



Military Housing Privatization Initiative Tenant Bill of Rights

The Department of Defense is fully committed to ensuring our Nation's most valued resource—its military service members and their families—have access to safe, quality, and well-maintained homes and communities on DoD installations.

The National Defense Authorization Act for Fiscal Year 2020 set out eighteen rights of military service members and their families (Tenants) residing in privatized housing. The Department of Defense commits to ensuring that privatized housing Tenants receive quality housing and fair treatment from the Military Housing Privatization Initiative project owners (MHPI companies) that operate and maintain privatized housing.

It is paramount that residents receive the full benefit of each right. The Department of Defense, through each of its Military Departments, will work diligently and expeditiously to develop the processes and procedures needed to implement these rights and make Tenants aware of them. However, many of the rights set forth by Congress pertain to legal matters that do not lend themselves to unilateral action by the Department. To the extent it is not already the case, the Military Departments commit to working with the MHPI companies to incorporate these rights and procedures into appropriate project legal documents. In some cases, more work is required before the benefits of these rights are fully available to tenants.

The Department commits to providing the full benefit of the following 15 rights by May 1, 2020.

1. The right to reside in a housing unit and a community that meets applicable health and environmental standards.
2. The right to reside in a housing unit that has working fixtures, appliances, and utilities and to reside in a community with well-maintained common areas and amenity spaces.
3. The right to a written lease with clearly defined rental terms to establish tenancy in a housing unit, including any addendums and other regulations imposed by the Landlord regarding occupancy of the housing unit and use of common areas.
4. The right to a plain-language briefing, before signing a lease and 30 days after move-in, by the installation housing office on all rights and responsibilities associated with tenancy of the housing unit, including information regarding the existence of any additional fees authorized by the lease, any utilities payments, the procedures for submitting and tracking work orders, the identity of the military tenant advocate, and the dispute resolution process.
5. The right to have sufficient time and opportunity to prepare and be present for move-in and move-out inspections, including an opportunity to obtain and complete necessary paperwork.
6. The right to report inadequate housing standards or deficits in habitability of the housing unit to the Landlord, the chain of command, and housing management office without fear of reprisal or retaliation, including reprisal or retaliation in the following forms: (A) unlawful recovery of, or attempt to recover, possession of the housing unit; (B) unlawfully increasing

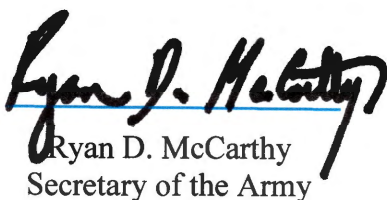
the rent, decreasing services, or increasing the obligations of a Tenant; (C) interference with a Tenant's right to privacy; (D) harassment of a Tenant; (E) refusal to honor the terms of the lease; or (F) interference with the career of a Tenant.

7. The right of access to a Military Tenant Advocate or a military legal assistance attorney, through the housing management office of the installation of the Department at which the housing unit is located to assist in the preparation of requests to initiate dispute resolution.
8. The right to receive property management services provided by a Landlord that meet or exceed industry standards and that are performed by professionally and appropriately trained, responsive and courteous customer service and maintenance staff.
9. The right to have multiple, convenient methods to communicate directly with the Landlord maintenance staff, and to receive consistently honest, accurate, straightforward, and responsive communications.
10. The right to have access to an electronic work order system through which a Tenant may request maintenance or repairs of a housing unit and track the progress of the work.
11. With respect to maintenance and repairs to a housing unit, the right to the following: (A) prompt and professional maintenance and repair; (B) to be informed of the required time frame for maintenance or repairs when a maintenance request is submitted; and (C) in the case of maintenance or repairs necessary to ensure habitability of a housing unit, to prompt relocation into suitable lodging or other housing at no cost to the Tenant until the maintenance or repairs are completed.
12. The right to receive advice from military legal assistance on procedures involving mechanisms for resolving disputes with the property management company or property manager to include mediation, arbitration, and filing claims against a Landlord.
13. The right to have reasonable, advance notice of any entrance by a Landlord, installation housing staff, or chain of command into the housing unit, except in the case of an emergency or abandonment of the housing unit.
14. The right to not pay non-refundable fees or have application of rent credits arbitrarily held.
15. The right to expect common documents, forms, and processes for housing units will be the same for all installations of the Department, to the maximum extent applicable without violating local, State, and Federal regulations.

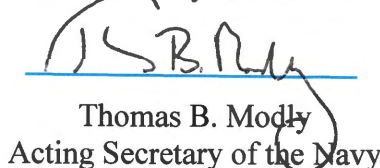
With respect to the remaining three rights—access to maintenance history, process for dispute resolution, and withholding of rent until disputes are resolved—the Department will continue to work with the MHPI companies and, as necessary, Congress to ensure the benefits of these rights are fully available. While the Department develops standardized, formal processes for these rights, service members and their families will be able to leverage the support available from their respective Military Departments to address and resolve relevant housing issues. Tenants seeking assistance should continue to engage their housing office, installation leadership, or chain of command.



