



Eastern Band of Cherokee Indians

LAND RECORDS SPECIALIST

Position Description

Program:	Realty Services	Reports to:	Manager – Realty Land Records / Director - Realty Services
Division:	Office of the Attorney General	Position Number:	906237501; 906237502; 906237503; 906237504
Classification:	Non - Exempt	Revision Date:	10/01/2022
Pay Level:	11	Safety Sensitive:	No

PERFORMANCE EXPECTATIONS

In performance of their respective tasks and duties all employees of the Eastern Band of Cherokee Indians (EBCI) are expected to conform to the following:

- Uphold all principles of confidentiality to the fullest extent.
- Adhere to all professional and ethical behavior standards of the Tribal Government.
- Interact in an honest, trustworthy, and respectful manner with employees, Tribal members, visitors, and vendors.
- Participate in departmental staff meetings, quality management activities and educational programs.
- Embody respect and understanding of EBKI traditions and values.
- Display willingness, initiative, and teamwork, to perform other duties as requested.

POSITION PURPOSE

The incumbent facilitates various land transactions, analysis with land records, and government meetings that insures accurate and compliant record keeping, land development, and use of possessory interest holdings. The incumbent conducts research and development of Title Status Reports (TSR); authenticate and validate real estate interests bequeathed to Tribal citizens through wills or legal means for deceased Tribal citizens that are intestate; and work as facilitators to Tribal Business Committee (TBC), Tribal Lands Committee (TLC), Tribal Lands Acquisition Committee (TLAC), and Housing Improvement Program (HIP).

ESSENTIAL DUTIES, FUNCTIONS, & RESPONSIBILITIES

- Interact with internal and external customers / clients in a polite and professional manner.
- Provides advocacy support, one-on-one assistance, and technical follow-up to insure expedited land record related services to clients/customers.
- Completes surveys and intake documentation with clients to facilitate their land transaction requests that includes, but is not limited to: possessory holding interest transfers from one party to another, or multiple parties as each case presents itself, initiation of documentation form for Tribal citizens to develop homes (Tribal Site Form or current process for housing development), survey requests (metes and bounds, topographical, elevation, etc.), flagging requests to delineate property, and determination of right of way or easements for construction and use of transportation and utility infrastructure.
- Advises Tribal citizens of procedural steps for completion of transactions which includes sales or division of possessory holdings and assignment of rights-of-way.
- Secures signatures of Tribal committee members on approved documents.
- Maintains the current records on all transactions for the Housing and Community Development (HCD) residential communities, governmental programs involving housing, commercial development, and agricultural activities.
- Preserves the historical and current records by the method prescribed by the Bureau of Indian Affairs Records Management and by any policy, rules, and regulations established by the Eastern Band of Cherokee Indians.
- Conducts thorough research on possessory interest or land ownership prior to preparation and processing of documents for sales, transfer of interests, development of right-of-way, and dissolution of estates.

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- Conduct research for Title Status Reports (TSR) to determine the rights outside parties have on the interest in property that is requested to be transferred or assigned. This includes, but not limited to: liens from creditors, assignments to programs such as Qualla Housing Authority (QHA), Housing and Community Development (HCD), Housing Improvement Program (HIP), or other Tribal lending programs, commercial Banks, leases, Veteran's Administration lending and loan programs, and any other source of funding or organization that may have right to place lien, assignment or hold on possessory holdings.
 - Completes true and accurate TSRs for use by Tribal Programs to determine clear right of possessory holding or land ownership.
 - Conducts research for the probate and dissolution of land interests in estates for deceased Tribal citizens.
 - Authenticates and validates real estate interests bequeathed to Tribal citizens through wills or legal means for deceased Tribal citizens that are intestate.
 - Completes or develops final draft documents for land transfers, notarizes signatures on official land transfer and use documents, and places final documents into official process (posting, committee approval, etc.).
 - Must have the ability to notarize documents.
 - Facilitates various committee (TBC, TLAC, TLC) meetings by the following, but not limited to note and minute taking, development and publishing agendas, securing signatures on approved documents, and research of previous board and committee activities and decisions. Correspondence through phone, email, and mailing of completed and approved documents, notices to appear to committee meetings, notices of deadlines, and other official board and committee activity. Maintain official records of board and committee activities and actions. Provide professional advice and research to board and committee members for actions.
 - Follows departmental procedures with a high degree of accuracy and appropriate attention to detail.
 - Establishes and maintains effective working relationships with interagency personnel, Tribal representatives, and individual Tribal citizens, as well as the public.
 - Verifies that the necessary pre-conveyance clearances and procedures have been secured and completed (appraisals, NEPA, TSR, etc.).
 - Prepares rough draft memorandum and/or office correspondence regarding applications and case files update and/or cancellations which involve frequent selection of proper technical terminology and general knowledge of the types of land transactions.
 - Discusses with land owners and other interested parties the general conveyance process and other needs and documentation. Ensure that beneficiaries, purchasers, other land owners and other interested parties understand the process, their options, and the requirements involved in executing a conveyance.
 - Researches and review basic problems and issues; provides findings and recommendations on problems/issues; provides findings and direction to land owners.
 - Reviews the conveyance and related documents for completeness and accuracy of such items as land descriptions, signatures, etc., and to gain knowledge of statutory authority, laws, regulations, Tribal ordinances, policies, and procedures.
 - Prepares the recommendation for approval/disapproval of the conveyance in final form.
 - Must have some knowledge of procedures, policies, and practices of, Tribal Council, Tribal Court, TBC, TLC, TLAC, HIP, HCD, and QHA.
 - Possess knowledge of organizational components and procedures concerning the BIA Division of Real Estate and Tribal Realty.
 - Knowledge of Tribal regulations governing possessory holdings and CFR 25 and applicable Eastern Band of Cherokee Indians Tribal law, rules, regulations, and policies.
 - Knowledge of maps and aerial photo files for researching and extracting data.
 - Requires knowledge in organizing office work to achieve maximum efficiency, communicate effectively both verbally and in writing, follow instructions, and work as a member of a team or group, and independently.
 - The incumbent may be required, as an incidental duty, to operate a government-owned or leased motor vehicle in the performance of official duties.

