



DEPARTMENT OF THE ARMY
U.S. ARMY INSTALLATION MANAGEMENT COMMAND-PACIFIC
HEADQUARTERS, UNITED STATES ARMY GARRISON, HAWAII
745 WRIGHT AVENUE, BUILDING 107, WHEELER ARMY AIRFIELD
SCHOFIELD BARRACKS, HAWAII 96857-5000

AMIM-HWG-ZA

23 MAY 2023

MEMORANDUM FOR Military Tenants of Privatized Housing under the Army's
Residential Communities Initiative (RCI)

SUBJECT: Tenant Informal Dispute Resolution Procedures

1. Tenants are required to attempt to resolve disputes informally through the process identified in the addendum to the tenant's lease or an informal dispute resolution process as follows.
2. The informal dispute resolution process is a measured approach intended to resolve disputes at the garrison level. The process will address both lease disputes and disputes that fall outside the specific parameters of the lease document (i.e., personal property claims). The tenant is responsible for initiating the informal dispute resolution process by submitting a request form containing relevant administrative information (Encl).
3. The Military Housing Office (MHO) will provide the request form and is available to assist tenants in completing the form. If eligible, tenants may also utilize a legal assistance attorney to prepare the document. A copy of the completed request form will be provided to the landlord or landlord's designated representative.
4. Within 3 business days, the garrison commander will review the request and determine additional information from the parties or an inspection of the premises will be required. Within 5 business days the garrison commander will convene a meeting with the parties. The parties may bring a representative to the meeting. The garrison commander will have discretion to conduct the mediation as s/he sees fit, e.g., joint sessions or a private caucus, in order to best accommodate the parties and resolve the matter. The individuals attending the session will have full authority to resolve the dispute.
5. The length and number of sessions will be at the discretion of the garrison commander, but the total time elapsed from receipt of the tenant's request to conclusion of the process should normally not exceed 10 business days.
6. The garrison commander may keep personal notes for his or her records, as needed. If the parties agree to resolve their dispute, the terms will be reduced to a settlement agreement or other acceptable, binding document, prepared by the landlord and subject to tenant review.

AMIM-HWG-ZA

SUBJECT: Tenant Informal Dispute Resolution Procedures

7. If agreement is not reached, the garrison commander will conclude the informal dispute resolution phase and advise the tenant that they may file a request for formal dispute resolution, as described in Schedule 3 to the universal lease. The garrison commander will provide tenants written instructions that the formal dispute resolution process is limited to "eligible housing disputes" as that term is defined in the Schedule 3 of the universal lease and that the formal dispute resolution Decision Authority may only award certain remedies as described in Schedule 3 of the universal lease.

8. The formal dispute resolution phase is reserved solely for the military member, their spouse or other eligible individual who qualifies as a "tenant" as defined in Section 2871 of Title 10 of the United States Code. The formal dispute resolution is designed to obtain prompt and fair resolution of housing disputes concerning rights and responsibilities in the lease. Requests for formal dispute resolution will follow the Department of Defense (DoD) guidance and use the forms in Schedule 3 of the DoD universal lease and dispute resolution process.

9. Nothing in the informal dispute resolution process shall prohibit a tenant or owner from pursuing an eligible housing dispute, as defined in Schedule 3 of the universal lease, in any adjudicative body with jurisdiction over the housing unit or claim in accordance with applicable state and/or federal law.

10. The point of contact for this action is David A. Reynolds, 808-655-7396, DSN 315-655-7396, david.a.reynolds36.civ@army.mil.


STEVEN B. MCGUNEGLE
COL, AR
Commanding

Encl
as