Journal of Law, Property, and Society

ISSN 2373-5856

A publication of the Association for Law, Property and Society

Editor-in-Chief

John Page
Professor of Law
School of Private and Commercial Law Faculty of Law & Justice
University of New South Wales

Members of the Editorial Board

Reema Bali
Dean and Associate Professor
School of Management, IILM University, India

Jill Dickinson
Reader in Law
Leeds Becket University

Hano Ernst
Professor
Faculty of Law, University of Zagreb

Victoria Evans
Lecturer in Private Law
The Dickson Poon School of Law, Kings College London

Douglas C. Harris
Professor of Law and Nathan T. Nemetz Chair in Legal History
Peter A. Allard School of Law, University of British Columbia

Shelly Kreiczer-Levy
Professor of Law
College of Law and Business

Antonia Layard
Tutor and Fellow in Law, St. Anne's College, Oxford
Professor of Law, University of Oxford

Gustav Muller
Associate Professor of Private Law
University of Pretoria

Jessica Owley
Professor of Law
University of Miami

Rachael Walsh
Associate Professor
Trinity College Dublin

Sue-Mari Viljoen
Professor and Head of Department
Department of Private Law, University of the Western Cape

Lua Kamál Yuille
Professor of Law and Business
Northeastern University

Journal of Law, Property, and Society

Volume 10 **Article 1**

April 2026

Addressing the Challenges of Housing Insecurity in Urban Native America: Centering Affordability and Indigenous Values in Off-Reservation Housing

Andrea McArdle

Recommended citation: Andrea McArdle, *Addressing the Challenges of Housing Insecurity in Urban Native America: Centering Affordability and Indigenous Values in Off-Reservation Housing*, 10 J. L. PROP. & SOC'Y 1 (2026), http://www.bit.ly/Vol10Art1

This article is published for free and open access by the Association for Law, Property and Society (https://www.alps-law.org). Other articles can be found on the Journal's website (https://www.alps-law.org/alps-law-journal).

Addressing The Challenges of Housing Insecurity in Urban Native America: Centering Affordability and Indigenous Values in Off-Reservation Housing

Andrea McArdle*

Approximately 87% of the American Indian and Alaska Native population lives in urban areas. Yet urban Indigenous dwellers are considered among "the most invisibilized populations in the nation," are relatively understudied, and experience pronounced inequities across a host of socioeconomic metrics, including elevated risks of becoming unhoused. Against a background of Indigenous land loss, displacement, and discrimination, this Article will examine off-reservation affordable housing initiatives launched primarily by federally recognized tribes, including several case studies that consider the discrete origins, land use character, and financing strategies pursued in developing these housing initiatives, and address how they respond to economic, social, and cultural challenges that intensify housing insecurity and homelessness risks for urban Indigenous people. The Article discusses how these initiatives respond both to the challenges of economic precarity and cultural dislocation. It examines how these projects have adapted to urban contexts while engaging the relational dimensions of land for Indigenous people, rooted in a sense of place, history, and collective identity. These approaches--shaped by Indigenous stakeholders' assessment of needs and cultural supports, oriented to innovation and collaboration in design and funding strategy, bolstered by the local governing institutions where the projects are sited--offer potentially scalable housing development models centering affordability and Indigenous cultural values for underserved urban Indigenous communities.

I. INTRODUCTION **1**

II. INDIGENOUS LAND LOSS **5**

III. LANDBACK ADVOCACY **9**

IV. INDIGENOUS HOUSING IN SOUTH MINNEAPOLIS **12**

V. ROLE OF THE COMMUNITY LAND TRUST **17**

VI. CONCLUSION **21**

* Andrea McArdle is a Professor of Law at the City University of New York School of Law. The author would like to thank colleagues in the CUNY School of Law Writing Space for the early opportunity to discuss ideas developed in this Article. The author is also grateful for thoughtful feedback provided during peer review of a draft of the Article.

I. Introduction

Approximately 87% of the American Indian and Alaska Native population lives in urban areas.[1] Yet urban Indigenous dwellers are considered among "the most invisibilized populations in the nation,"[2] are relatively understudied,[3] and experience pronounced inequities across a host of socioeconomic metrics, including health outcomes,[4] unemployment levels,[5] exposure to police violence,[6] and, relevant to this discussion, elevated risks of becoming unhoused.[7]

The concentration of Indigenous people in U.S. cities accelerated as a result of mid 20th-century federal Relocation[8] policy initiatives that spurred the influx of reservation tribal members to urban areas where they experienced substandard housing conditions, housing discrimination, and lacked access to appropriate

---

* This article generally uses the encompassing term "Indigenous" but includes some references to "American Indian" and "Native American" to reflect usage that appears in data sets and studies that are cited.

[1] This estimate from the Indian Health Service, housed in the U.S. Department of Health and Human Services, is based on 2020 U.S. Census data, American Indian/Alaska Native Health, American Indian and Alaska Native Population, Demographics, https://minorityhealth.hhs.gov/american-indianalaska-native-health. (Last edited August 4, 2025).

[2] National Urban Indian Family Coalition, Making the Invisible Visible: A Policy Blueprint from Urban Indian America 6 (June 1, 2015) (hereafter "Making the Invisible Visible").

[3] National Urban Indian Family Coalition, Urban Indian America: The Status of American Indian & Alaska Native Children & Families Today 4. 14-15, https://assets.aecf.org/m/resourcedoc/AECF-UrbanIndianAmerica-2008-Full.pdf (a Report to the Annie E. Casey Foundation) (January 1, 2008); National Urban Indian Family Coalition, Weaving Our Web Digital Equity Fund Report 6, https://7429070d.flowpaper.com/2025WOWReport1/#page=1 (April 30, 2025); Kasey R. Keeler, AMERICAN INDIANS AND THE AMERICAN DREAM: POLICIES, PLACE, AND PROPERTY IN MINNESOTA 141 (2023).

[4] Urban Indian Health Institute, A Division of the Seattle Health Board, Urban Indian Health, https://www.uihi.org/urban-indian-health/; American Indian/Alaska Native Health, American Indian and Alaska Native Population, Health, https://minorityhealth.hhs.gov/american-indianalaska-native-health. (Last edited August 4, 2025.)

[5] U.S. Department of Health and Human Services, Office of Minority Health, American Indian/Alaska Native Health, American Indian and Alaksa Native Population, Economics, https://minorityhealth.hhs.gov/american-indianalaska-native-health. (Last edited August 4, 2025.)

[6] Fred de Sam Lazaro, Sam Lane & Simeon Lancaster, PBS News Hour, Amid National Push for Police Reform, Native People Feel Left Out of Conversation, https://www.pbs.org/newshour/show/amid-national-push-for-police-reform-native-people-feel-left-out-of-conversation (Oct. 19, 2023 6:25 PM EDT) (discussing incidence of police violence against Native Americans in Minneapolis); Making the Invisible Visible, supra n. 2, at 7.

[7] Making the Invisible Visible, supra n.2, at 13. Illustrating the extent of Indigenous housing insecurity in relation to other groups, a recent study concluded that, based on point-in-time estimates, nearly 14 in 1000 Native Americans are homeless, a rate far exceeding that of other racial groups. Andrew Goodman-Bacon & Lisa Camner McKay, "Who are Homeless in the United States?" Federal Reserve Bank of Minneapolis, https://www.minneapolisfed.org/article/2024/who-is-homeless-in-the-unitedstates#:~:text=Black%20and%20Native%20American%20individuals,under%20the%20age%20of%2018. (February 14, 2024). See also Bill Pitkin, Katharine Elder & Danielle Deruiter-Williams, Building A Housing Justice Framework 18, URBAN INSTITUTE, https://www.urban.org/sites/default/files/202302/Building%20a%20Housing%20Justice%20Framework%202nd%20edition.pdf (February 2023) (2d Ed.) (noting role of structural racism in the overrepresentation of Indigenous and Black people facing risks of becoming homeless).

[8] Id. at 91-118.

material and cultural resources.[9] From a policy perspective, these measures had the avowed goal of terminating federal support of reservations, [10] and promoting Indigenous assimilation with mainstream culture.[11]

Even as the federal government later retreated from pursuing relocation and termination initiatives, the social and economic dislocations triggered during the Relocation policy era have persisted, and are linked to the heightened risks of homelessness that currently face the burgeoning urban Indian population.[12] As Native American and Indigenous studies scholarship has addressed, the shifts in federal policy have exacerbated housing insecurity risks for urban Indigenous people by directing funding for housing to reservation residents while generally barring access to such funding to tribal members living off reservation.[13]

Against a background of Indigenous land loss, displacement, discrimination, and cultural erasure, this article will examine off-reservation affordable housing initiatives launched primarily by federally recognized tribes to fill this federal policy and funding gap. It argues that to address meaningfully the pressing need for affordable indigenous housing in a contemporary urban context, housing initiatives should not only attend to the economics of housing but also reflect Indigenous values at odds with Eurocentric/Western ideas of property. These values elevate a sense of community, and view land and residential structures as resources to be

[9]Id. at 91-94, 99, 102. See also David Hugill, Comparative Settler Colonial Urbanisms: Racism and the Making of Inner-City Winnipeg and Minneapolis, 1940-1975, at 75-78, in SETTLER CITY LIMITS: INDIGENOUS RESURGENCE AND COLONIAL VIOLENCE IN THE URBAN PRAIRIE WEST (Eds. Heather Dorries, Robert Henry, David Hugill, Tyler McCreary & Julie Tomiak) (2019).

