

BUREAU OF INDIAN AFFAIRS

Real Estate Services



The Bureau of Indian Affairs Real Estate Services staff provides comprehensive real estate services and technical assistance that uphold the highest standards of professionalism. The bureau is committed to fostering partnerships with Tribes and individual Indian landowners to minimize risks to protect trust assets and resources in the management of Tribal Trust, and Restricted Fee lands under Tribal law, federal law, and regulations.

Review the information below to learn more about gift deeds and wills as estate planning tools.

Gift Deeds

- Effective immediately upon approval by BIA
- Conveys the title to the land
- Grantor may retain a life estate, which provides the income for the remainder of their lifetime
- Grantee must be an enrolled, competent adult
- Grantee should be a co-owner, relative, or the tribe
- "one and done" - cannot be rescinded at a later date
- BIA staff prepares all the paperwork

Will

- Requires a probate to implement
- Directs the judge how the testator wants their estate distributed; judge can declare a will invalid in whole or in part
- A non-Indian or non-competent devisee may be left a life estate with the remainder to go to an eligible heir
- A non-enrolled child or grandchild may inherit
- Wills may be revoked and revised as long as the testator is alive and competent
- Recommended to have an attorney prepare the will



Scan the QR Code to learn more about the probate process.