

Privatized Housing Resident FAQs: Your Rights, Roles, and Resources

SECTION 1: Roles, Rights, and Responsibilities

1. What is the Tenant Bill of Rights?

The Tenant Bill of Rights is a document mandated by the National Defense Authorization Act (NDAA) that guarantees military members and their families safe, quality, and well-maintained housing. It outlines your rights to transparent communication, prompt maintenance, a fair dispute resolution process, and protection against reprisal for reporting issues.

2. What are my responsibilities as a resident?

While you have guaranteed rights, residents also have obligations outlined in the lease agreement. Key responsibilities include maintaining routine cleanliness, adhering to community rules (like pet and parking policies), maintain your yard, and—most importantly—promptly reporting any maintenance issues (especially water leaks or safety hazards) to the Project Owner to prevent further damage.

3. What is the role of the Project Owner (PO)?

The Project Owner (the private property management company) is your landlord. They are legally accountable and serve as the primary authority for maintaining the property. Their responsibilities include executing maintenance work orders, managing leasing and billing, conducting mold remediation, and operating the community.

4. What is the role of the Military Housing Office (MHO)?

The MHO is your primary point of contact for all housing-related items. They represent the government's interest and oversee the Project Owner to ensure they are complying with the lease and providing quality service. The MHO conducts housing briefings, coordinates joint inspections, and leads the Formal Dispute Resolution process.

5. How does the Resident Advocate (RA) fit in?

The Resident Advocate is an impartial, third-party support resource for residents. While the MHO oversees operations, the RA is here to advocate for you. If you are struggling to get an issue resolved with the PO or MHO, the RA can help mediate the situation, educate you on your rights, and assist you in navigating the dispute process.

SECTION 2: Maintenance & Mold Guidelines

6. How quickly should the Project Owner respond to a mold or water issue?

All mold-related work orders are classified as Health & Life Safety concerns. If there is visible water, it is an "emergency" work order. If there is no visible water, it is classified as "urgent." Corrective response to moisture intrusion or visible evidence of excessive mold must occur within 48 hours.

7. I see mold. Will the housing office test my home for mold spores?

Generally, no. The EPA, CDC, and the Department of the Air Force do not recommend mold

testing because mold spores are naturally present everywhere (indoors and outdoors), making test results unreliable and misleading. Instead of testing the air, inspectors focus on a visual/smell inspection and moisture testing. Mold cannot grow without moisture; therefore, the primary focus is always identifying and fixing the source of the water leak or humidity, followed by physical remediation of the affected area.

8. What happens if the mold is severe or affects my health?

For small areas (under 10 sq. ft.), maintenance personnel can typically clean and repair the area. For larger contaminations, the PO must bring in licensed mold remediation experts. If you are experiencing mold-related health symptoms, you should consult your Primary Care Manager (PCM). If necessary, the PO is responsible for displacing or relocating residents experiencing mold-related illnesses until the home is fully remediated.

9. Can I get reimbursed if a maintenance failure (like a leak) damages my personal property?

Yes. You should rely on your renter's insurance for damaged personal property. It is a strict requirement for all residents living in privatized housing to maintain adequate renter's insurance.

The Project Owner's insurance generally only covers the physical structure of the home, not your personal belongings inside it. Therefore, if a leak or other maintenance issue damages your furniture, electronics, or personal items, your renter's insurance is the mechanism designed to compensate you for those losses. This is why maintaining a current and comprehensive renter's insurance policy is so critically important to protect your family's assets.

SECTION 3: The Dispute Resolution Process

10. What should I do first if I have a disagreement with the Project Owner?

All disputes must first be attempted at the lowest level. This means you must first go through the Informal Dispute Resolution Process outlined by the Landlord in your lease and Resident's Guide. If you need help navigating this, you can contact the MHO, your Chain of Command, or the Resident Advocate.