[10] Keeler, supra n. 3, at 80, 97-99. Melissa L. Walls & Les B. Whitbeck, The Intergenerational Effects of Relocation Policies on Indigenous Families, J Fam Issues 2012 Jul 27;33(9):1272-1293 AT 1273.doi: 10.1177/0192513X12447178. Epub 2012 Jun 14.

[11] Keeler, supra n. 3, at 97-99, 109-110; Walls & Whitbeck, supra n.10, at 1273.

[12] Making the Invisible Visible, supra n. 2, at 13 (discussing high levels of homelessness among urban Indians, the absence of adequate resources to address the needs of unhoused people, and pointing to a link between homelessness and an unmet need for supportive housing for Indigenous people migrating from reservations to urban areas); Keeler, supra n.3, at 108-10.

[13] Keeler's research addresses the impact of federal policy on patterns of Indigenous settlement, with a focus on Minnesota. Her discussion of the trajectory of shifting federal Indian policies underscores the federal government's ambivalence toward meeting its treaty-based trust obligations to Indigenous people, both urban and reservation-based; she joins other federal Indian policy scholars in arguing that the record of unredeemed Indigenous land loss under these policies is incompatible with the premise of a trust relationship intended to account to tribal nations for land ceded under treaties during the federal government's continental expansion. Keeler, supra n. 3, at 70-73, 109, 136-37, 140-42. Scholarly discussion of the trust relationship reflects that, in addition to the history of treaty-making between tribal nations and the federal government, the trust relationship derives from the common law, statutes, and regulations and encompasses a duty to safeguard tribal resources. Jessica A. Shoemaker, An Introduction to American Indian Land Tenure: Mapping the Legal Landscape, 5 J. L. PROP. & SOC'Y 1 (2020), www.bit.ly/JLPSShoemaker. Others emphasize the role of the trust relationship in ensuring tribal rights to self-government. Alex Tallchief Skibine, Towards a Trust We Can Trust: The Role of the Trust Doctrine in the Management of Tribal Resources 13-14, in TRIBES, LAND, AND THE ENVIRONMENT (Eds. Sarah Krafoff & Ezra Rosser (2012) (2016). This article recognizes the serious limitations of existing federal policy and the importance of expanded federal assistance for off-reservation Indigenous housing. The initiatives discussed here are not substitutes for policy changes at the federal level but meaningful measures that, if extended, can help reduce the present gap in housing resources available to urban Indigenous people and elevate Indigenous agency and cultural values in project design and implementation.

managed sustainably and shared intergenerationally, rather than as commodifiable interests holding value primarily for individual stakeholders.[14]

To develop the argument, Part II provides a brief overview of policies and practices during the colonial period and under the United States government that have resulted in substantial Indigenous land loss and disrupted Indigenous cultural practices grounded in relationship to land, with effects that continue to the present. The next three sections offer case studies that consider the discrete origins, land use character, and financing strategies pursued in developing off-reservation housing initiatives prioritizing affordability and the communal meaning of land and habitat. The case analyses discuss how these urban housing developments ameliorate enduring economic, social, and cultural challenges to housing stability by applying Indigenous practices of land stewardship[15] to sustain and protect resources,[16] including use of the community land trust,[17] and on-site, community-supportive services.

Part III examines the role of Landback advocacy[18] in fueling the campaign of the Northern California-based Wiyot Tribe to regain and develop ancestral land the Tribe is using to meet Indigenous affordable housing needs in a contemporary urban setting.[19] Part IV considers efforts to re-engage Indigenous identity, memory, and

---

[14] Lise Gibbons, Indigenous Housing in the City: Exploring the Potential of Community Land Trusts as a Model for Affordable Housing, A Thesis submitted to the Faculty of Graduate Studies of The University of Manitoba in partial fulfillment of the requirements of the degree of Master of City Planning, Department of City Planning, Faculty of Architecture, University of Manitoba, Winnipeg, at 28-29 (2016); Partnership for Indigenous Land, Lisa Wilson, Forrest King-Cortes & Diana Ruiz, Partnerships for Indigenous Land Access and Return: A Summary of Legal and Relational Pathways, https://landtrustalliance.org/resources/learn/explore/partnerships-for-indigenous-land-access#content at 50 (May 27, 2025).

[15] Community Commons, An Introduction to Stewardship, https://www.communitycommons.org/collections/Stewardship (referring to general definition of the concept, involving management of an asset or resource placed under one's care).

[16] In the context of Indigenous practice, stewardship has been defined as "a system of practices and beliefs developed by Indigenous Peoples over generations to sustainably manage and protect their lands and resources, rooted in deep cultural and spiritual connections." Indigenous Stewardship, https://climate.sustainability-directory.com/term/indigenous-stewardship/ Based in ancestral practice, Indigenous stewardship, is "the active and responsible care of ancestral lands and waters by Indigenous Peoples, guided by traditional knowledge and cultural values," oriented to the benefit of " present and future generations," and distinguished by "the active role and inherent responsibility involved. Id.

[17] International Center for Community Land Trusts, What is a Community Land Trust? https://www.cltweb.org/resources/what-is-a-community-land-trust/ (last visited September 30, 2025).

[18] Landback campaigns comprise Indigenous efforts to achieve return of ancestral territory, currently held under public or private ownership, or to gain access to ancestral land without actual transfer of title to it, with the aim of restoring Indigenous stewardship over land and natural resources, using traditional ecological practices of conservation and care. Vanessa Racehorse, Anna Hohag, Achieving Climate Justice Through Land Back: An Overview Of Tribal Dispossession, Land Return Efforts, and Practical Mechanisms for #Landback, 34 COLORADO ENV'T L J.175, 183-84 (2023); Lisa Wilson, Forrest King-Cortes & Diana Ruiz, Partnerships for Indigenous Land Access and Return: A Summary of Legal and Relational Pathways, https://landtrustalliance.org/resources/learn/explore/partnerships-for-indigenous-land-access#content at 13-14 (May 27, 2025).

[19] Wiyot Tribe, Loleta, California, Our Story, https://www.wiyot.us/361/Our-Story (last visited September 30, 2020).

sense of shared community in affordable housing apartment projects in South Minneapolis—focusing attention on Little Earth of United Tribes, a multitribal, federally subsidized rental complex supported by the American Indian Movement, [20] and the nearby Mino-Bimaadiziwin[21] Apartments, recently developed by the Red Lake Ojibwe Nation for its urban-based members. [22] Part V illuminates how unique features of the community land trust--removing land from the speculative market, managing the land under a stewardship model, and separating trust ownership of land from ownership of structures built on the land[23]-- are creating housing opportunities.-The Wiyot Tribe's partnership with a community land trust is central to its affordable housing development prioritizing vulnerable Indigenous people.[24] A promising but currently limited collaboration involving Little Earth and the City of Lakes Community Land Trust supports a non-market-based home ownership model that will continue to provide affordability benefits to future Indigenous residents.[25]

Examining the projects in the context of housing insecurity risks facing urban Indigenous people,[26] the article will discuss how these initiatives respond to the dual challenges of economic precarity and cultural dislocation. It examines how these projects have adapted to urban contexts while engaging the relational dimensions of land for Indigenous people, rooted in a sense of place, history, and collective

[20] Little Earth, About, https://www.littleearth.org/about (last visited September 30, 2025).
[21] The term is an Ojibwe reference translating approximately to "living the good life." Ann Mayhew, The story of a new community complex in the American Indian Cultural Corridor in Minneapolis, https://www.entermn.com/articles/mino-bimaadiziwin-apartments(July 20, 2023).
[22] Mino Bimaadiziwin, https://www.mino-b.com/ (last visited September 30, 2025).
[23] See supra n.17.
[24] Wiyot Tribe, Loleta, California, Dishgamu Humboldt Community Land Trust, https://www.wiyot.us/350/Dishgamu-Humboldt-Community-Land-Trust (last visited September 30, 2025)(hereafter "Dishgamu Humboldt").
[25] See, e.g., Anna Pratt, A homeownership initiative to help the Little Earth community, The Line, Development News, https://www.thelinemedia.com/devnews/littleearth080112.aspx (Wednesday, August 01, 2012).
[26] Keeler, supra n. 3, at 181-191. In South Minneapolis, for example, these risks have been made salient in the proliferation of encampments among unhoused Indigenous people. In 2018, such an encampment burgeoned over the summer and autumn near the wall of a highway, named the Wall of Forgotten Natives, which became emblematic of Indigenous vulnerability to housing insecurity. The sense of urgency generated by the prospect of camp members' exposure in winter months led to a collaborative effort by the Red Lake Nation, a Northern Minnesota-based tribal nation then developing a parcel of land for Minneapolis-dwelling tribal members, the City of Minneapolis, and non-profits to arrange an interim shelter or "navigation center" as winter approached. Id. at 181-83. In the summer of 2020 in Minneapolis, shortly after the murder of George Floyd by members of the Minneapolis police force, and during the height of the Coronavirus pandemic, a new encampment of unhoused people formed in the Powderhorn neighborhood in South Minneapolis, id. at 184-88, an estimated half of which were Indigenous, Max Nesterak, Half of People Living in Powderhorn Encampments Are Native, Minnesota Reformer, The Potluck, https://minnesotareformer.com/briefs/half-of-people-living-in-powderhorn-encampments-are-native-disabled/(July 13, 2020, 4:00 PM.) (hereafter "Powderhorn Encampments"). Although for a time the Minneapolis Park and Recreation Board permitted the encampments to continue, Rachel M. Cohen, How The Largest Known Homeless Encampment In Minneapolis History Came To Be, The Appeal, https://theappeal.org/minneapolis-homelessness-crisis-powderhorn-park-encampment/ (July 15, 2020), within a month they were ordered to be dismantled. Keeler, supra n.3, at 187-88, 190.

identity.[27] Although the case studies reflect variations in land use approaches affecting where and how these urban Indigenous communities have come together, the projects share commitments to affordability, and, importantly, to intentional design, that keep community close, engage Indigenous history, and adapt traditional knowledge and practices to urban modernity. The approaches discussed here are shaped by Indigenous stakeholders' assessments of economic and cultural needs, oriented to advancing equity, innovation, and collaboration in design and funding strategy, and bolstered by the local governing institutions where the projects are sited. They draw on, and are connected by, principles of a broader housing-justice framework,[28] and offer potentially scalable housing development models for underserved urban Indigenous communities.

