

# ALL MISSION INDIAN HOUSING AUTHORITY

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## Successor Change Form

### Article XI Succession

#### 11.1 Definition of "Event"

"Event" means the death, mental incapacity, or transference of occupancy of the unit and all obligations of the LPA by the Homebuyer who has executed this LPA.

#### 11.2 Designation of Successor by Homebuyer

- a. A Homebuyer may designate a successor who, at the time of the event, will assume the status of Homebuyer, provided that at the time the successor meets the eligibility conditions for occupancy under the AMIHA Admissions and Continued Occupancy Policy. The designation of a successor shall be made at the time of execution of this LPA, and the Homebuyer may change the designation at any later time by written notice to the AMIHA.
- b. The designated successor as of the date of this LPA is:

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First Name	Middle Initial	Last Name
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Address

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City	State	Zip
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Relationship (To Homebuyer)	Date
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Appointed Guardian (If Successor is a minor)

### 11.3 Succession by Persons Designated by Homebuyer

- a. A named successor having met the requirements to be a Homebuyer must sign a new LPA. The successor shall assume all rights and obligations of the former Homebuyer, including all outstanding amounts owed and any amounts in the equity account.
- b. If your designated successor is not eligible or does not meet admission standards, AMIHA shall designate a new successor. AMIHA will consider the following order of successors:
  - 1) **Tribal member** surviving spouse;
  - 2) **Tribal member** surviving child or children living in the unit at the time of the “Event”;
  - 3) **Tribal member** surviving parent living in the unit at the time of the “Event”;
  - 4) **Tribal member** surviving sibling living in the unit at the time of the “Event”;
  - 5) **Tribal member** surviving children living in elsewhere at the time of the Event”
- c. A Homebuyer may designate his/her non-Indian spouse as his/her successor if doing so is **consistent with tribal law**. AMIHA will ensure that the non-Indian successor is informed that while he/she may succeed to the home, he/she will need the approval of the Tribe or allottee interest holders where the home is located on an allotment, to remain on the property once the LPA expires.

### 11.4 Occupancy by Appointed Guardian

If at the time of the event, there is no qualified successor designated by the homebuyer or by the AMIHA in accordance with the foregoing provisions of this Article, and a minor child or children of the homebuyer are living in the home, the AMIHA may, in order to protect the continued occupancy and opportunity for acquiring ownership of the home, approve as occupant of the home an appropriate adult who has been appointed legal guardian of the children with a duty to perform the obligations of this Agreement in their interest and behalf.

**NOTE: This document supersedes “Article XI - Succession” of the MHOA or the LPA.**