Fax No.:** (605) 473-5016

### A06 - Pine Ridge Agency, BIA
- **Address:** P.O. Box 1203, Pine Ridge, SD 57770
- **Phone No.:** (605) 867-5125
- **Fax No.:** (605) 867-1141

### A07 - Rosebud Agency, BIA
- **Address:** P.O. Box 228, Mission, SD 57555
- **Phone No.:** (605) 856-2334
- **Fax No.:** (605) 856-5192

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Office of Trust Services - Land Titles and Records – Branch of Geospatial Support
Beth A. Wenstrom, J.D.
Chief Division of Land Titles and Records
Office of the Deputy Bureau Director, Trust Services
beth.wenstrom@bia.gov

Office: 202-208-7284

1849 C. Street NW MS 4649-MIB
Washington, D.C. 20240

Discussion, Questions?

THANK YOU
Recommendations?
Discussion?
Questions?

THANK YOU