II. Indigenous Land Loss

With the onset of European colonization of North America, colonizers bolstered their claims to North American territory through a consensus that "discovery" of land occupied by Indigenous people conferred upon the "discoverer" a superior title to the land, leaving the Indigenous people already present with a mere right of occupancy that could be eliminated by conquest or purchase.[29] Colonizers asserted a right to subordinate the Indigenous inhabitants, considered "normatively divergent" because they were neither European nor Christian,[30] under a legal ideology rooted in medieval Christian thought.[31]

During the British colonial period, settlers' squatting on unceded Indigenous territory and violence perpetrated against noncombatants, including Indigenous women, children, and elders, furthered a colonial project of amassing North American land.[32] At the same time, Anglo-American settlers began building a legal infrastructure for securing individual claims to land title.[33] In contrast, Indigenous

---

[27] Walls & Whitlock, supra n.10 at 1275 (noting the extent to which Indigenous identity is connected to place).

[28] See, e.g., Pitkin, Elder & Deruiter-Williams, supra n. 7. at 9-12 (discussing the Urban Institute's formulation of the framework, prioritizing a human rights focus, rooted in principles of equity, access, and self-determination, id., and operationalized by expanding housing supply without increasing displacement, id. at 12-13, implementing tenant protections and initiatives to address housing insecurity and prevent homelessness, id. at 13-16, and creating affordable home ownership opportunities, id. at 16-17.

[29] Robert A. Williams, Jr., The Algebra of Federal Indian Law: The Hard Trail of Decolonizing and Americanizing the White Man's Indian Jurisprudence, 1986 WIS. L. REV. 219, 252-56 (discussing the Supreme Court's enshrining of the discovery doctrine in Chief Justice John Marshall's opinion in Johnson v. M'Intosh, 21 U.S. (8 Wheat.) 543 (1823)).

[30] Id. at 251-52.

[31] Id. at 252-58; K-Sue Park, The History Wars and Property Law: Conquest and Slavery as Foundational to the Field, 131 YALE L.J. 1062, 1091-1100 (2022);K-Sue Park, Property and Sovereignty in America: A History of Title Registries & Jurisdictional Power, 133 YALE L.J. 1487,1493-94 (2023-2024) (hereafter "Property and Sovereignty").

[32] Roxanne Dunbar-Ortiz, AN INDIGENOUS PEOPLES' HISTORY OF THE UNITED STATES 56-77 (2014).

[33] K-Sue Park, Property and Sovereignty, supra n. 31 at 1493 (arguing that Anglo-American colonists' use of county-based title registries facilitated colonial settlers' assertion of property claims to Indigenous land (as well as to enslaved persons) and became the foundation for asserting colonial territorial jurisdiction and sovereign power). K-Sue Park's scholarship also illuminates English colonists' foreclosing mortgages on Indigenous land as security for Indigenous trade debt in a manner virtually unprecedented in English legal and equity practice before North American settlement,

peoples' relationship to land and natural resources reflected a different set of priorities and values, grounded in intergenerational cultural beliefs and practices of stewardship, sustainability, and collective use of resources.[34]

After the Revolutionary War, the nation-building ambitions of a nascent U.S. government were manifested variously by campaigns of military and militia fighters, in combination and separately, against tribal nations, typically targeting civilians and characterized by heightened violence.[35] This period of national ambition was marked as well as by a succession of treaties–purportedly legal measures through which the new federal government acquired land from Indigenous tribes.[36]

In actuality, the treaties amounted to a "process midway between purchase and conquest" [37] that altered the status of Indigenous people in relation to land.[38] Although often more honored in the breach, treaties executed in the 18th and 19TH centuries were a component of the trust relationship recognized to exist between the federal government and sovereign tribal nations, establishing federal obligations to provide services and protections in consideration of lands ceded by tribes.[39] In conjunction with those land cessions, 19th century federal policies orchestrated removal of Indigenous nations from their ancestral lands to areas west of the Mississippi River,[40] with most being assigned to a system of reservations.[41]

By the late 19th century, however, in a significant turn in federal Indian policy, the General Allotment (Dawes) Act of 1887[42] favored breaking up and essentially "privatizing" reservations and promoting the assimilation of tribal people into settler society.[43] The statute offered 160-acre allotments of land held in trust for individual Indian households to cultivate, as well as the promise of citizenship at the conclusion of the allotment period,[44] while allowing transfer of "surplus" reservation

---

resulting in permanent Indigenous loss of the land. K-Sue Park, Money, Mortgages, and the Conquest of America, LAW & SOCIAL INQUIRY, 41:2016, pp. 1006-1035, at 1010-1014) (discussing-use of mortgages in England pre-North American settlement, in which mortgages allowed creditors to draw rents and profits from mortgaged land and temporary occupancy, but generally not permanent transfer of land to the creditor upon default).

[34] See, e.g., Wiyot Tribe, Loleta California, Dishgamu Humboldt Community Land Trust, supra n. 24; Charlotte Akers, Seven Generation Thinking, Ecoresolution, https://www.ecoresolution.earth/resources/seven-generation-thinking (last visited September 30, 2025).

[35] Dunbar-Ortiz, supra n.32, at 79-94.

[36] Stuart Banner, HOW THE INDIANS LOST THEIR LAND: LAW AND POWER ON THE FRONTIER 127-129, 132-40, 140-149 (2005).

[37] Id. at 148.

[38] Dunbar-Ortiz, supra n.32, at 142 (noting that in the era of treaty-making with tribal nations that ended in 1871, the transfer of Indigenous land to the federal government totaled roughly two million square miles, both land transferred via treaty and land acquired in violation of U.S. treaty obligations).

[39] Keeler, supra n.3, at 70-73, 133, 146.

[40] Banner, supra n.36, at 201-14, 214-222, 224-27.

[41] Id. at 230-36, 236-47, 247-253. See also Dunbar-Ortiz, supra n.32, at 158 (noting that the territories of the Five nations removed from the south were considered sovereign, not reservations, though this status was reversed by the Curtis Act of 1898).]

[42] Act of Feb. 8, 1887, 24 Stat. 388.

[43] Dunbar-Ortiz, supra n. 32, at 157-161.

[44] Banner, supra n. 36, at 276-78.

land to non-indigenous homesteaders.[45] At the time of the Act's repeal in 1934, reservations had lost an estimated 86 million acres of land.[46]

With the adoption of the Indian Reorganization Act of 1934 (the Indian New Deal)[47], the federal government pursued democratizing reforms to restore sovereignty and land to tribal nations.[48] In the brief period in which these policies were in effect, these reforms did not significantly improve economic conditions on reservations, nor strengthen tribal organization.[49] Prompted by dissatisfaction with the Indian New Deal programs,[50] by mid-20th Century the federal government reversed course again: it embraced an ill-considered policy promoting widespread relocation of reservation residents to urban areas where deteriorating housing stock and discrimination against Indigenous people were common.[51] Related to this initiative, the federal government adopted a Termination policy[52] withdrawing support from the reservation system [53] and the trust relationship between the federal and tribal governments that underpinned it.[54]

As federal policies, Relocation and Termination overlapped and reinforced one another,[55] but relocation initiatives endured for a longer time. Launched as a pilot involving the Hopi and Navajo tribes,[56] relocation efforts soon were championed more broadly by Bureau of Indian Affairs Commissioner Dillon Myer as the ostensibly "voluntary relocation program," which provided relocatees with one-way transportation fare and short-term monetary allowances.[57]

Recalling the Allotment era's emphasis on assimilative mainstreaming, [58] the Relocation program projected social as well economic assimilation, whereas in actuality the process of urban relocation left newly arrived tribal members largely

