



Army Housing Office Plain Language Brief (PLB)



WE ARE THE ARMY'S HOME



The Military Housing Privatization Initiative (MHPI) Tenant Bill of Rights requires the garrison Army Housing Office to provide a plain language brief presenting the facts on tenants' rights and responsibilities associated with tenancy of the housing unit to all residents of privatized housing prior to lease signing and again 30 days after move-in on all rights and responsibilities.

“The Department of Defense is fully committed to ensuring that associated with tenancy of the housing unit, including MHPI housing projects provide our Nation’s most valued resource—its military members and their families—safe, quality, and well-maintained housing where our members and their families want and choose to live.

“The Department of Defense has issued all policy guidance necessary to implement prospectively all rights for military members and their families residing in privatized family and unaccompanied housing (Tenants) at all MHPI housing projects. However, as Congress recognized, retroactive application of the requirements at existing projects requires voluntary agreement by the respective MHPI company; the Department cannot unilaterally change the terms of the complex, public-private partnerships that established the MHPI housing projects. The Department of Defense has been seeking to secure voluntary agreements, and nearly all the MHPI companies have agreed to implement all 18 Tenant rights at their existing projects. The Department will continue to pursue agreements not yet reached. Tenants should contact their installation housing office to confirm the rights fully available to them.”

- The U.S. Army Garrison Hawaii Army Housing Office (AHO) staff are employed by the Army to assist Service Members and their families with housing matters and advocate on their behalf with community partners/agencies both on and off the installation.
- The Army Housing Chief reports directly to the Director of Public Works, and Garrison Leadership.
- The AHO provides oversight of the privatized on-post housing managed by Island Palm Communities and provides tenant/landlord dispute services.
- The AHO provides referral services to Service Members and families that reside or are seeking to reside off the installation.

Garrison Leadership:

- ❖ Garrison Commander: COL Rachel D. Sullivan
- ❖ Garrison Command Sergeant Major: CSM Joshua K. Yost
- ❖ Deputy Garrison Commander/Manager: David N. Roudybush
- ❖ Army Housing Chief: David A. Reynolds

Army Housing Office:

344 Heard Ave., Bldg. 556
Wahiawa, HI 96786
808-927-4531

Email: usarmy.schofield.usag.mbx.residential-communities-initiative@army.mil

<https://home.army.mil/hawaii/>

<https://www.facebook.com/usaghawaii>

- Island Palm Communities is the privatized company that and manages the Family Privatized Housing on this installation.
- Island Palm Communities is the private partner and your landlord.
- Island Palm Communities is the property management company that manages the day-to-day operations of the privatized housing to include ensuring prompt and professional maintenance and repair, addressing of property concerns, and rent/billing issues.

Island Palm Communities Contacts and Contact Numbers:

- North Regional Operations Director: Tony Hintz 808-275-3701
- South Regional Operations Director: Joanna Padilla 808-275-3802
- North Regional Director of Facilities: Andy Gerry 808-457-4087
- South Regional Director of Facilities: Dean Minami 808-457-4060

In 2020, laws were passed to assure military tenants basic rights to:

- Reside in a housing unit and a community that meets applicable health and environmental standards.
- 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.
- A previous seven-year maintenance history of the prospective housing unit within two business days after making request before signing a lease. A current tenant who did not receive maintenance information before signing a lease has the right to receive such information within five business days after making the request.
- 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.
- A plain-language briefing, before signing a lease and 30 days after move-in, by the AHO 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.
- Given 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.
- Report inadequate housing standards or deficits (deficiencies) in habitability of the housing unit to the Landlord, the chain of command, and Installation housing office without fear of reprisal or retaliation.

