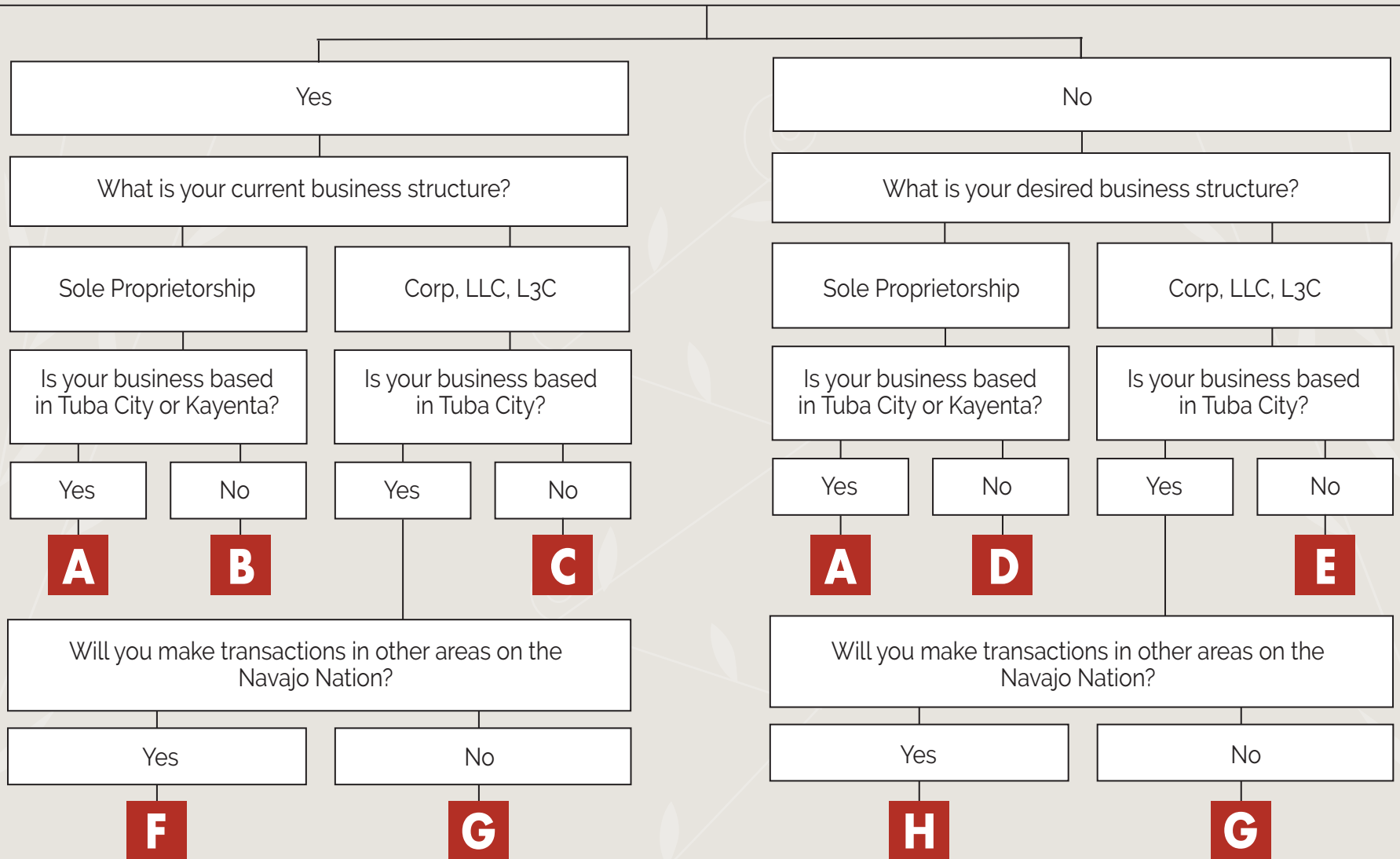


# WANT TO START YOUR BUSINESS ON THE NAVAJO NATION?

## IS YOUR BUSINESS ALREADY REGISTERED OUTSIDE OF THE NAVAJO NATION WITH A U.S. STATE?



### **A** SOLE PROPRIETORSHIP (Tuba City/Kayenta Only)

**Register in Tuba City/Kayenta:** Visit the To’Nanees’Dizi Local Government (Tuba City) or Kayenta Township for information