---

[45] Id. at 277; Dunbar-Ortiz, supra n. 32, at 158.
[46] Banner, supra n. 36, at 285.
[47] Indian Reorganization Act, ch. 576, 48 Stat. 984 (1934).
[48] Kenneth R. Philp, Termination: A Legacy of the Indian New Deal 169, WESTERN HIST. QUARTERLY 14:165-180 (April 1983).
[49] Id. at 166, 169, 171-72, 176-78.
[50] Id. at 180.
[51] See, e.g., David Hugill, supra n. 9, at 75-78. See also Keeler, supra n.3, at 99, 102.
[52] House Concurrent Resolution 108 (67 Stat. B132).
[53] National Archives, Native American Heritage, Bureau of Indian Affairs Records: Termination, https://www.archives.gov/research/native-americans/bia/termination (September 9, 2024). Between 1953 and 1970, the federal government brought proceedings to decertify 60 federal tribes, which also led to significant loss of tribal land. Id.; Shoemaker, supra n.13, at 30-31. The federal government later abandoned termination as a policy, and many tribes took steps to regain federal status. Keeler,, supra n.3, at 98.
[54] Keeler, supra n. 3, at 98. As American Indian Studies scholars such as Professor Keeler have argued, see id. at n.3, at 70-73, shifting and inconsistent federal Indian policies highlight the federal government's failings to fulfill its treaty-based trust obligations to Indigenous people to redress tribal nations for land ceded under treaties, including providing benefits, services, and federal recognition. See supra, n. 13.
[55] Max Nesterak, Uprooted: The 1950s Plan to Erase Indian Country, APM Reports, https://www.apmreports.org/episode/2019/11/01/uprooted-the-1950s-plan-to-erase-indian-country#:~:text=The%20goal%20was%20to%20move,near%20or%20at%20the%20bottom (NOVEMBER 1, 2019) (hereafter "Uprooted"); Philp, supra n. 48.
[56] The Hopi-Navajo Rehabilitation Act of 1950, Public Law 474, 81st Congress (64 Stat. 44). See Uprooted, supra n. 55.
[57] Uprooted, supra n.55; Philp, supra n. 48 at 166.
[58] Keeler, supra n 3, at 66, 69, 98-99.

without the resources and services needed to address the loss of community, shared culture, and access to stable housing that reservations had generally afforded.[59] In its December 1956 report, the Association on American Indian Affairs roundly criticized the program for insufficiently preparing relocatees for the often wrenching transition to urban areas.[60] Historian Paul C. Rosier observed that relocation was the "equivalent of a slow-moving but equally corrosive termination campaign."[61]

The inhospitable conditions that mid-century relocatees encountered have endured for urban Indigenous people, who now comprise the vast majority of the American Indian and Alaska Native population.[62] Urban Indians disproportionately experience school expulsions and suspensions,[63] unemployment,[64] violent encounters with police,[65] and poor health outcomes.[66] Indigenous levels of housing insecurity, and homelessness reflect these structural disadvantages, which are reinforced by a federal policy in which Indigenous housing assistance generally is unavailable to tribal members living off-reservation.[67] These developments highlight an acute need to increase the supply of affordable housing for urban Indigenous households in ways that also address the importance of reflecting and respecting Indigenous cultural values in a relationship to land long disrupted by a succession of federal policies. Research on the enduring effects of relocation policies also supports that the persistence of disadvantage operates intergenerationally, across families. [68]

---

[59] See supra n. 9; Philp, supra n. 48 at 166. The Indian Relocation Act of 1956 added vocational training opportunities for Native Americans to enhance the possibilities for employment. An Act Relative to Employment for Certain Adult Indians on or Near Indian Reservations. Public Law 959. Statues at Large 70, (1956): 986. https://commons.und.edu/indigenous-gov-docs/128/. See Uprooted, supra n.55.

[60] Uprooted, supra n. 55. The report cited, among things, that the program had insufficiently attended to whether relocatees were English language speakers or possessed other employable skills to support their adaptation to urban life. Id.

[61] Paul C. Rosier, "They Are Our Ancestral Homelands": Race, Place, and Politics in Cold War Native America, 1945-1961, at 1325, JOURNAL OF AMERICAN HISTORY, Vol. 92, Issue 4, March 2006, pp. 1300-1326, https://doi.org/10.2307/4485893.

[62] See supra n. 1.

[63] Making the Invisible Visible, supra n.2, at 7.

[64] See supra n. 5. Making the Invisible Visible, supra n.2, at 12.

[65] See supra n. 6.

[66] See, e.g., Stephanie C. Melkonian PhD, Melissa A. Jim MPH, Dornell Pete MPH, Amy Poel MPH, Adrian E. Dominguez MPH, Abigail Echo-Hawk MA, Stephanie Zhang, Reda J. Wilson MPH, Donald Haverkamp MPH, Lindsey Petras MSN, RN, Ashley Pohlenz MPH, Cancer disparities among non-Hispanic urban American Indian and Alaska Native populations in the United States, 1999-2017, CANCER. 2022 Feb 4;128(8):1626–1636. doi: 10.1002/cncr.34122 (discussing significantly higher rates of colorectal, kidney, and liver cancer among urban non-Hispanic Native American and Alaska Native men and women than for urban non-Hispanic white men and women, and significantly higher rates of stomach cancer, cervical cancer, and myeloma among urban non-Hispanic Native American and Alaskan Indian women than urban Non-Hispanic white women). See also Mei L Castor[1], Michael S Smyser, Maile M Taualii Alice N Park, Shelley A Lawson, Ralph A Forquera, A Nationwide Population-Based Study Identifying Health Disparities Between American Indians/Alaska Natives and the General Populations Living in Select Urban Counties, AM J PUBLIC HEALTH 2006 Aug;96(8):1478–1484. doi: 10.2105/AJPH.2004.053942 (identifying significant differences in health between American Indian/Alaska Natives and the general population in urban areas and nationwide).

[67] See, e.g., Keeler, supra n.3, at 126, 135-36.

[68] See, e.g., Walls & Whitbeck, supra n.10. Drawing on the life course perspective, the idea of "linked lives," and a discussion of ways in which traumatic occurrences involving one generation affect later

The next three sections discuss off-reservation housing initiatives that seek to address the economic and social challenges that urban Indigenous people experience.

III. Landback Advocacy

Indigenous initiatives to site and develop affordable, culturally supportive urban housing begin with identifying and acquiring a suitable parcel of land. This Part considers the contributions of Landback advocacy to that objective, using as a case study the Wiyot Tribe's longstanding commitment to regain ancestral lands in northern California after they were violently displaced by white settlers in 1860.[69] It examines legal, land use, and financing strategies that the Wiyots have pursued in a settler city context to support efforts to address tribally identified needs of vulnerable youth, elders, and families for affordable housing that is also culturally meaningful.[70]

Landback campaigns comprise Indigenous efforts to achieve return of ancestral territory, currently held under public or private ownership, or to gain access to ancestral land without actual transfer of title to it.[71] The goal in either case is to restore Indigenous stewardship over land and natural resources, using traditional ecological practices of conservation and care.[72] The Wiyot Tribe's ancestral lands encompassed territory along 40 miles of Pacific coastline including Humboldt Bay and extended inland for 10 miles.[73] This ancestral territory was

---

generations, id. at 1273-74. the research uses data from a longitudinal study of mothers and offspring from culturally related American Indian reservations and First Nation Canadian reserves to study the relocatees and family members over two successive generations, id. at 1278.
Key findings from this study suggest that urban relocation was directly related to relocatees' (referred to in the study as G1) and next generation's (G2) substance-use problems, that relocatees' substance use was associated with G2 indications of depression and substance use, that G2 in turn demonstrated less nurturing behaviors as parents, and that G2's offspring (G3) had a greater likelihood of showing indications of depression and delinquency. Id. at 1287.
The researchers note limits on generalizability because study subjects lived on or near reservations, not urban areas currently, id. at 1288-89, but the study is revelatory of the lasting negative impact of the loss of cultural ways on intergenerational connection and well-being, id. at 1274-1275,1289, and of how relocation for Indigenous people has emerged as a life course "turning point," id. at 1276.

[69] Kalen Goodluck, The Wiyot Tribe Is Getting Its Land Back and Making California More Affordable, https://znetwork.org/znetarticle/the-wiyot-tribe-is-getting-its-land-back-and-making-california-more-affordable/ (May 10, 2023).

[70] The tribe has also identified workforce development and restoring traditional environmental practices in the Humboldt Bay area to address the impact of climate change as key objectives for using the restored land. Dishgamu Humboldt, supra n.24.

[71] A conservation easement held by an Indigenous tribe in lieu of title to the land to monitor and sustain ecological systems can fulfill a Landback goal, where, for example, the land was formerly held by and retains significance for the tribe. Jessica Owley, Tribes as Conservation Easement Holders: Is a Partial Property Interest Better than None? in TRIBES, LAND, AND THE ENVIRONMENT 187, 190 (Eds. Sarah Kraoff & Ezra Rosser 2012).

[72] Vanessa Racehorse Anna Hohag, supra n. 18, at 183-84 (2023); Wilson, King-Cortes & Ruiz, supra n. 18, at 13-14.