11. What is the Formal Dispute Resolution Process?

If the informal process fails, eligible tenants can request a Formal Dispute. This is a standardized process where a military Deciding Authority (DA)—usually the Installation or MAJCOM Commander—reviews the facts and issues a binding decision.

12. What types of issues qualify for a Formal Dispute?

To be eligible, the dispute must concern rights and responsibilities set forth in your lease. These are limited to five categories:

- Maintenance and Repairs
- Rental Payments
- Displacement Rights
- Lease Termination
- Inspections and Fees/Charges

13. How long does the Formal Dispute Process take?

It is designed to be prompt. The Deciding Authority must issue a final written decision no later than 30 calendar days after the MHO accepts your completed Request Form. This can be extended up to 30 additional days for good cause, but the entire process cannot exceed 60 calendar days by law.

14. What kind of outcomes (remedies) can I expect from a Formal Dispute?

If the Deciding Authority rules in your favor, their power is limited to five specific actions:

1. Direct the Landlord to remediate (fix) the premises.
2. Direct the Landlord to fund your relocation.
3. Direct the distribution of segregated rental payments.
4. Direct a reimbursement or credit for fees, charges, or move-out damages.
5. Allow you to terminate your lease (or excuse you from minimum move-out notice requirements and fees).

15. Can I just withhold my rent if the Landlord isn't fixing my house?

You cannot simply stop paying rent. However, during an eligible Formal Dispute regarding maintenance or habitability, you may be authorized to direct your Basic Allowance for Housing (BAH) into Segregated Rental Payments (an escrow account) for a maximum of 60 days while the dispute is being investigated. The Deciding Authority will determine who receives those funds at the end of the process.

16. Can I sue the Project Owner while the Formal Dispute is ongoing?

In the event of a lawsuit, the Formal Dispute Resolution process will be terminated.

SECTION 4: Addressing Your Hidden Concerns (The "Quiet" Questions)

17. If I complain to the Resident Advocate, the MHO, or file a Formal Dispute, can the Project Owner retaliate against me, evict me, or impact my sponsor's career?

Absolutely not. The Tenant Bill of Rights explicitly guarantees your right to report issues, escalate concerns, and participate in dispute resolution processes without fear of reprisal, retaliation, or harassment. The Installation Commander and leadership take this right very seriously. Your sponsor's chain of command is there to support your right to safe housing, and utilizing these legal processes will not negatively impact their career.

18. I want to talk to the Resident Advocate, but I don't want the property management company or the MHO to know it was me. Will you keep my visit a secret?

Yes. As your Resident Advocate, interactions with me are confidential. I am here to listen, advise, and help you understand your options. No action will be taken, and your name/address will not be shared with the Project Owner or the MHO without your explicit consent. Please note, however, that if you eventually want a specific physical repair made to your home, the maintenance team will ultimately need to know which house requires the work. But we can strategize the best way to handle that together.

19. Be honest: Who does the Resident Advocate actually work for? Are you just going to take the side of the Project Owner?

The Resident Advocate position was mandated by Congress (via the NDAA) specifically to ensure you have a voice. I am not an employee of the private property management company, nor am I the property manager. I am an impartial third-party advocate employed by the Department of the Air Force and work directly for the Installation Commander. My primary mandate is to support you, ensure your rights are upheld, and help navigate roadblocks. I do not take the side of the Project Owner; I take the side of fairness, safety, and the Tenant Bill of Rights.

20. I found mold in my bathroom, but I'm worried it's my fault because I haven't been running the exhaust fan, and I don't want to be charged. Should I just try to bleach it and hide it?

Please do not hide it. Your health and safety are the top priority. While residents are responsible for basic upkeep, mold requires excessive moisture to grow. Even if a fan wasn't used, there could be a hidden leak or a structural ventilation issue that you cannot see.

According to Air Force guidelines, if the mold covers a small area (less than 10 square feet), you can clean it yourself, but the underlying moisture problem still needs to be reported and fixed. If it is larger than 10 square feet, the Project Owner is required to use mold remediation experts. Report it immediately. Work orders with visible water are treated as "emergencies," and moisture intrusion requires a response within 48 hours.