### **B** SOLE PROPRIETORSHIP

**Submit Form 100** to the Navajo Tax Commission

### **C** CORPORATION, LLC, L3C (Navajo Nation, not Tuba City)

- 1. Submit to the Navajo Business Regulatory Department:**
  - Application for Certificate of Authority
  - Articles of Corporation/Organization
- 2. Submit Form 100** to the Navajo Tax Commission

### **D** SOLE PROPRIETORSHIP (Navajo Nation, not Tuba City/Kayenta)

- 1. File a Trade Name Registration Application** with the Secretary of State’s office in your state
- 2. Obtain a Federal Tax ID Number** from the IRS
- 3. Submit your Articles of Incorporation/Organization** to Navajo Business Regulatory
- 4. Submit Form 100** to the Navajo Tax Commission

### **E** CORPORATION, LLC, L3C (Navajo Nation, not Tuba City)

- 1. File a Trade Name Registration Application** with the Secretary of State’s office in your state
- 2. Obtain a Federal Tax ID Number from the IRS**
- 3. Submit your Articles of Incorporation/Organization** to Navajo Business Regulatory
- 4. Submit Form 100** to the Navajo Tax Commission

### **F** CORPORATION, LLC, L3C (All of Navajo Nation)

- 1. Submit to the Navajo Business Regulatory Department:**
  - Application for Certificate of Authority
  - Articles of Corporation/Organization
- 2. Submit Form 100** to the Navajo Tax Commission
- 3. Register with the To’Nanees’Dizi Local Government** in Tuba City

### **G** CORPORATION, LLC, L3C (Tuba City Only)

- 1. Register with the To’Nanees’Dizi Local Government** in Tuba City
  - 2. Visit the Western RBDO** to inquire about requirements to registers with the Navajo Business Regulatory Department.
- Since all of your transactions are within Tuba City, you will not need to register with the Navajo Tax Commission.

### **H** CORPORATION, LLC, L3C (All Navajo Nation)

- 1. File a Trade Name Registration Application** with the Secretary of State’s office in your state
- 2. Obtain a Federal Tax ID Number** from the IRS
- 3. Submit your Articles of Incorporation/Organization** to the Navajo Business Regulatory Department
- 4. Submit Form 100** to the Navajo Tax Commission
- 5. Register with the To’Nanees’Dizi Local Government** in Tuba City



# BUILD NAVAJO

Build Navajo is a free web-based tool for Navajo entrepreneurs who want to establish and build their business on the Navajo Nation.

The site provides step-by-step instructions on how to register a business, apply for Navajo Preference Certification, and business site lease information.

To access forms, tax information, and details, visit [buildnavajo.org](http://buildnavajo.org)

# DOES MY BUSINESS REQUIRE A BUSINESS SITE LEASE?

*Because reservation land is held "in trust" by the Federal government, individuals and companies are not allowed to purchase land on the reservation. Therefore if you want to maintain a physical structure on Navajo land, you must either apply for a Business Site Lease or use an existing Industrial Site that is commercially zoned. If you run a business from your home, visit your local RBDO to see if a Business Site Lease is required.*

## WHAT STEPS DO I NEED TO TAKE?

### STEP 1

#### Interview with local Regional Business Development Offices

Review and screen your business plan with your local RBDO. The plan must show feasibility of potential success of proposed business.

### STEP 2

#### Obtain Land Withdrawal

Consult with your local RBDO on the steps to obtaining a land withdrawal from the Navajo Land Department.

### STEP 3

#### Obtain Land Consent

##### 3.1 Check with RBDO on Land Status

Hopi consent is also required for lands associated with the 1934 Statutory Freeze Area ("Bennett Freeze").

##### 3.2 Secure customary land user's consent

Request a consent form from your local RBDO and then consult the Grazing Permit Representative at your Chapter. This process often varies from RBDO to RBDO.