[73] Wiyot Tribe, Loleta, California, Our Story, https://www.wiyot.us/361/Our-Story (last checked September 22, 2025) (hereafter Wiyot Tribe Our Story).

centered on an island in the bay that the Wiyots regard as a culturally significant site, and includes the present-day city of Eureka, California.[74]

The substantial reduction of the Wiyot Tribe's presence in the area followed the killing of 300 Wiyot people, including 200 women, children, and elders during an annual renewal ceremony on the island.[75] The attacks ostensibly occurred in retaliation for the theft of some cattle assertedly by Indigenous people but likely related to a dairy producer's acquiring a deed to the Wiyots' island (traditionally referred to as Tuluwat) for cattle grazing.[76] No one was held accountable for the killings.[77] Wiyot people who survived the ambush dispersed to the north, where they took up residence among Klamath tribes.[78] Other Wiyots who were unhoused were assisted by a faith-based group that purchased 20 acres of land south of the island in 1900.[79]

Settler use of the island after the expulsion of the Wiyots included operation of a shipyard and later a sawmill.[80] Both uses contributed to serious environmental degradation and contamination.[81] The Wiyot people's campaign to regain the land they now prioritize for housing and environmental restoration began with calls for return of the island,[82] restoring recognition of the Wiyots as a federal tribe,[83] and establishing a land base for a reservation near the southern end of Humboldt Bay,[84] all of which have now been achieved.[85] The protracted process of reacquiring land required sustained advocacy to raise awareness of the violent origins of white settlement, litigation to reverse the federal government's termination of the Wiyots' federal tribal status in 1961, ongoing clean-up of the contaminated land on Tuluwat Island, and engaging the Eureka residents neighboring the island to generate community support and political will for return of ancestral land.[86]

Restoration of land on Tuluwat Island began with the Wiyots' purchasing 1.5 acres at the north end of the Island in 2000 after a fundraising campaign in which the Eureka community participated.[87]The Wiyots continued the efforts to remove environmental hazards, remnants of the earlier industrial uses, and to root out invasive plant species that had overtaken the island.[88] In 2004 the city of Eureka restored to the Wiyots 40 additional acres on the island, in part in consideration of these cleaning up efforts.[89] The Wiyots were able to complete the environmental

[74]David Helvarg, Island of Resilience: The Wiyot Reclaim Their Land and Culture from a Dark Past, American Indian, https://www.americanindianmagazine.org/story/wiyot, Spring 2020, Vol. 21 No. 1.
[75] Id.
[76] Id.
[77] Id.
[78] Goodluck, supra n. 69.
[79] Id.
[80] Id.
[81] Id.; Helvarg, supra n. 74.
[82] One of the advocates was a descendant of a victim of the 1860 massacre. Helvarg, supra n. 74.
[83] Id.
[84] Id.
[85] Id.
[86] Goodluck, supra n. 69.
[87] Id.
[88] Id. Helvarg, supra n.74.
[89] Goodluck, supra n. 69.

clean-up in 2013 with the help of a federal Environmental Protection Agency grant.[90] The Landback campaign for Tuluwat Island culminated in 2018 in a Eureka City Council vote approving the transfer to the Wiyots of the remaining 202 acres that the city held on the island.[91] Eureka is considered to be the first settler municipality to return Indigenous land without conditions or restrictions.[92]

For the Wiyot people, recognizing the "sacred interconnectedness between people and place," the return of ancestral territory entails regaining a sense of "balance" in their relationship to land that over time has become economically exploited and environmentally depleted.[93] By relying on "deeply rooted environmental knowledge" the Tribe is addressing both the need for land conservation responsive to climate change and economic challenges that have made housing increasingly unaffordable.[94] With their own history of displacement and homelessness, the Wiyots are using their ancestral land to develop housing for vulnerable populations, while prioritizing sustainable methods of construction, including repurposing existing structures and using low-technology passive approaches for light and air circulation.[95]

The Wiyots have formed a community land trust, Dishgamu Humboldt,[96] to acquire and manage land. In 2022, the land trust received a $14 million grant from the State of California to purchase and rehabilitate three unoccupied properties in Eureka for transitional or permanent housing for youth who are, or at risk of becoming, homeless.[97] Youth in this category include those aging out of foster care,[98] a group especially vulnerable to becoming unhoused, and a population in which Indigenous youth are disproportionately represented.[99]

In addition, with the assistance of $4 million in Affordable Housing Program grants received from the Federal Home Loan Bank of San Francisco, the Dishgamu Humboldt land trust is developing 52 units of senior housing and 41 units of housing for low-income families on parking lots that the City of Eureka will transfer to the trust.[100] Both housing developments will also draw funding support from

---

[90] Id.
[91] Id.
[92] Helvarg. supra n.74.
[93] See Dishgamu Humboldt, supra n. 24.
[94] Wiyot Tribe, Our Story, supra n. 73
[95] Goodluck, supra n. 69.
[96] See Dishgamu Humboldt, supra n. 24
[97] Goodluck, supra n. 69.
[98] Id.
[99] Elizabeth Hlavinka, California's Wiyot Tribe gets land back and builds foster youth housing, Youth Today, https://youthtoday.org/2023/10/californias-wiyot-tribe-gets-land-back-and-builds-foster-youth-housing/ (October 12, 2023).
[100] LoCO Staff, Wiyot Tribe Wins $4 Million in Grants to Help Build Its Affordable Housing Projects in Eureka, Lost Coast Outpost, https://lostcoastoutpost.com/2025/jul/8/wiyot-tribe-wins-4-million-grants-help-build-its-a/ (Tuesday, July 8, 2025 @3:13 pm). Dishgamu Humboldt worked with Redwood Capital Bank to apply for the Federal Home Loan Bank grant. Id. The Wiyot Tribal Administrator described the projects as "another successful partnership and landback opportunity between the City of Eureka and the Wiyot Tribe." Id.; Integrated Capital Investing, Gouts Lakawoulh Hiwechk Fund,Wiyot Tribe Dishagamu Community Land Trust Interview with Michelle Vassel, Tribal Administrator, https://iciaptos.com/gouts-lakawoulh-hiwechk-fund/ (specifying that the parking lots on which the housing will be built were "gifted" to the Tribe).

Low-Income Housing Tax Credit allocations (LIHTC)[101] and provide services targeted to its resident populations.[102] The housing under development affords a preference for tribal members if they meet income criteria (and age requirements for senior housing) and otherwise is open to the entire community.[103]

The Wiyots' persistent efforts to regain ancestral lands have yielded meaningful land reclamation from the settler community adjoining Humboldt Bay. Using the Dishgamu Humboldt community land trust to pursue funding to develop the land, the Wiyots are positioned to address urgent affordable housing needs of tribal members and other vulnerable Indigenous people in the immediate vicinity. Part V will discuss constitutive features of the community land trust as a land acquisition and land tenure mechanism that support the Tribe's development of its Landback gains.

IV. Indigenous Housing in South Minneapolis

Meeting the housing needs of urban Indigenous communities has entailed strategies both for ensuring affordability and for re-engaging Indigenous cultural identity. The significant numbers of tribe-affiliated members who migrated to Minneapolis and other cities under the mid-20th Century federal policy promoting relocation of tribal members from reservations to urban areas faced a "hostile housing market": race-based discrimination and substandard conditions resulting from landlords' disinvestment in rental housing units combined with Indigenous economic precarity to create significant risk.[104] At the same time, Indigenous people relocating from reservations were not provided cultural support during the transition from reservation to urban context, where they endured ongoing administrative oversight and expectations that they would conform to white cultural norms.[105]

Scholars who have addressed these dynamics in Minneapolis emphasize that, decades after the mid-century influx of Indigenous people, the conditions of urban housing insecurity remain, reflecting enduring effects of settler colonialism.[106] Housing insecurity manifests in an ongoing problem of homelessness in the Indigenous community, a problem made emblematic in Minneapolis by the Wall of

---

[101] Isabella Vanderheiden, Wiyot-Led Affordable Housing Projects Will Bolster Eureka's Downtown Housing Supply with 93 New Units, https://lostcoastoutpost.com/2025/mar/28/dishgamu-humboldt/ (Friday, March 28 @10:38 A.M.). The LIHTC program is the principal federal mechanism for incentivizing development of affordable rental housing. Developers obtain tax credit allocations from a state finance agency and sell the credits to investors to acquire equity to finance construction. Congress.gov, An Introduction to the Low-Income Housing Tax Credit, https://www.congress.gov/crs-product/RS22389 (07/11/2025).

[102] Sigur-Bjorn, Wiyot Tribe Hits the Accelerator on Affordable Housing, KMUD News., https://kmud.org/wiyot-tribe-hits-the-accelerator-on-affordable-housing/ (July 19, 2025) (radio broadcast). The senior housing in Eureka will include a certified kitchen to provide on-site food preparation for its residents, and the family housing project will provide on-site childcare. Id. The family housing will offer units with up to 4 bedrooms to meet the needs of larger families. Vanderheiden, supra n. 101.

[103] Sigur-Bjorn, supra n. 102.

[104] See, e.g. Hugill, supra n. 9, at 77. See also Keeler, supra n. 3, at 106-110.

[105] Keeler, supra n. 3, at 110-118.

[106] Id. at 181-83; David Hugill has referred to these effects as the "persistence of the colonial relation," supra n.9, at 88.

Forgotten Natives, an encampment of unhoused Indigenous people that burgeoned in the summer and autumn of 2018 and, with the approach of winter, culminated in an emergency installation of a navigation center providing short-term shelter.[107]

For urban Indigenous communities, the economic harms of housing insecurity are amplified by the continuing effects of the cultural dislocations set in motion during the Relocation era. This Part addresses the central role that incorporating Indigenous cultural traditions and prioritizing community cohesion play in developing urban affordable housing. With separate origins and development trajectories, two housing initiatives located in close proximity within the American Indian Cultural Corridor[108] in South Minneapolis offer studies of culturally resonant approaches to urban Indigenous housing.

The Little Earth rental complex, a multitribal development administered by the U.S. Department of Housing and Urban Development (HUD)[109], opened in 1973 under the auspices of a faith-based philanthropic project.[110] As the development encountered early financial challenges, it drew significant management and cultural support from the activism of the Minneapolis-centered American Indian Movement (AIM),[111] formed in the late 1960s in South Minneapolis to address the incidence of violent policing of the urban Indigenous community, respond to the community's material needs, and support and maintain Indigenous sovereignty and culture.[112] Sustained over the years with support from the city of Minneapolis, local social service providers, and the efforts of a proactive residents' association, Little Earth's financial position was bolstered under new leadership in 1994, while social services programming was added that was responsive to the Indigenous resident community.[113] Although 98% of its residents are Indigenous, and members of more than 30 tribal groups,[114] the complex does not qualify for HUD Indian housing funding because it is not under the control of a federally or state recognized tribe or authorized tribal entity and is an off-reservation development.[115]

---

[107] Keeler, supra n 3, at 181-82. The land on which the shelters were built was owned by the Red Lake Nation (Ojibwe) tribal band based in northern Minnesota and had been slated for the construction of affordable housing for Red Nation members living in Minneapolis. Id. The Red Nation ultimately built the member housing on this site, a development named Mino-Bimaadiziwin. Id. at 183. In summer 2020, following the murder of George Floyd and during the height of the Coronavirus pandemic, Minneapolis experienced an even larger encampment of unhoused persons, with 45% responding to a census survey identifying themselves as Native American. See Powderhorn Encampment, supra n. 26.