- Access a military tenant advocate or a military legal assistance attorney, through the AHO to assist in the preparation of requests to initiate a dispute resolution. This includes the ability to submit a request to withhold payments during the formal dispute resolution process.
- Receive property management services provided by the Landlord that meet or exceed industry standards and that are performed by professionally and appropriately trained responsive and courteous customer service and maintenance staff.
- Have multiple, convenient methods to communicate directly with the Landlord maintenance staff, and to receive consistent, honest, accurate, straightforward, and responsive communications.
- 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.
 - Island Palm Communities Regional Offices: North 808-275-3700 South 808-275-3800
 - North Regional Office Location: 3703 McMahon Road, Schofield Barracks, HI 96857
 - South Regional Office Location: 111 7th Street, Building 1004, Honolulu, HI 96819
 - Maintenance Work Order Line: 808-457-4075
 - Contact any Community Center Office for Maintenance Application information.
- Prompt and professional maintenance and repair, to be informed of the required time frame for maintenance and repairs when a maintenance request is submitted and when maintenance or repairs are 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.

- 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 the Landlord.
 - The Installation Legal Office is located at 278 Aleshire Ave, Bldg. 2037, Schofield Barracks, HI, 96857
Phone: 808-787-3071
- Enter a dispute resolution process should all other methods be exhausted and, in which case, a decision in favor of the tenant may include a reduction in rent or an amount to be reimbursed or credited to the tenant.
- Have your basic allowance housing payments segregated and held in escrow, with approval of a designated commander, and not used by the property owner, property manager, or landlord pending completion of the dispute resolution process.
- Have reasonable advance notice of any entrance by the Landlord, Installation housing staff, or chain of command into the housing unit of no less than 24 hours, except in the case of an emergency or abandonment of the housing unit.
- Not pay non-refundable fees or have application of rent credits arbitrarily withheld.
- Expect common documents, forms, and processes for housing units will be the same for all Army Installations, to the maximum extent applicable without violating local, state, or federal regulations.

Note: Tenants seeking assistance with housing issues should continue to engage their garrison AHO, installation leadership, and/or chain of command.

- **Lease Terms**

- Fixed
- Month to Month

- **Security Deposit**

- Cannot be an amount greater than one months rent
- Pet deposits are OK
- Remaining portion must be returned within 14 days of termination of the rental agreement

- **Access to the Unit**

- Landlord must give at least 2 days notice
- Tenant must consent
- Reasonable hours

- **Repairs**

- Emergency
- 3 business days
- Noncompliance
- 5 business days
- General – 12 business days

- **Landlord Obligations**

- Warranty of habitability

Prohibited Landlord Practices

- Lockouts
- Retaliatory evictions and rent increases
- Turning off utilities

- **Notice to Vacate**

- Landlord: 45 days
- Tenant: 28 days

- **Final Inspections**

- Not required by law, but are a best practice to prevent disputes

- **Disputes**

- Small claims court
- Lawyer representation not allowed

- **Hawaii Landlord**

- Tenant Handbook
- State of Hawaii Department of Commerce and Consumer Affairs website