##### 3.3 Pass Chapter Resolution

**1)** Work with your RBDO to draft a Chapter resolution. You may also need to provide proof of land consent and approval for right of way. Your RBDO can help you with both;

**2)** During a scheduled Chapter meeting, you will put forward a resolution and request clearance from the Grazing Committee to start your business;

**3)** A hearing will be scheduled to present your resolution, during which the Chapter will vote to either approve or deny your proposed resolution.

##### 3.4 Fill out Business Site Lease Application

If your resolution passes, you have six months to complete and file a final business site lease application, including all clearances. If you wait more than six months, you will have to start over.

### STEP 4

#### Securing Site Clearance

##### 4.1 Environmental Assessment

Your RBDO conducts the environmental assessment and submits it to the Division of Economic Development (DED) for their review.

##### 4.2 Appraisal Report

This step only applies to businesses with a certain revenue and is carried out by the DED Real Estate Department.

##### 4.3 Ethics Clearance

This step is only required by Federal employees, Tribal-elected officials, or Tribal employees.

##### 4.4 UST Compliance Report

This step is typically only required for gas stations. An 'Underground Storage Tank' compliance report is conducted by the Navajo Nation Environmental Protection Agency.

##### 4.5 Land Survey

A Navajo Land Department conducts a land survey to identify the legal boundaries of the business. As the business owner, you can also hire a private surveyor.

##### 4.6 Procurement Clearance

Navajo Credit Services conducts a credit check.

##### 4.7 Certificate of Good Standing

This step is required for Corporations or LLC/L3C businesses. Domestic businesses may request a Certificate of Good Standing from the Navajo Business Regulatory Department. Foreign businesses may request one from the Secretary of State in US state business is registered.

### STEP 5

#### Negotiating Lease Terms

Work with your RBDO to negotiate the terms and conditions of the lease

### STEP 6

#### Final Lease Approvals

On your behalf, your RBDO will submit **Form 164** (Previously Signature Approval Sheet) to receive final lease approvals from Navajo agencies and the Office of the President.

**The chain of approval includes: 1.** DED, **2.** Office of the Controller,

**3.** Department of Justice, **4.** Business Site Lease - approving committee in the DED, **5.** DED Real Estate Department, **6.** Office of the President.

### STEP 7

#### Ongoing Responsibilities

After the approval of the business site lease, the following must be submitted **annually** to stay compliant: **1)** Rent, as stated in the lease; **2)** Financial statement of gross receipts; **3)** Form 200 - Declaration of Interest in Lease, submitted on the 15th of May to the Navajo Tax Commission.