[108] Cultural Districts, Minnesota Twin Cities, American Indian Cultural Corridor, Minneapolis, https://www.culturaldistricts.org/district-list/american-indian-cultural-corridor (last visited September 24, 2025).

[109] Little Earth, About, Our History, https://www.littleearth.org/about (last visited September 24, 2025) (hereafter "Little Earth. Our History").

[110] Keeler, supra n.3, at 123.

[111] Id. at 120, 124-25, 127.

[112] Id. at p.127

[113] Little Earth, About, Our Timeline, https://www.littleearth.org/about (last visited September 24, 2025)

[114] Keeler, supra n.3, at 124.

[115] Id. at 136-142. The federal statutory scheme for Indian housing assistance under block grant funding specifies limits on recipients and on geographic scope of benefits. The Native American Housing Assistance and Self-Determination Act of 1996 (P.L. 104-330 as amended by P.L. 105-276, P.L. 106-568, P.L. 107-292, and P.L. 108-393) (hereafter NAHASDA) defines "recipient" for the block grant funding it authorizes as "an Indian tribe or the entity for one or more Indian tribes that is authorized

As the nation's first Native-preference Section 8 Project-based Rental Assistance development,[116] Little Earth houses approximately 1000 residents, half of whom are younger than 21.[117] A development established by and for Minneapolis' urban Indigenous population, the complex provides culturally meaningful resources and services focused on education, workforce development, health, safety, and a range of day-to-day navigating skills.[118] With this focus on services and community cohesion, Little Earth affords a supportive cultural environment for the South Minneapolis Indigenous residents.[119] More recently, Little Earth's emphasis on housing affordability and close community connection has led to an initiative in collaboration with a Minneapolis-based community land trust to create affordable home ownership opportunities for Little Earth residents immediately adjacent to the complex.[120] The defining role of the community land trust in curating this unique partnership is addressed in Part V.

---

to receive grant amounts under this Act on behalf of the tribe or tribes." 25 U.S.C.§4103(19), cited at https://www.hud.gov/sites/documents/doc_8141.pdf The statute defines "Indian tribe" to include federally or state recognized tribes, 25 U.S.C. §4103 (13) and defines "Tribally designated housing entity" to include existing Indian Housing Authorities or other entities authorized by Indian tribes acting under their right of self-government independent of state law, or otherwise authorized under state law, to receive funding and provide affordable housing assistance under this statute, 25 U.S.C. §4103 (22). "Indian housing authority" refers to any entity created under the Indian tribal right of self-government or under a state law specifically providing for housing authorities for Indians that is authorized to assist in developing low-income housing for Indians, or Indian housing eligible for loan guarantees. It includes tribally designated housing entities under NAHASDA. 12 U.S.C. § 1715z-13a(l)(5). NAHASDA also limits the geographic area for which tribes or tribal entitles may develop a housing assistance plan by requiring a statement of needs of low-income Indians families "residing within the jurisdiction of the tribe." 25 U.S.C. 4112(b)(2)(B). Notably, in an exception to these limits on housing assistance, the Section 184 Indian Home Loan Guarantee Program launched in 1992, includes as eligible recipients American Indians and Alaska Natives with membership in Federally recognized tribes. https://www.hud.gov/section184#close The loan guarantee program now also applies in some areas off reservation, based on tribal designation. Keeler, supra n.3, at 226 n.17. Although Little Earth renters are predominantly tribal members, they do not fall within the purview of the home loan program and cannot avail themselves of the program's broader reach (although, as noted infra, n.171, one or more of the five participants in the Little Earth home ownership initiative successfully received assistance under the Indian Home Loan Guarantee program).

[116] Keeler, supra n. 3, at 124. Section 8 Project-Based Rental Assistance (PBRA) programs provide rental subsidies for more than a million low-income households (defined as having incomes that do not exceed 80% of the local median) living in privately owned housing developments. The PBRA program contracts with development owners to set aside some or all units for subsidies, with a minimum of 40 % of the subsidies allocated to families with incomes at or below the poverty line or 30% of the local median, whichever is higher. Center on Budget and Policy Priorities, Policy Basics: Section 8 Project-Based Rental Assistance, https://www.cbpp.org/research/housing/section-8-project-based-rental-assistance (Updated September 30, 2024).The additional subsidized units in a participating development are mainly limited to households with oncomes that do not exceed 50% of the local median. Id.

[117] See Little Earth, Our History, supra n. 109.

[118] Little Earth, Programs, Adult and Family Empowerment, https://www.littleearth.org/adult-and-family-empowerment (last visited September 24, 2025). The services include youth and elder services, an urban farm, and housing-centered support. Id.

[119] Keeler, supra n. 3, at 142. See also Lise Gibbons, supra n. 14, at 72 (discussing Little Earth's "culturally appropriate supports and services").

[120] n.a., Little Earth Launches Homeownership Initiative, The Circle https://thecirclenews.org/cover-story/little-earth-launches-homeownership-initiative/ (October17, 2012) (hereafter "Little Earth Launches").

Nearly 50 years after Little Earth was launched, the northern Minnesota-based Red Lake Nation/Ojibwe Tribe developed the Mino-Bimaadiziwin Apartments as an affordable housing complex for its members living in Minneapolis.[121] Against the background of Indigenous housing insecurity,[122] and persisting effects of Relocation-era efforts to culturally mainstream the urban Indian population,[123] the Apartments feature 110 affordable urban residences, a Red Lake Nation embassy, and health care and child care facilities responsive to the needs of the Tribe's urban members.[124] Invoking an Ojibwe term referring to living a good, value-laden life,[125] the project claims the "deeper purpose of bonding, teaching, and transmitting culture."[126] In design, the Mino-Bimaadiziwin development incorporates elements of tribal culture and tradition explicitly, in its community gathering circle, a contemporary adaptation of a medicine garden serving the health clinic, and larger apartments favored by multigenerational Indigenous families.[127] The complex's aesthetic elements—use of color, patterns, materials, and symbols—connect structure and design to Ojibwe cultural experience.[128]

The complex was developed on land that the Red Nation Tribe had acquired in Minneapolis, and that for a brief but critical time in 2018 the Tribe adapted as a short-term shelter and navigation center for the Wall of Forgotten Natives homeless encampment.[129] To pay for the nearly $42 million Apartments project, the Tribe drew financing from tax-exempt bonds, sale of low-income housing tax credits, and tax increment financing,[130] working with an array of public and private sector partners.[131]

---

[121] Mayhew, supra n. 17.
[122] Id.; Keeler, supra n. 3, at 181-183; Powderhorn Encampment, supra n. 26.
[123] Keeler, supra n. 3, at 110-118.
[124] AHF Staff, Minneapolis Development Provides Housing Opportunities to Native Americans, AFFORDABLE HOUSING FINANCE, https://www.housingfinance.com/developments/minneapolis-development-provides-housing-opportunities-to-native-americans_o (Posted on: April 29, 2022). (hereafter "Minneapolis Development").
[125] Mayhew, supra n. 17. The term Mino-Bimaadiziwin translates to "living a good life in balance with Indigenous values and being a good relative to the Earth and your community." Id.
[126] Minneapolis Development, supra n.124.
[127] Mayhew, supra n. 17.
[128] Minneapolis Development, supra n. 124. For example, the complex's seven functional zones (housing, Embassy office, community facilities, and physical and mental health components of the health clinic) are linked symbolically with the Red Lake Nation's seven animal wildlife "clans." Id.
[129] Id.; Keeler, supra n. 3, at 181-82.
[130] Minneapolis Development, supra n.124. Tax increment financing is an economic development strategy allowing local governments to assign anticipated tax revenue increases in a designated area (resulting from corresponding real property value increases) to pay for a planned public improvement and spur private investment. Frank Merriman, Policy Brief, IMPROVING TAX INCREMENT FINANCING (TIF) FOR ECONOMIC DEVELOPMENT, Lincoln Institute of Land Policy, https://go.lincolninst.edu/l/153411/2022-11-01/pqbxn4/153411/1667317038PfoZgTkE/tax_increment_financing_policy_brief.pdf (January 2019). The local government allocates tax revenue from an overlying government unit such as a local school district to fund the improvement, on the rationale that the revenue would not be generated but for the planned improvement. Id. (discussing benefits and offsetting oversight and transparency deficits that can arise with this approach).
[131] Minneapolis Development, supra n. 124. These include the City of Minneapolis, Hennepin County, the Shakopee Mdewakanton Sioux Community, Fannie Mae, Huntington Bank, The Raymond James

Despite dissimilar beginnings and funding mechanisms, both complexes serve Indigenous communities in Minneapolis with shared histories of economic challenge and cultural dislocation. In distinct ways, each development has evoked Indigenous identity and memory. The Mino-Bimaadiziwin mixed-use complex incorporates traditional practices and visual imagery of the Red Lake/Ojibwe people to honor and engage cultural knowledge. Little Earth builds on a communitarian ethos, culturally meaningful services, and the spirit of activist organizing that reflects the formative influence of the American Indian Movement. For both, the attention to Indigenous values and traditions is a vital accompaniment to addressing the urgency of housing insecurity among urban Indigenous people. Invoking ancestral traditions that have nurtured a sense of relationship to land while providing access to affordable housing offers the possibility of reanimating that interrupted relationship, connecting material and cultural dimensions of Indigenous experience.