- **Codified in Hawaii Revised Statutes (HRS) Chapter 521**

- **Residential Landlord-Tenant Center 808-586-2634**

Hawaii's Residential Landlord-Tenant Code Types of Tenancies

	Week-to-Week	Month-to-Month		Lease
1. Return of security deposit (one year to bring action by tenant for return of deposit)	14 days after rental termination of rental agreement**	14 days after termination of rental agreement**		14 days after termination of lease agreement.
2. Notice of rent increase	15 days notice*	45 days notice*		
3. Notice of termination of rental*	10 days notice	45 days written notice from landlord to tenant. After 45 days written notice from the landlord, the tenant may vacate the unit at any time within the last 45-day period and is responsible for payment of prorated rent for the period that the premises are occupied and for notifying the landlord of the day of vacating. 28 days written notice from tenant to landlord.		It is recommended that either landlord or tenant give notice of intent prior to lease expiration.
4. a. Notice of voluntary demolition of rental units* b. Notice of conversion to condominium* c. Notice of conversion to transient vacation rentals*		120 days* 120 days* 120 days*	The tenant may vacate the unit at any time within 120-day period, so long as the tenant notifies the landlord of the day of vacating and shall pay a prorated rent for the period the premises are occupied.	
5. General repair schedule*	12 business days	12 business days--landlord must start repairs within 12 days after being notified or explain why it cannot be done at that time.		12 business days
6. Emergency repairs (repairs necessary to provide sanitary & habitable conditions)	3 business days	3 business days--landlord must take steps to correct within 3 business days or tenant may have repairs done and deduct cost from rent.		3 business days
7. Notice of intent to enter	2 days	2 days		2 days
8. Wrongfully quit rental	20 days	20 days--if tenant is absent without notice for 20 days, he is considered to have "wrongfully quit" premises. However, the tenant will not be considered absent during any period for which rent has been paid.		20 days
9. Improper use	10 days	10 days to remedy.		10 days
10. Failure to pay rent*	5 business days	5 business days after notice, rent must be paid or landlord may sue for eviction.		5 business days
11. Failure to disclose	10 days	10 days if requested by tenant, landlord must disclose names of owners or agents.		10 days
12. Security deposit transfer statement	20 days	20 days if owner sells or transfers interest, tenant must be given a statement of security deposit amount by new owner.		20 days

*Notice must be written

**Return postmark before midnight of 14th day

Per your lease, it is your responsibility to:

- Report in a timely manner any apparent environmental, safety, or health hazards of the home and any defective, broken, damaged, or malfunctioning building systems, fixtures, appliances, or other parts of the home, common areas, or related facilities to the landlord.
- Maintain standard upkeep of the home as instructed by the property management company.
- 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 unlawful activity in the home or common areas.
- The Property Management Resident Handbook provides specific information. The Resident Handbook can be found online www.islandpalmcommunities.com
- Allow the landlord reasonable access to the rental home in accordance with the terms of the tenant lease agreement to make necessary repairs in a timely manner.
- 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.

How to alert Island Palm Communities of maintenance issues:

- For Emergency or Urgent work orders: Contact the work order request line immediately at 808-457-4075.
- For Routine work orders: Submit a work order request online through the Resident Portal.
- The Resident Portal is available online <https://www.islandpalmcommunities.com/>. Tenants can download the RentCafé Resident App in the App Store or on Google Play <https://winnmilitary-reslisting.securecafe.com/residentservices/hawa0/userlogin.aspx>
- Tenants can track progress of work orders throughout the RentCafé Resident App.
- Work order ticket will be closed once tenant signs off confirming that the work was completed.
- Promptly contact Island Palm Communities to report emergency, urgent, routine work orders, trouble calls, safety concerns, or resident compliance concerns.

Types of Service Calls	Examples	Response Time
<u>Emergency</u> <ul style="list-style-type: none"> • Critical safety, life threatening issues 	Smoke/Co2 Detectors Power outage Sewage back-up Active water leak Burning smell HVAC leak	<ul style="list-style-type: none"> • Initial Response Within 2 Hours • <u>Available 24/7/365</u>
<u>Urgent</u> <ul style="list-style-type: none"> • Habitability Issue 	Water heater inoperable Garage door inoperable Stove inoperable Leak from sink/faucet	<ul style="list-style-type: none"> • Initial Response Within 8 Hours
<u>Routine</u> <ul style="list-style-type: none"> • Convenience • Unit care issues 	HVAC not cooling Oven inoperable Screen repair Light bulb replacement Garbage disposal	<ul style="list-style-type: none"> • Initial Response Within 3.5 Business Days

Note: If parts need to be ordered to complete repairs it may cause a delay in work order completion timeline.

The ***informal dispute resolution process*** is a measured approach intended to resolve disputes at the garrison level that may be used to resolve disputes pertaining to the lease as well as issues that fall outside the specific parameters of the lease document.

The tenant may submit a completed ***informal dispute resolution*** request form with any documents that support the dispute to the AHO.