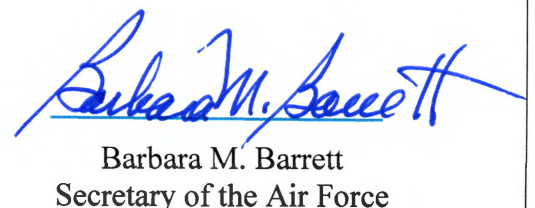
Mark T. Esper
Secretary of Defense



Ryan D. McCarthy
Secretary of the Army



Thomas B. Modly
Acting Secretary of the Navy



Barbara M. Barrett
Secretary of the Air Force



Military Housing Privatization Initiative

Tenant Responsibilities

This document highlights important responsibilities of Military Service Members and their families (Tenants) residing in Privatized Housing.

1. **Prompt Reporting.** The responsibility to report in a timely manner any apparent environmental, safety, or health hazards of the home to the Landlord and any defective, broken, damaged, or malfunctioning building systems, fixtures, appliances, or other parts of the home, the common areas, or related facilities.
2. **Care for the Home.** The responsibility to maintain standard upkeep of the home as instructed by the housing management office.
3. **Personal Conduct.** The responsibility to conduct oneself as a Tenant in a manner that will not disturb neighbors, and to assume responsibility for one's actions and those of a family member or guest in the housing unit or common areas, including the responsibility not to engage in any inappropriate, unauthorized, or criminal activity in the home or common areas.
4. **Access by Landlord.** The responsibility to allow the Landlord reasonable access to the rental home in accordance with the terms of the tenant lease agreement to allow the Landlord to make necessary repairs in a timely manner.
5. **Rules and Guidelines.** The responsibility to read all lease-related materials provided by the Landlord and to comply with the terms of the lease agreement, lease addenda, and any associated rules and guidelines.



SUSTAINMENT

ASSISTANT SECRETARY OF DEFENSE
3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

June 1, 2020

MEMORANDUM FOR TENANTS IN HOUSING PRIVATIZED UNDER THE MILITARY
HOUSING PRIVATIZATION INITIATIVE

SUBJECT: Tenant Bill of Rights

The Department of Defense continues to be fully committed to ensuring our Nation's most valued resource - its military service members and their families - have access to safe, quality, and well-maintained homes and communities on DoD installations. As the Department's Chief Housing Officer, I reaffirm our commitment to ensuring that military tenants receive quality housing and fair treatment from the Military Housing Privatization Initiative (MHPI) projects that operate and maintain privatized housing.

On February 25, 2020, the Secretary of Defense and the Service Secretaries issued the MHPI Tenant Bill of Rights that addressed 15 of the 18 rights set out in the National Defense Authorization Act (NOAA) for Fiscal Year (FY) 2020. The MHPI Tenant Bill of Rights expressed DoD's commitment to provide the full benefit of the initial 15 rights by May 1, 2020, and to continue our efforts to provide the full benefits of the three remaining rights - access to maintenance history, process of dispute resolution, and withholding of rent until disputes are resolved - as soon as possible.

I am pleased to announce that the first 14 rights in the MHPI Tenant Bill of Rights are fully available to military service members and their families who are tenants of MHPI housing (Tenants) at the vast majority of installations. There are a few instances where an individual right may not be fully available initially at an installation; however, Tenants will be made aware of this unique situation at the local level. In addition, given the present national health situation, I ask for your patience in the coming weeks as the Department, including our military installations, and the MHPI projects gain proficiency in delivering these rights.

With respect to the 15th right (common forms and documents) and the remaining three rights - access to maintenance history, process for dispute resolution, and withholding of rent until disputes are resolved - the Department has made significant progress working with the MHPI companies to resolve remaining challenges so that the benefits of these rights can be made available to Tenants. The focus of the right #15 effort is on creating a universal lease with common terms and schedules applicable to all MHPI projects. Because this universal lease will include dispute resolution and rent segregation, once complete, this document will not only make right #15 fully available, but also two of the three remaining rights.

I will provide you an update on the status of these remaining rights in the near future. In the meantime, if you have any questions or concerns regarding MHPJ housing, please continue to seek assistance through the installation housing office, installation leadership, or chain of command.

You have my personal commitment that expeditious implementation of the 18 MHPI Tenant rights set out in the FY 2020 NOAA remains my top priority, and that I will continue to do everything possible to enhance and sustain the overall tenant experience with MHPI housing.

W. Jordan Gillis