In a recently announced initiative, the two complexes will be joined in the American Indian Cultural Corridor by a mixed-use development comprising the Minneapolis Public Housing Authority (MPHA), the Native American Community Clinic (NACC), and Wellington Management that will add 83 units of affordable housing at the site of a planned health clinic serving the Indigenous community.[132] The health clinic will be operated by NACC, a Federally Qualified Health Center providing community-centered health care under the auspices of the Health Resources and Services Administration.[133] The MPHA will provide funding via project-based vouchers, a HUD-funded housing subsidy, for 16 households qualifying for "deeply affordable" units, with incomes not exceeding 30% of Area Median Income (AMI).[134] The project will set aside units for persons with disabilities or who are facing homelessness, and will afford space for ceremonial and cultural functions.[135] Still in early stages, the public-private collaboration, like the Little Earth and Mino-Bimaadiziwin complexes, will prioritize the affordable housing needs of Minneapolis' Indigenous residents, and encourage community and cultural connection.

Affordable Housing Investments, the Metropolitan Council, and the Federal Home Loan Bank of Des Moines.

[132] Abbie Wilson, MPHA Helps Deliver Deeply Affordable Homes in the American Indian Cultural Corridor, Minneapolis Public Housing Authority, https://mphaonline.org/2025/04/ (April 29, 2025).

[133] HRSA, Health Center Program Award Recipients, https://www.hrsa.gov/opa/eligibility-and-registration/health-centers/fqhc (June 2024).

[134] Wilson, supra n.120. The AMI metric is set annually by HUD for geographic regions according to household size. Metropolitan Council, AMI and Housing Affordability Local Planning Handbook, https://metrocouncil.org/handbook/files/resources/fact-sheet/housing/area-median-income-and-housing-affordability.aspx Unlike the HUD subsidy used at Little Earth, in which tenants generally cannot change locations without losing rental assistance, project-based rental assistance voucher tenants may, after one year, move to a new location and continue to receive a related subsidy, subject to availability. Center on Budget and Policy Priorities, Policy Basics: Section 8 Project-Based Rental Assistance, https://www.cbpp.org/research/housing/section-8-project-based-rental-assistance (Updated September 30, 2024).

[135] Wilson, supra n.132.

V. Role of the Community Land Trust

An adaptation of traditional property law concepts in combination with trust principles, the community land trust (CLT)[136] is an emerging, potentially impactful response to housing insecurity. To effectuate their plans to use restored ancestral land for affordable housing,[137] in 2020 the Wiyot Tribe joined with the non-profit Cooperation Humboldt to form a CLT.[138] First appearing in the U.S. in 1969 as a project to provide land security for Black farmers in southwest Georgia,[139] the CLT is a non-profit organization that holds and manages land by committing to its responsible long-term stewardship[140] for a designated purpose, such as affordable housing.[141]

Across varying contexts, the CLT land use model shares constitutive features that revise the standard conception of real property ownership: it decommodifies land by permanently removing it from the speculative market[142]; disaggregates ownership of trust land from any improvements built upon it;[143] and requires community-based governance.[144]To pursue decommodification, a CLT must build a land base, typically relying on public and private land donations, and land purchases, where resources permit.[145]

The non-profit entity leading the CLT transfers trust land under long-term leases that set conditions on lessees' use of the land to preserve it as a trust asset.[146] Under this arrangement, lessees of trust land who own the structures they occupy are limited in their ability to transfer those owned structures, and may be required to offer them first to the CLT itself.[147] These restrictions ensure that transfers of structures on trust land operate outside the speculative market and that profit from a

[136] See supra n. 17.

[137] Dishgamu Humboldt, supra n. 24. The Tribe's housing goal is to manage recovered land both affordably and sustainably in response to risks posed by climate change. Id. The Tribe will also use the vehicle of the land trust to advance workforce development and culturally meaningful management of the land acquired through Landback initiatives.Id.

[138] Goodluck, supra n. 69.

[139] Roots & Branches, Seeding the First CLTs: New Communities Inc., https://cltroots.org/the-guide/early-hybrids-breeding-and-seeding-the-clt-model/georgia-seedbed (last visited September 25, 2025). See also Cassim Shepard, Land Power, Places, https://placesjournal.org/article/community-land-trusts-and-civic-empowerment/?gad_source=1&gad_campaignid=21229569777&gbraid=0AAAADlbTG-U6JAIwzrMSP4zc6aNlqwdN&gclid=Cj0KCQjw0NPGBhCDARIsAGAzpp3Oxbxj5N2461YOAjLZWx0mCn49lSE36QCe-jiKIErCeQlR3ahtJ-EaAsClEALw_wcB (July 2022).

[140] National League of Cities & Grounded Solutions Network, Community Land Trusts; A Guide for Local Governments, https://www.nlc.org/wp-content/uploads/2021/08/Community-Land-Trusts_A-Guide-for-Local-Governments_Report-1.pdf at 15-16 (2021)(hereafter National League of Cities) (identifying four forms of stewardship that CLTs exercise: maintaining the structural integrity of CLT homes; supporting homeowners, including providing financial education and guidance; careful management of public funds committed to the trust; and steps needed to sustain the trust organization itself).

[141] See supra n. 17.

[142]Shepard, supra n.139.

[143] Id.

[144] Id.

[145] National League of Cities, supra n.140, at 8.

[146] Shepard, supra n.139.

[147] National League of Cities, supra n.140, at 9; Little Earth Launches, supra n. 120 (affording a right of first refusal to the Little Earth-City of Lakes CLT homeownership initiative when a homeowner seeks to sell a unit covered under the program).

transfer remains within affordability restrictions.[148] A CLT thus affords its lessees opportunities for affordable, stable occupancy over the long term and limits the wealth accumulation associated with traditional real property ownership, which is conventionally calculated as the increase over time of the value of structures on land as well as the underlying land itself.[149]

To prioritize community governance of decommodified trust property, the CLT model generally structures the CLT's board of directors to represent in equal parts the interests of the CLT's lessees, area residents who do not lease the trust property, and representatives of the wider public, including members of government and funders.[150]The tri-partite model of governance is intended to promote wider community participation in the trust model and encourage investment in its success.[151]

The appeal of these key attributes of the CLT model to the Wiyot Tribe is apparent: approaching trust management as a stewardship and elevating broader, collective interests over those of individuals are animating principles compatible with, and reinforcing, communal values long identified with Indigenous cultures.[152] As a constituent element of the Wiyot Tribe, the Dishgamu Humboldt Land Trust is the mechanism through which the Tribe stewards the land acquired through Landback advocacy and fulfills urgent community needs for affordable housing and workforce development.[153] These include prioritizing affordable housing for youth at risk of becoming unhoused;[154] restoring elements of Indigenous culture into project design;[155] elevating the natural environment as a "stakeholder" in its own right;[156] and drawing on traditional Indigenous knowledge systems[157] to support sustainable design and construction methods.[158] In the words of the Tribe's administrator, Dishgamu Humboldt's mission calls for "place-based healing."[159] Still in the early stages of developing trust land, as noted Dishgamu Humboldt's first project prioritized providing affordable housing for youth at risk of becoming unhoused.[160] The Land Trust is currently developing affordable housing for seniors

[148] National League of Cities, supra n.140, at 9.
[149] Id.
[150] Id. at 16-17.
[151] Shepard, supra n.139.
[152] Lise Gibbons, supra n. 14, at 82-83.
[153] Alice Toomer-McAlpine, How California's Wiyot Tribe turned to community land trusts to fight for justice, Coop News,https://www.thenews.coop/how-californias-wiyot-tribe-turned-to-community-land-trusts-to-fight-for-justice/ (August 3, 2023).
[154] Thadeus Greenson, Dishgamu Humboldt, https://www.northcoastjournal.com/news-2/dishgamu-humboldt-20929557/ (July 8, 2021).
[155] Goodluck, supra n. 69.
[156] Id.
[157] Toomer-McAlpine, supra n. 153.
[158] Goodluck, supra n. 69.
[159] Greenson, supra n. 154.
[160] Id. The land trust applied the proceeds of a $14 million grant from the State of California to acquire three properties in Eureka to site the housing, setting income eligibility limits and a preference for Indigenous residents. Goodluck, supra n. 69.

and for families after successfully bidding on two parking lots owned by the City of Eureka.[161]

Nonetheless, the Tribe's embrace of the CLT as a land management strategy does not conform in all respects to the canonical CLT formulation. As a CLT led by the Tribe itself, Dishgamu Humboldt's governance diverges from the dominant tripartite model of shared governance in favor of an arrangement that ensures the Wiyot Tribe's ongoing control of the Trust's decision making, in recognition of tribal sovereignty.[162] The Trust by-laws provide that four of the Tribe's seven-member board must be tribal appointees; the remaining members include Cooperation Humboldt, the Tribe's non-profit Land Trust partner, and Full Spectrum Capital Partners, a key funder. [163] For this reason, Dishgamu Humboldt strictly speaking does not meet eligibility requirements for membership in California's CLT Network, though Wiyot's CLT is recognized as aligned practically with the network and its foundational concerns.[164]

Another promising Indigenous application of the CLT land management model is the collaboration between Little Earth of United Tribes, the Native - preference Section 8 subsidized rental complex in Minneapolis[165]with the Minneapolis-based City of Lakes Community Land Trust (CLCLT).[166] In operation since 2002, CLCLT provides affordable home ownership opportunities for low- and moderate-income households.[167] The collaboration, announced in 2012 as Little Earth of United Tribes Homeownership Initiative (LEUTHI), contemplated the initial acquisition of four vacant lots and a fifth lot on which a single-family structure would be rehabilitated to develop affordable homes for purchase by eligible Little Earth residents.[168] Ultimately, all of the purchasing households were Indigenous, four Little Earth renters and a fifth purchaser who apparently had a connection with the Little Earth community, but was not a Little Earth resident when they acquired ownership.[169]

CLCLT's participation in Little Earth's homeownership initiative was pivotal to ensuring the affordability of the homes. As is inherent in the land trust model, CLCLT's ownership of the underlying land on which the houses were built lowered the acquisition price of the homes, and LEUTHI's receipt of additional subsidies

---

[161] Greenson, supra n.154; City of Eureka, California, Affordable Housing on City-owned Lots, Wiyot Housing, https://talk.eurekaca.gov/affordable-housing-on-city-owned-lots(Page last updated: 15 Sep 2025, 09:51 AM).See supra, nn.100-103.