- An ***informal dispute resolution*** form is available at the AHO and on-line at <https://home.army.mil/hawaii/garrison/dpw/housing/rci>
- Tenants may also visit the garrison Legal Assistance Office to seek assistance in completing the ***informal dispute resolution form***. Tenants can contact the Legal Assistance office at 808-655-8607 for further assistance.
- The Garrison Commander will serve as the mediator between Island Palm Communities and tenant in an effort to resolve the dispute at the local level, normally within 10 business days.

The **formal dispute resolution process** allows eligible tenants to obtain prompt and fair resolution of housing disputes concerning rights and responsibilities set forth in the lease that could not be resolved through the informal dispute process.

- A **formal dispute resolution** form is available at the AHO and in the Universal Lease Agreement. Contact the Army Housing Office at 808-927-4531 or by emailing usarmy.schofield.usag.mbx.residential-communities-initiative@army.mil for further assistance.
- The tenant may submit a completed **formal dispute resolution** request form with any documents that support the dispute to the AHO. Tenants may also visit the Installation legal office to seek assistance in completing the **formal dispute resolution** form.
- The **formal dispute resolution** may include a home inspection. If the tenant fails to grant access to the premises for inspection the formal dispute resolution process shall terminate, and no decision will be rendered.
- The Commanding General, HQ IMCOM, is the Deciding Authority and will generally render a decision within 30 days, but not later than 60 days.
- Tenants may request “rent segregation” for up to 60 days while the dispute is being reviewed.
- The **formal dispute resolution** eligibility is limited to military members, their spouse or other eligible individual who qualifies as a “tenant” as defined in 10 USC Section 2871.
- Tenants may seek legal advice or dispute resolution through any remedy available by law, except that Tenant and Owner shall not pursue such remedy available in law while a formal dispute resolution under this process is pending.

Island Palm Communities Community Center Contact Number and Location

- Aliamanu Community: 808-275-3850 / 182 Kauhini Road, Honolulu, HI 96818
- AMR-Rim/Red Hill Community: 808-275-3860 / 1545 Tampa Drive, Honolulu, HI 96819
- Canby Community: 808-275-3760 / 190 Morris Road, Wahiawa, HI 96786
- 1LT Brostrom/Fort Shafter: 808-275-3820 / 225 Austin Road, Honolulu, HI 96819
- Helemano Community: 808-275-3780 / 173 Romero Road, Wahiawa, HI 96786
- Kaena/Santa Community: 808-275-3730 / 5485 Gallup Street, Wahiawa, HI 96786
- Kalakaua Community: 808-275-3750 / 2535 Waianae Uka Avenue, Wahiawa, HI 96786
- Porter Community: 808-275-3770 / 1301 McCornack Road, Wahiawa, HI 96786
- Wheeler Community: 808-275-3790 / 100 Vought Avenue, Wahiawa, HI 96786

Please refer to the next slide for locations of Island Palm Communities Leasing Center



Island Palm Communities Regional Office

3703 McMahon Road
Schofield Barracks, HI 96857
Phone Number: 808-275-3700



Army Housing Office
344 Heard Avenue, Bldg. 556
Schofield Barracks, HI 96857
Phone Number: 808-927-4531

- Section 3016(b) of the Fiscal Year (FY) 2020 National Defense Authorization Act (Public Law 116-92) added a new section 2894a to title 10 United States Code (10 U.S.C.) that requires the Department of Defense (DoD) establish a publicly available database that permits privatized housing tenants to file a complaint regarding their housing unit.
- To satisfy this requirement, the Department developed the DoD Housing Feedback System (DHFS) to enable Military Housing Privatization Initiative (MHPI) tenants to submit complaints, compliments and/or “feedback.”
- Publicly accessible information in the DHFS regarding tenant feedback includes the name of the installation where the housing unit is located, the name of the privatized housing landlord responsible for the unit, and a description of the feedback nature.
- The DHFS can be accessed at <https://www.dhfs.mil>.