



Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 649-5263 Ext. 400 Fax: 649-5383

October 8, 2018

Eddie Baza Calvo
Governor

Ray Tenorio
Lieutenant Governor

Commission Members

G. Pika Fejeran
Chairwoman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Austin J. Duenas
Commissioner

Shawntel L. Techaira
Commissioner

Michael J.B. Borja
Administrative Director

Honorable Therese Terlaje
Acting Speaker, 34th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96910

RE: Chamorro Land Trust Commission Transmittal of Resolutions Regarding Residential and Agricultural Leases

Hafa Adai Madam Speaker:

Enclosed with this letter are resolutions from the Chamorro Land Trust Commission (CLTC) regarding its residential and agricultural leases.

- a. **CLTC Resolution No. 2018-08:** *Declaration and Ratification of Residential and Agricultural Leases*
- b. **CLTC Resolution No. 2018-10:** *Declaration and Request for Legislative Validation of Ratified Residential and Agricultural Leases; and, for Legislative Authorization and Ratification of Leases Issued from Switched Application Date & Time*

CLTC Resolution No. 2018-08 declares the CLTC board of commissioners' ratification of 2,877 residential and agricultural leases categorized as "voidable" by the Attorney General of Guam if not ratified by the Commission.

CLTC Resolution No. 2018-10 transmits a collective listing of its residential and agricultural leases requesting action by the Legislature:

- a. Validate the 2,877 leases categorized as "voidable" but subsequently ratified by the CLTC board of commissioners; and
- b. Authorize and ratify the 102 leases categorized as "null and void" by the Attorney General of Guam for lacking specific authorization.

Each resolution provides supporting discussions and exhibits for these two categories of leases and actions taken by the CLTC board of commissioners. Also included are the spreadsheet listings of all the leases with comprehensive details on each lease; and, for the 102 leases deemed "null and void," additional reports on each lease.

Both hard copy and electronic copy of each resolution is provided for your use.

The CLTC board of commissioners and its staff are currently reviewing its governing laws, Title 21, Guam Code Annotated, Chapter 75; and, The Senator Paul Bordallo Rules and

Regulations for the Chamorro Land Trust Commission, enacted as Public Law 23-38, to recommend legislative changes to improve and make practical the processes of issuing residential and agricultural leases moving forward. The Commission will soon submit a separate resolution with recommended changes to the laws.

Additionally, attached to this letter is a key that describes in more detail the column headings on the spreadsheets of the various lease groups in the exhibits to the resolutions.

The Commission is prepared to answer all questions regarding these resolutions and to assist with the necessary legislation.

Senseramente,



MICHAEL J.B. BORJA
Administrative Director

Enclosures:

1. Key to Listings of CLTC Leases
2. CLTC Resolution 2018-08 with Exhibit
3. CLTC Resolution 2018-10 with Exhibits

cc: Office of the Governor (electronic file)
Legislative Committee on Land (electronic file)



Key to Listings of CLTC Leases

1995 Original Applicants with Leases

- a. FULL NAME: Name of Lessee
- b. APP'N DATE: Date Application Submitted
- c. APP'N TIME: Time Application Submitted
- d. LOT DESCRIPTION: Lot Information as Described in Lease
- e. SIGNING DATE: Date CLTC Signed Lease
- f. APPROVING OFFICIAL: Endorsing Administrative Director
- g. LEASE INSTRUMENT NO.: The Recorded Instrument Number; Lease in File (LIF) That is Not Recorded
- h. MAP FY NO.: The Survey Map or Sketch Number Associated to Leased Lot
- i. MAP DOC. NO.: The Recorded Instrument Number of the Survey Map Number Associated to Leased Lot
- j. OCCUPY: "Y" if Lot is Occupied or in Use; "N" if Lot is Not Occupied and Not in Use; "N/A" is No Site Inspection
- k. STRUCTURE: Type of Structure Identified On Lot; "WT" is Wood & Tin; "SC" is Semi-Concrete; "C" is Concrete; "N/A" is No Structure Identified
- l. REMARKS: Comments Regarding the Lease
- m. ASSESSED VALUE (LAND): RevTax Tax Assessed Value of the Land
- n. ASSESSED VALUE (BLDG): RevTax Tax Assessed Value of the Structure on the Land
- o. TAX BALANCE 2017: Balance of Property Tax Due

Transferred and Switch List

- a. FULL NAME (TRANSFEREE): Name of Lessee
- b. DATE OF APPLICATION: Date Application Submitted
- c. TIME OF APPLICATION: Time Application Submitted
- d. LOT DESCRIPTION: Lot Information as Described in Lease
- e. SIGNING DATE: Date CLTC Signed Lease
- f. TYPE OF TRANSFER: Section of Public Law 23-38 Authorizing Transfer
 - 1. 5.8: Transfer of Application to a Designated Beneficiary of a Deceased Applicant
 - 2. 6.4: Transfer of Lease or Application to a Designated Beneficiary of an Individual Who Preoccupied Land or Held a Land Use Permit
 - 3. 7.5: Transfer of Lease After Held for 7 Years
 - 4. 9.1: Transfer of Lease to a Designated Beneficiary of a Deceased Lessee
 - 5. N/A: Transfer That Occurred Without PL 23-38 Authorization
- g. REMARKS ON N/A: Comments Related to "N/A" on TYPE OF TRANSFER
- h. NAME & APPLICATION DATE OF TRANSFEROR: Self Explanatory
- i. NAME & APPLICATION DATE OF TRANSFEREE: Self Explanatory
- j. RELATIONSHIP BETWEEN TRANSFEROR & TRANSFEREE: Self Explanatory
- k. DATE APPROVED: Date Transfer Approved
- l. APPROVING OFFICIAL: Person Who Approved Transfer



