



From:
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NOOKSACK TRIBE EXTENDS AN OFFER FOR TWO MORE MONTHS OF HOUSING, FOLLOWING FINAL COURT RULING

Current Inhabitants May Stay Through December, Homes to be Reallocated to Tribal Members
on the Waiting List for Tribal Homes

Deming, WA - The Nooksack Tribe has extended an offer to the seven people who were served eviction notices in 2021. The offer is that they may remain in the home until December 31, 2024. This gives the current inhabitants another two months and 15 days to find housing. This is in addition to the three years that have passed since this process started. In return, Nooksack asks that these individuals agree to leave voluntarily, leave the homes in satisfactory condition with the exception of normal wear and tear, remove their personal belongings, and agree to become current with all debts by that date. The seven individuals have until October 31, 2024 to respond to the offer.

These are the seven Tribal homes that have been the focus of conversation for the past five years. Earlier this month, The Nooksack Tribal Court upheld their ruling that the current inhabitants of the group of homes must vacate the properties. Eviction notices were served to the seven individuals three years ago. This ruling reflects the individual's failure to produce eligibility for Tribal housing.

Following this final legal ruling, The Nooksack Tribe has decided to offer the current inhabitants the opportunity to stay through the end of the holiday season, with a deadline to leave the properties (if outlined conditions are met) by December 31, 2024. Otherwise, as Housing Policy states, the tenants would have to vacate within fourteen days of the court's ruling.

Once the properties are vacated, they will be assessed and designated to Tribal families that are currently on the waiting list for Tribal housing. At this time, there are currently more than 200 people on the waiting list, including 15 Elders. The Nooksack Tribe remains committed to allocating resources and support to their Tribal members. The Nooksack Tribe encourages everyone to remain courteous during this time.

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Statement of Facts
Provided by Nooksack Tribal Council

Background on Tribal housing

Each of the units in question had a standard lease agreement with the tenants. The units are part of the Low Income Tax Credit Housing (LIHTC) program. This is not a 'rent-to-own' program. Instead, if the tenant at the end of 15 years qualifies for the program, that tenant has the opportunity to take ownership of the unit. One of the several qualifications is to be a Nooksack Tribal member as this is Tribal housing.

The residents of the seven units in question are not Tribal members. They did not bring paperwork to the enrollment office showing that they were descended from a Nooksack member, so they were disenrolled by 2016. The seven units did not become eligible for conveyance until 2019, 2020, and 2022 - years after the tenants knew they did not qualify for conveyance.

Eviction timeline

The Nooksack people have been patient while waiting for the seven individuals to exercise their right to appeal pending evictions. These evictions are not sudden - they are three years past-due. In late 2021 all seven were:

- Served a Notice to re-establish eligibility.
- They did not re-establish eligibility to live in Nooksack low-income housing.
- They received notice of termination of rental leases.
- 2022 - 2024 a series of appeals took place. The tenants lost at every court.

Waiting list

There are at least 214 Tribal members on a waiting list at Nooksack, including 15 elders. Some are unhoused and all have been waiting for Tribal housing. Nooksack operates 111 housing units and all are reserved for Tribal members. Today we ask that those who do not qualify vacate our housing units so that others may live there.

Housing options

The individuals occupying Nooksack housing without permission from the Tribe are members of the Shxwha:y Band in British Columbia. [In a 2022 ABC news interview](#) one of the individuals said that if evicted, he would have to live in his other home in Canada.

Last year the band purchased land in Whatcom County near the Nooksack Reservation and the new homes now appear to be completed and ready for occupancy. We understand that some of these homes are being built for those fighting to *also* occupy Nooksack Tribal housing. We have Tribal members awaiting housing who are unhoused and who do not have housing options or new homes to move to. We ask that the seven occupying our homes leave respectfully and move to their own homes.

The Nooksack Indian Tribe is a federally recognized tribe, part of the Point Elliott Treaty of 1855, and today is based on their ancestral homeland of Whatcom County. They are Coast Salish people who lived, fished, hunted, and gathered for untold generations in their historic traditional lands from the base of Mt. Baker to the saltwater at Bellingham Bay. They extended into Skagit County to the south and British Columbia to the north. Their territory included a primary Nooksack area, not open to free use by members of other groups, and joint-use areas, which were shared. Today there are approximately 2,000 enrolled tribal members. The Nooksack reservation is in the town of Deming, WA with tribal land extending from Lynden to the South Fork Valley.

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