Scope of Supervision:

This position is supervised by program leadership. This position is not responsible for supervising others.

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MINIMUM MANDATORY QUALIFICATIONS

- Experience:** Two (2) years of related experience required.
- Education:** Associate's Degree in related field required. Equivalent combination of education and experience may be in lieu of degree, with required related experience of an additional: 3 years with a High School Diploma/GED equivalent.
- Licenses & Certifications:** Valid, insurable NC Driver's License required. Notary Public Certification required.

KNOWLEDGE, SKILLS, & ABILITIES

Key Job Knowledge:

- Knowledge of agency and/or Tribal Policies and Procedures, and applicable Federal statutes and laws, assist and/or observes routine negotiation on the terms and condition of conveyances with willing individuals and small groups.
- The incumbent must possess knowledge and sufficient skill in the following; knowledge of laws, regulation, Federal/Departmental policies for land conveyance, research skills, operating procedures and manuals, boundary descriptions, realty-related systems (automated systems), report writing skills, communication, customer service, follow through, and problem solving.

Safety/Accuracy Focus:

It is imperative that all real estate responsibilities be accurate, current and records be maintained accurately.

Key Relationships:

Contacts include interagency personnel, Tribal representatives and individual Tribal members, as well as the general public. Communicates and works with beneficiaries and clients to assess their needs; provides accurate information or assistance and addresses problems; knows about and provides available services with options; is committed to providing quality service; seeks to meet or exceed expectations.

Resourcefulness & Initiative:

Follows well defined Tribal procedures and guidelines. Initiative is required to maintain accuracy, establish work priorities, and meet scheduled timeframes. Follow well-defined procedures and guidelines in job duties with minimal supervision. This is a position requiring proactive and creative approaches to getting things done. Must communicate and respond appropriately to various situations.

Discretion – Confidential Data:

Access to confidential and proprietary data and information which is not known by the public may occur during employment. Exercise excellent professional discretion regarding confidential and proprietary data and information, never disclosing or misusing such information. Information contained in files may not be in the public domain and thus may be deemed confidential. Confidentiality is a required part of this position. Incumbent must operate within this framework at all times and must sign an agreement that they understand and will abide by this requirement per Housing Division, Bureau of Indian Affairs, and Tribal guidelines. Records are to be maintained in a confidential, accurate manner using Bureau of Indian Affairs and Tribal guidelines.

Complexity of Duties:

This position includes completing tasks of varying complexity levels.

PREFERRED QUALIFICATIONS

No other preferred qualifications.

WORK ENVIRONMENT

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Work Environment: Works in a normal business office environment while performing job duties. Occasional trips to sites outside the general work place may be required.

**Mental/Visual/
Physical Effort:** Must be able to lift 25 pounds and carry 5 pounds on a repetitive basis. Close concentration and attention to detail is required while performing most duties of the job. The employee is subject to frequent interruptions both by phone and in person that require varied responses with each contact. Work involves recurring tasks and considerable sitting, typing, writing, and communicating. Must be able to sit, stand, walk, kneel, reach, speak and hear. Occasional travel and training may be required.

OTHER

Confidentiality: All employees must uphold all principles of confidentiality to the fullest extent. Sensitive information must be kept secure; a breach of these principles may be grounds for disciplinary action, up to and including immediate termination.

Background Investigation: All employees are required to complete a background investigation. Results of the background investigation will be evaluated against the requirements of the position, and as applicable to federal and state requirements. Candidates must be able to successfully pass all required background checks for data sensitive positions and for those positions subject to a 101-630 background check to ensure compliance with Public Law 101-630 "Indian Child Protection and Family Violence Prevention Act."

Drug Screening: All applicants must successfully pass a preemployment drug screening prior to beginning employment. Random drug testing will be carried out based upon position requirements.

Disclaimer: *The information on this position description has been designed to indicate the general nature and level of work performance by employees in this position. It is not designed to contain, or be interpreted as, a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this position. Employees will be asked to perform other duties as needed.*

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ACKNOWLEDGMENT

I have reviewed the content of the **Land Records Specialist** position description and have been provided a copy of such position description. I certify that I am able to perform the essential functions of this position as outlined in this description.

Employee (printed name)

Employee (signature)

Date

Supervisor (printed name)

Supervisor (signature)

Date