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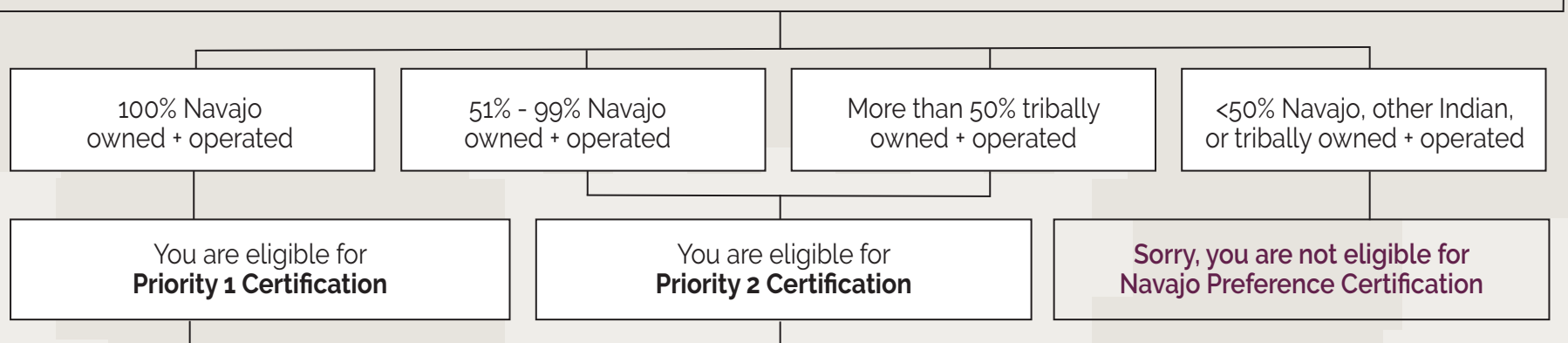
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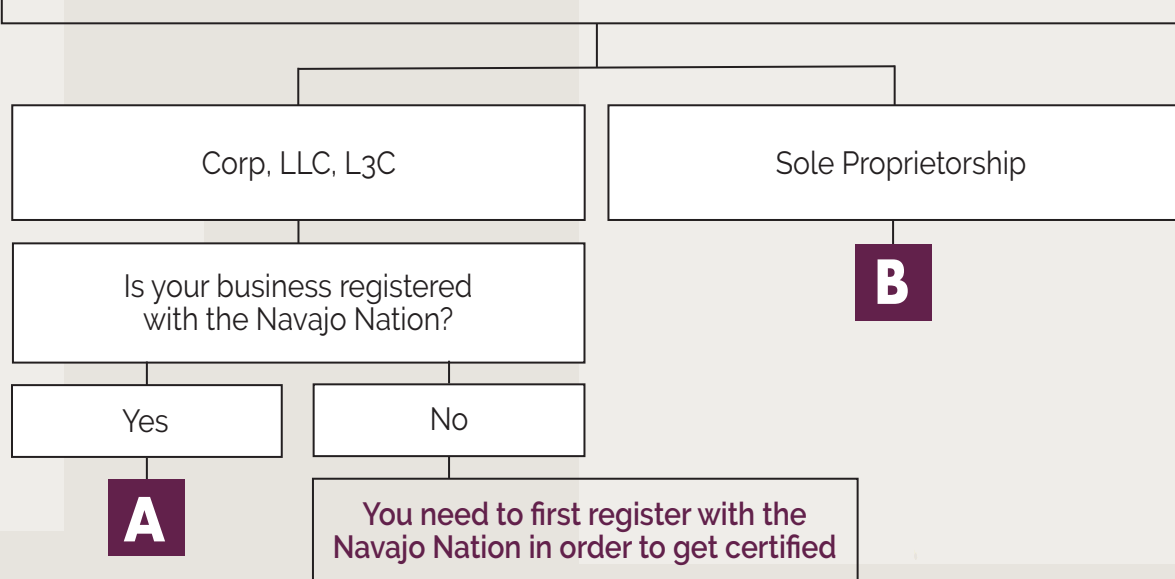
# IS YOUR BUSINESS ELIGIBLE FOR NAVAJO PREFERENCE CERTIFICATION?

*The Navajo Business Opportunity Act gives certified Navajo-owned businesses the first opportunity to bid on projects. Businesses get certified according to the following classification system: Priority 1 and Priority 2.*

## WHICH BEST DESCRIBES YOUR BUSINESS?



## WHAT IS YOUR BUSINESS STRUCTURE?



### **A** CORPORATION, LLC, L3C

Submit the following to the Navajo Business Regulatory Department:

- **For Construction:** Complete the "Priority Certification for Construction" form
- **For Professional Services / Procurement:** Complete the "Priority Certification for Professional Services" form
- 2. Complete "Exhibit A - Financial Statements" form**
- 3. Complete "Exhibit B - Past Projects" form**
- 4. Submit Certificate of Indian Blood**
- 5. Submit Articles of Incorporation / Organization**
- 6. Submit Certificate of Incorporation**
- 7. Submit Certificate of Good Standing**

### **B** SOLE PROPRIETORSHIP

Submit the following to the Navajo Business Regulatory Department:

- **For Construction:** Complete the "Priority Certification for Construction" form
- **For Professional Services / Procurement:** Complete the "Priority Certification for Professional Services" form
- 2. Complete "Exhibit A - Financial Statements" form**
- 3. Complete "Exhibit B - Past Projects" form**
- 4. Submit Certificate of Indian Blood**
- 5. Submit a document** that establishes business ownership



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