21. The "Formal Dispute Resolution Process" sounds like a court case. Do I need to hire an expensive lawyer to go up against the Project Owner's corporate attorneys?

No, you do not need to hire a lawyer. The Formal Dispute Resolution process was specifically designed to provide tenants an outlet to resolve concerns. It is an administrative process, not a civil court trial. Furthermore, you have the right to seek free legal advice and assistance from the installation Legal Assistance Office (JA) to help you understand your lease, build your case, or navigate the paperwork.

22. If the Resident Advocate agrees that the Project Owner is in the wrong, can the RA order them to fix my house or give me my money back?

The Resident Advocate does not have the direct authority to issue orders to the Project Owner. My role is to mediate, advocate, and escalate. However, if we cannot resolve the issue informally, I will help you escalate it to the Installation Commander (the Deciding Authority in a Formal Dispute). Unlike the RA, the Commander does have the authority to issue binding remedies, such as directing the Landlord to remediate the premises, funding your relocation, or directing a reimbursement for fees.

SECTION 5: Trusting the Process and Leadership's Commitment

23. It sometimes feels like the private property management company holds all the power. Does Installation Leadership actually have the authority to make sure our homes are safe? Yes, absolutely. While the homes are managed by a private company, the Project Owner does not

operate unchecked. The Installation Commander retains the inherent authority and absolute obligation to ensure the health, welfare, and safety of all military families on the installation.

Installation Leadership, in partnership with the Military Housing Office and the Resident Advocate, provides rigorous oversight to ensure the Project Owner fulfills their responsibilities under the lease and the Tenant Bill of Rights. If your home is unsafe or your rights are not being respected, leadership is fully committed to stepping in and doing the right thing. They will exhaust every tool at their disposal—from bringing in Air Force health and safety experts (like Bioenvironmental Engineering), to escalating systemic issues to higher headquarters, to utilizing the binding Formal Dispute Resolution process—to hold the property management company accountable and ensure you have a safe, quality place to live.

24. What if my house isn't the only one with a major safety issue, like severe mold or structural problems? Will leadership step in, or am I fighting this on my own?

You are not on your own. The Resident Advocate and the Military Housing Office actively track all work orders and complaints to identify systemic trends. If a widespread issue is identified—such as systemic mold, water intrusion, or programmatic failures—leadership steps in heavily. According to Air Force policy, for complex health and safety issues, the Commander will bring in Subject Matter Experts (SMEs), Bioenvironmental Engineering (BE), and Civil Engineering (CE) to assess habitability and validate the company's remediation plans.

25. I fill out the maintenance surveys and voice my concerns, but it feels like my feedback goes into a black hole. Does leadership actually use our feedback to force changes?

Yes, your feedback is the most critical data point leadership has. Your survey responses, your calls to the MHO, and your complaints to the Resident Advocate do not disappear. The Resident Advocate compiles all this data into a Monthly Portfolio Report that is briefed directly to the Housing Element Chief and Installation Leadership. Furthermore, "Resident Satisfaction" is a heavily weighted, graded category on the Commander's Evaluation of the Project Owner. Your documented feedback directly impacts how the company is graded.

26. If I escalate to a Formal Dispute, isn't the military investigator just going to side with the housing company to avoid a hassle?

No. The Formal Dispute Resolution process is designed specifically to be objective and fair. When a Formal Dispute is initiated, the Commander (acting as the Deciding Authority) appoints a Dispute Resolution Investigator (DRI). This investigator must be a senior officer, civilian equivalent, or senior NCO who is outside of your chain of command to ensure complete impartiality. Their sole job is to conduct a thorough, unbiased investigation based on facts, the lease, and the Tenant Bill of Rights. Their recommendation to the Commander is based purely on the evidence, ensuring your rights are protected against corporate interests.