- m. RELATIONSHIP BETWEEN APPROVING OFFICIAL & TRANSFERRING PARTIES: Self Explanatory
- n. CURRENT STATUS OF LEASE/LAND IMPROVEMENTS & OCCUPANCY:
- o. LUP/PREOCCUPIER/MAYOR'S VERIFICATION: Proof for Occupying the Land Prior to July 12, 1995 (PL 23-38, §); Land Use Permit (LUP) Number
- p. OCCUPYING: "Y" if Lot is Occupied or in Use; "N" if Lot is Not Occupied and Not in Use; "N/A" is No Site Inspection
- q. TYPE OF STRUCTURE: Type of Structure Identified On Lot; "WT" is Wood & Tin; "SC" is Semi-Concrete; "C" is Concrete; "N/A" is No Structure Identified
- r. ASSESSED VALUE (LAND): RevTax Tax Assessed Value of the Land
- s. ASSESSED VALUE (BLDG): RevTax Tax Assessed Value of the Structure on the Land

1996 and After Applicants with Leases

- 1. FULL NAME: Name of Lessee
- 2. APP'N DATE: Date Application Submitted
- 3. APP'N TIME: Time Application Submitted
- 4. OCCUPYING GOV'T LAND AT: Occupied Land Applicant Cited in Application or Interview
- 5. LOT DESCRIPTION: Lot Information as Described in Lease
- 6. SIGNING DATE: Date CLTC Signed Lease
- 7. APPROVAL OFFICIAL: Endorsing Administrative Director
- 8. LEASE INSTRUMENT NO.: The Recorded Instrument Number; Lease in File (LIF) That is Not Recorded
- 9. MAP FY NO.: The Survey Map or Sketch Number Associated to Leased Lot
- 10. MAP DOC NO.: The Recorded Instrument Number of the Survey Map Number Associated to Leased Lot
- 11. OCCUPY: "Y" if Lot is Occupied or in Use; "N" if Lot is Not Occupied and Not in Use; "N/A" is No Site Inspection
- 12. STRUCTURE: Type of Structure Identified On Lot; "WT" is Wood & Tin; "SC" is Semi-Concrete; "C" is Concrete; "N/A" is No Structure Identified
- 13. LUP#/PRE-OCCUPYING/MAYORS CERTIFICATION: Proof for Occupying the Land Prior to July 12, 1995 (PL 23-38, §); Land Use Permit (LUP) Number
- 14. NOTES OR REMARKS: Comments Regarding the Lease
- 15. ASSESSED VALUE (LAND): RevTax Tax Assessed Value of the Land
- 16. ASSESSED VALUE (BLDG): RevTax Tax Assessed Value of the Structure on the Land
- 17. TAX BALANCE: Balance of Property Tax Due

1995 Applicants Without Leases

- a. FULL NAME: Name of Lessee
- b. OWN LAND: Response on Application; "TRUE"-Owns Land; "FALSE"-Does Not Own Land
- c. PRIORITY: Award Designation Specified in PL 23-38, §6.2(c)
 - 1. "1" Those who do not own land anywhere
 - 2. "2" Those who own one (1) acre or less anywhere
 - 3. "3" Those who own more than one (1) acre anywhere



- d. OCCUPY GOVT LAND: Response Applicant Cited in Application or Interview If They Currently Occupy Government Land
 - 1. "FALSE" – No
 - 2. "TRUE" – Yes
- e. OCCUPY LOCATION: Occupying Location Applicant Cited in Application or Interview
- f. APPL'N DATE: Date Application Submitted
- g. APPL'N TIME: Time Application Submitted
- h. SEQ: The Stamped Sequential Number Applied to Application at the Time of Application Submission. Duplicate Sequential Numbers Exist Due to Multiple Sites to Submit Application During the Initial Month for Sign Up (December 1995)
- i. MAIL OUT:
 - 1. "FALSE" – No Letter Sent to Applicant to Contact CLTC
 - 2. "TRUE" – Letter Sent to Applicant to Contact CLTC
- j. NOTES/REMARKS: Self Explanatory
- k. INTERVIEW DATE: Self Explanatory
- l. TYPE: Type of Lease Applicant Requested
 - 1. "A" – Agricultural
 - 2. "R" – Residential
- m. LOT: Property Designated for Applicant
- n. BLOCK: Property Designated for Applicant
- o. TRACT: Property Designated for Applicant
- p. MUNI: Municipality of Property Designated for Applicant
- q. AREA DESIRED: Property Size Designated for Applicant
- r. SURVEY: Survey Information on Designated Lot
- s. SURVEY DATE: Survey Information on Designated Lot
- t. NOIA: Notice of Intent to Award
 - 1. "FALSE" – No Notice Issued to Applicant
 - 2. "TRUE" – Notice Issued to Applicant to Award a Lot for Lease
- u. UT ISSUED: Utility Authorization from CLTC to Applicant to Apply for Utilities
 - 1. "FALSE" – No Utility Authorization Issued to Applicant
 - 2. "TRUE" – Utility Authorization Issued to Applicant for Designated Lot for Lease
- v. DECLINE MUNI: The Municipality of Lot Offered but Applicant Declined as Permitted in PL 23-38, §5.6(c)