[162] Alice Toomer-McAlpine, supra n. 153.

[163] Greenson, supra n. 154. To develop a capital fund, Gouts Lakawoulh Hiwechk Fund, for financing Dishgamu Humboldt's land acquisitions and development projects, Full Spectrum Capital Partners describes an approach that includes philanthropic donations, grants, and tax incentives, and additionally cultivates investor interest in the trust's projects and mission. Id.

[164] Alice-Toomer-McAlpine, supra n.153.

[165] See supra n. 109.

[166] City of Lakes Community Land Trust, Our History, https://www.clclt.org/about (last visited September 27, 2025).

[167] Id.

[168] Little Earth Launches, supra n.120. The lots were located to the immediate east of the Little Earth complex, on a block identified by the City of Minneapolis as neglected and a locus of crime. Id.

[169] Author's conversation on July 23, 2025, with Staci Horwitz, Operations Manager of City of Lakes Community Land Trust. (Notes on file with author.)

further reduced the homeowners' costs.[170] The properties also received Neighborhood Stabilization grants and, working with a local lender, the households were able to avail themselves of the Indian Home Loan Guarantee Program.[171] The CLCLT enhanced the stability of these investments in the homes by providing practical financial education to help participants with budgeting, maintaining a strong credit record, and managing long-term mortgage-secured debt.[172]

Unique features of the land trust, as a form of land tenure, resonate with norms identified with Indigenous traditions, making the CLT a culturally meaningful mechanism supporting LEUTHI. For example, the land trust's communitarian focus is consistent with Indigenous values prioritizing connection with community.[173] The sense of community cultivated by the residents of Little Earth's rental complex has been likened to the cultural connection experienced as part of reservation life before the mid-century migrations to urban areas.[174] Siting the lots for the Little Earth homeownership initiative in direct proximity to the rental complex was thought to reinforce that sense of community connection.[175] It also provided visible exemplars for Little Earth renters that home ownership was achievable.[176]

The CLT's stewardship of land removed from the speculative market is future-looking, anticipating the continuing need for access to affordable land. This orientation to future benefit similarly informs the attention given in Indigenous cultures to the well-being of successive generations.[177] The LEUTHI requirement that homes held under the trust may only be transferred to another qualifying Indigenous household[178] illustrates the operation of this future-regarding norm, ensuring both that the affordability benefits of the land trust model will continue and that they will endure within the Indigenous community.[179] If any home owners under the initiative seek to transfer ownership, CLCLT's ground lease sets resale restrictions including notifying CLCLT of the intent to sell, requiring the CLCLT to set a resale price, and providing that a new qualifying purchaser demonstrate 80% or less of Area Median Income[180] based on household size.[181]

The LEUTHI collaboration had planned to acquire a second set of lots for development, but to date the properties subject to the land trust are limited to the original five lots.[182] Nonetheless, the organizational agreement between CLCLT and

---

[170] Gibbons, supra n.14, at 79-80. The initiative received financing support from the Minnesota Housing Partnership, Woodlands Bank, the City of Minneapolis, and the Greater Metropolitan Housing Corp. Pratt, supra n. 25.
[171] See supra n. 169.
[172] Gibbons, supra n. 14, at 80-81.
[173] Id. at 82-83. See Owley, supra n.71.
[174] Gibbons, supra n.14 at 83.
[175] Id. at 82.
[176] Id.
[177] Id. at 83-84. See also Charlotte Akers, Seven Generation Thinking, ECORESOLUTION, https://www.ecoresolution.earth/resources/seven-generation-thinking (last visited September 30, 2025).
[178] Gibbons, supra n.14, at 83.
[179] Id.
[180] See supra n. 134.
[181] See supra n.169.
[182] Id.

Little Earth remains in place,[183] and the envisioned collaboration to create home acquisition opportunities in an Indigenous urban enclave is an innovative use of the CLT structure in a cultural context well adapted to the multi-pronged concept of stewardship[184] that the CLT affords. It is a mechanism that, with access to the requisite financing and infrastructure of support, holds promise for Indigenous communities seeking sustainable, non-market-based property ownership arrangements.

VI. Conclusion

The projects discussed in this Article address pressing urban Indigenous affordable housing needs and incorporate culturally meaningful features that invoke tribal heritage and foster a communitarian ethos. The goal of each project reflects, and furthers, a housing-justice framework oriented to increasing housing security by advancing affordability, safety, and fair treatment. Each housing initiative originates in the experience of displacement and rupturing of ancestral linkages –the slaughter and scattering of the Wiyot people in northern California from their homeland a century and a half earlier, and the post-World War II uprooting of Indigenous people from reservations to cities, spurred by the federal government's relocation policy and further driven by lack of opportunity on reservations. Each development seeks to recover and reinforce connections that had been lost and to bring innovative and collaborative approaches to strategy, function, design features, and financing, shaped by Indigenous values and practice.

The Wiyot Tribe's Landback successes followed the Tribe's long-term efforts to build connections with the settler communities occupying their ancestral territory. These efforts culminated in the launch of an innovative variation on a community land trust, vesting control over land acquisition and management in the Wiyot's tribal government. The Red Lake Nation has created in the Mino-Bimaadiziwin Apartments a modern mixed-use development adapted from its northern Minnesota reservation community that elevates the affordable housing and health care needs of its urban members. Each tribe has relied on collaborations involving public and private financing, including federal tax credits that spur private investment, assistance from local government, and private philanthropy.

Little Earth's origins in religious philanthropy and AIM activism have led to an unique multitribal Native preference community receiving federal Section 8 subsidies and prioritizing culturally relevant services. The community also entered into a novel homeownership initiative with a Minneapolis-based community land trust that has benefited an inaugural group of Little Earth renters. In a recent development, a planned collaboration among the Minneapolis Public Housing Authority, the Native American Community Clinic, and a private investment firm will bring HUD-administered housing subsidies to deeply affordable units benefiting Minneapolis' Indigenous community. Similar to the Mino-Bimaadiziwin Apartments, the development will combine affordable housing with healthcare services.

Amid the variations in these affordable housing initiatives, a throughline is the role of Indigenous groups—tribal governments, a Native American Federally

[183] Id.

[184] See supra n. 140 (discussing conceptions of stewardship).

Qualified Health Center, and a multitribal community nurtured in AIM advocacy--in shaping the developments in ways that meet material need and provide cultural resources for urban Indigenous residents. Further, despite their distinct contextual features, the projects discussed here have embraced innovation and collaboration, approaches that can guide future development. An additional critical factor is gaining the cooperation of local government, evident in these projects, to support housing initiatives in cities where housing insecurity and homelessness are ongoing challenges. This cooperation is particularly pertinent in a legal landscape in which localities are permitted to invoke a range of enforcement measures, including criminal penalties, against homeless encampments.[185]

The case studies discussed here offer a housing development model for underserved urban Indigenous communities that remain ineligible for housing assistance earmarked for Native American tribes or tribally designated housing entities. Guided by Indigenous planning and assessment of need, the projects are oriented to innovation and collaboration, supported by the infrastructure of local government, and funded by a mix of public and private financing, including sale of tax credits to leverage private equity investment. In offering a blueprint for affordable development that is potentially replicable and scalable, they hold promise as measures that can meaningfully address Indigenous housing insecurity while centering Indigenous cultural values rooted in land, place, and home.

[185] The U. S. Supreme Court recently held in City of Grant's Pass, Oregon v. Johnson, 603 U.S. 520 (2024) that localities are not barred from applying criminal sanctions against homeless individuals who violate local bans on camping or sleeping on public property (concluding that criminal penalties for violating local ordinance prohibiting camping on public property are not barred by Eighth Amendment's Cruel and Unusual Punishments Clause, reversing a Ninth Circuit ruling prohibiting such punishment whenever the number of homeless individuals in a jurisdiction exceeded the number of "practically available" shelter beds). For additional context on the implications of the ruling, see Roshan Abraham, After Grants Pass Ruling, Oakland Cracks Down Harder on Unhoused Communities, Next City, https://nextcity.org/urbanist-news/after-grants-pass-ruling-oakland-cracks-down-harder-on-unhoused-communities (September 29, 2025).