

***Chamorro Land Trust Commission***  
***Rules & Regulations for Commercial Use***  
***Highlights***

**Purpose:** Permit the leasing or licensing of Chamorro Land Trust Commission land for commercial use as required by 21 GCA, Chapter 75, §75107.

**Commercial Use:** Land to be leased or licensed for for-profit commercial activity but excludes commercial agriculture and aquaculture.

**Available Property:** Real property identified by CLTC for lease or license will be publicly announced by a solicitation in a printed and electronic publication of general circulation.

**Eligibility:** Business entities created under the laws of Guam or sole proprietorship, partnership by a Guam resident. Eligibility preference to entities whose owner or company officer is a native Chamorro as defined in 21 GCA, Chapter 75.

**Application Requirements:** As outlined in the rules which includes demonstrated financial ability and business plan.

**Terms and Conditions:** Rents based on no less than 9% of the fair market value of the property based on the average of two appraisals. Terms of the lease shall be in accordance with existing statutes but longer terms would be sought for large-scale investment projects through the appropriate means as established by law.

**Lease and License Approval:** CLTC Board of Commissioners will review all fully completed applicants that meet all requirements and approve selection.

**Monitoring and Compliance:** Annual inspections come with two-week notice so CLTC staff may review business documentation and other documents as requested to determine compliance with agreement. Compliance inspections are no-notice inspection of facilities and premises to determine condition of lease property. All inspections will produce a detailed report within fifteen workdays to CLTC Administrative Director.

**Non-Compliance Notices:** First notice provides issues, a cure period, and response time. Tenant may contest the matter with the CLTC Board of Commissioners. Second notices issued when failure to comply with first notice occurs and matter would be referred to legal counsel for default remedies.

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**Post Script Add-Ons:** Subleasing and Assignment of Lease/License. These two specific items are necessary elements for these rules and regulations, however, they had to be removed from this present document because they are not sustained by current law. Legislation will be pursued to add these two provisions to the law and to also amend these rules.

**Administrative Adjudication Law Accomplishments:**

- a. Public Hearing: November 20, 2014
- b. CLTC Commissioners & Administrative Director Approval of Rules: January 6, 2015
- c. Attorney General Approval: May 6, 2015
- d. Submitted to Governor for Transmittal to Legislature: May 13, 2015
- e. Transmitted to Legislature: June 3, 2015

**Point of Contact:**

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