**LEASES ON TRUST OR RESTRICTED LAND**

(Whether you own an interest or not)

**If you live in or own an improvement on trust or restricted land, you should have a lease.** A lease provides clarity on the use of the land and any improvements. You may obtain a lease from the co-owners of the trust and restricted interests in the land, unless all the owners have given you permission to take or continue in possession without a lease. The Code of Federal Regulations provides detailed leasing requirements. See Title 25, Part 162, of the Code of Federal Regulations, especially the general lease provisions (at Subpart A) and those regarding residential leases (at Subpart C).

**If you want to obtain a residential lease** **on trust or restricted land**, you must collect fifty percent or more landowners’ interest shares; as indicated in the below table. The answer depends on the number of individual owners who have an undivided ownership interest in the allotted tract of land. For additional details, see 25 U.S.C. § 2218.

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| --- | --- |
| Number of undivided  interest owners | Required percentage of ownership that must consent in writing |
| 5 or fewer | 90 percent |
| 6-10 | 80 percent |
| 11-19 | 60 percent |
| 20 or more | 50 percent |

**To contact the co-owners of the land in which I have an** interest, submit a written request to the local BIA office to obtain the names and mailing addresses of the owners of any interest in trust or restricted lands on a particular reservation, including the percentage of undivided interest owned by each individual.

Bureau of Indian Affairs

Central California Agency

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