

Who do I contact if I want to extend my residential sublease?

Indian landowners, at their discretion, may enter into lease agreement or extend existing lease agreements. The Bureau of Indian Affairs does not compel landowners to enter into new leases or extend existing leases.

If you currently hold a residential sublease you should first contact the lessor from whom you leased your land.

If you lease directly from an Indian landowner you may submit your request for a lease extension to the landowner, their legal or financial representative, or through the Bureau of Indian Affairs - Palm Springs Agency.

What is TESAs?

TESA is an acronym for Trust Enforcement Support Activities.

TESA is contracted by the Agua Caliente Tribe to process documents associated with leasehold mortgages and the assignment of residential subleases.

The Bureau of Indian Affairs maintains jurisdiction over the administrative functions TESA is contracted to perform.

U.S. DEPARTMENT OF THE INTERIOR

**BUREAU OF INDIAN AFFAIRS
PALM SPRINGS AGENCY**



RESIDENTIAL LEASING

**LEASING
FEDERAL TRUST LAND
ON THE AGUA CALIENTE
INDIAN RESERVATION**

RESIDENTIAL LEASING AT-A-GLANCE

The Bureau of Indian Affairs-Palm Springs Agency serves as the federal agency having jurisdiction over the land on the Agua Caliente Indian Reservation.

The Agua Caliente Indian Reservation encompasses approximately 28,000 acres of land in the western Coachella Valley, including portions of Palm Springs, Cathedral City, Rancho Mirage, and unincorporated Riverside County.

There are more than 11,000 leases on land within the reservation boundaries. The leases generally fall into one of two categories:

1. Residential Leasing
 - Master Lease
 - Residential Sublease
2. Commercial Leasing
 - Master Lease
 - Commercial Sublease

Most of the leasing on the Agua Caliente Indian Reservation falls into the category of residential leasing.

Residential master leases are typically negotiated by developers on large tracts of land. After building single family

residences or condominiums, developers then sublease the land to the individual homeowners.

If you are an individual homeowner leasing land from a developer you would hold what is commonly referred to as a **Residential Sublease**, whereas the developer who leased the land from the landowner would hold the **Master Lease**.

What is the difference between "Trust" land and "Fee" land?

The term "**Trust Land**" refers to land held in trust by the United States for the beneficial use of an individual Indian landowner or Tribe. In contrast, "**Fee**" land is land not held in trust by the United States.

The U.S. Department of the Interior holds thousands of acres of land in "**Trust**" on behalf of the Agua Caliente Indian Tribe and the individual Indians of the Agua Caliente Band of Cahuilla Indians.

The U.S. Department of the Interior, through the Bureau of Indian Affairs, has been designated by federal law as the "**Trustee**" of all Indian lands. As trustee, the Bureau of Indian Affairs has a fiduciary responsibility to ensure Indian landowners receive fair consideration for the use of their land.

I have a residential sublease; does that mean the land is in "Trust"?

Not necessarily. Residential leasing is not exclusive to Indian trust lands. In fact, developers in the Coachella Valley and elsewhere have purchased land in fee, developed the property, and then leased the property to homeowners.

When property is leased on fee land the Bureau of Indian Affairs does not have jurisdiction.

What is the role of the Bureau of Indian Affairs?

The Bureau of Indian Affairs-Palm Springs Agency provides technical assistance to Indian landowners on matters of real property management. The Bureau of Indian Affairs also holds approval authority for leasing of trust lands on the Agua Caliente Indian Reservation.

The Bureau of Indian Affairs does not represent developers, homeowners, or those who lease the land; however the Palm Springs Agency staff is available to answer questions regarding the leasing of federal trust lands on the Agua Caliente Indian Reservation.