



U.S.ARMY



Installation Housing Office Plain Language Briefing

Moffett Field, CA



Welcome to the Garrison Housing Office

- The Moffett Federal Airfield Housing 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 Housing Service Office (HSO) provides referral services and tenant/landlord dispute services
- The Installation Housing Office provides oversight of the privatized company managing on post housing and provides tenant/landlord dispute services
- The garrison Housing Manager manages the Installation Housing Office and reports directly to the Director, Public Works and garrison leadership

Garrison Leadership

Garrison Commander: LTC Serena Johnson

Garrison Command Sergeants Major: MSG Michael Rivera (Interim)

Acting Deputy Garrison Commander: Mr. Scott W. Mitten (Interim)

Garrison Housing Chief: Ms. Sandra Key (located at Fort Irwin)

Garrison Housing Manager: Mr. Mark A. Ramirez

Garrison Housing Manager: Mr. Jonathan W. Fields





Privatized Housing Contacts

- California military Communities, sometimes referred to as the Residential Communities Initiative (RCI) Company, is the privatized company that owns and manages the family housing on this installation
- Clark Realty Capital is the private partner and managing member of Wescoat Villages at Moffett Fields & Shenandoah Square Apartment
- Michael Management 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, property concerns, and rent/billing issues. This is your landlord for privatized housing

The Michael Organization Contacts:

Community Director: Ms. Jessica Turn, jturn@tmo.com; (650) 965-1754

Property Manager: Currently Vacant

Facilities Director: Mr. Kris Bal, kbal@tmo.com; (650) 965-1754





Privatized Housing - Tenant Bill of Rights



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

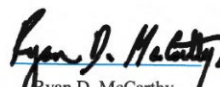
the rent, decreasing services, or increasing the obligations of a Tenant; (C) interference with a Tenant's right to privacy; (D) harassment of a Tenant; (E) refusal to honor the terms of the lease; or (F) interference with the career of a Tenant.

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.

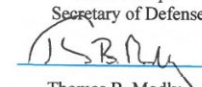
With respect to the remaining three rights—access to maintenance history, process for dispute resolution, and withholding of rent until disputes are resolved—the Department will continue to work with the MHPI companies and, as necessary, Congress to ensure the benefits of these rights are fully available. 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.



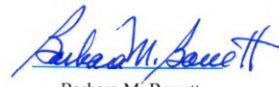
Mark T. Esper
Secretary of Defense



Ryan D. McCarthy
Secretary of the Army



Thomas B. Modly
Acting Secretary of the Navy



Barbara M. Barrett
Secretary of the Air Force

* Copy is available upon request





Privatized Housing - Tenant Bill of Rights

The Military Housing Privatization Initiative ***Tenant Bill of Rights*** requires the Garrison Housing Office provide a plain language brief to all residents of privatized housing prior to lease signing and again 30 days after move-in on all rights and responsibilities associated with tenancy of the housing unit

- You have the right to reside in a housing unit and a community that meets applicable health and environmental standards. (Right 1)
- You have 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 space. (Right 2)
- You have 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. (Right 3)
- 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 (Right 4)
- You have 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. (Right 5)





Privatized Housing - Tenant Bill of Rights

- You have the right to report inadequate housing standards or deficits in habitability of the housing unit to the Landlord, the chain of command, and Installation housing office without fear of reprisal or realization, including (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; (F) interference with the career of the tenant (Right 6)
- You have the right to have access to a Military Tenant Advocate or a military legal assistance attorney, through the Installation housing office to assist in the preparation of requests to initiate dispute resolution (Right 7)
- The right to 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. (Right 8)
 - The Moffett Federal Airfield Installation Housing Office serves as your Military Tenant Advocate.
 - Garrison Housing Manager: Mr. Mark A. Ramirez, O: (650) 965-1754; C: (760) 447-3356 mark.a.ramirez46.civ@mail.mil
 - Garrison Housing Manager: Mr. Jonathan W. Fields: O: (650) 965-1754 jonathan.w.fields10.civ@mail.mil





Privatized Housing - Tenant Bill of Rights

- You have the right to receive advice from military legal assistance on procedures involving mechanisms for resolving disputes with the property management company or property manager in include mediation, arbitration, and filing claims against the Landlord. (Right 12)
 - SJA Office POC: Ms. Jessaka Menzie, Chief, Client Services, Office of the Staff Judge Advocate, Fort Irwin, CA 92310 O: (760) 380-5321
- You have the right to have multiple convenient methods to communicate directly with the privatized Landlord maintenance staff, and to receive consistent, honest, accurate, straightforward and responsive communications. (Right 9)
- You have 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. (Right 10)
 - Property Management Company: Michael Management
 - Facility Director: Mr. Kris Bal (650) 965-1754
 - Maintenance Shop Contact Number: (650) 965-1754 ext 2; 24 hrs (866) 642-2615
 - Maintenance Shop Location: Wescoat Village Building 48 Berry Court East
 - Maintenance Website: <https://moffettandparks.activebuilding.com>;
 - Maintenance Application: ActiveBuilding, IOS & Android





Privatized Housing - Tenant Bill of Rights

- You have the right to the following: (A) prompt and professional maintenance and repair; (B) to be informed of the required time frame for maintenance and 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. (Right 11)
- Displaced Resident Policies
 - ASAIE&E Memorandum, SAIE, Feb 14, 2020, Army Residential Communities Initiative Company Minimum Standard Resident Displacement Guidelines
 - ASAIE&E Memorandum, SAIE, Jan 23, 2020, Subject: Procedures for Approving Privatized Housing Habitability after Remediation, Mitigation, Stabilization and abatement
 - IMCOM Memorandum, Headquarters Installation Management Command, IMPW-H, JAN 31 2020, subject: Procedures for Certifying Housing Habitability for Army Family Housing, Leased Housing, Unaccompanied Housing and Privatized Homes
 - IMCOM Memorandum, Headquarters Installation Management Command, IMPW-H, MAR 11 2020, subject: Command Guidance Army Residential Communities Initiative (RCI) Company Minimum Standard Resident Displacement Guidelines
 - ASA IE&E Memorandum, Dated **FEB 04, 2020** "Housing Maintenance Quality Assurance and Environmental Hazard Oversight Program" provides clear standards and details of required oversight of Army housing maintenance

* Copy is available upon request





Privatized Housing - Tenant Bill of Rights

Maintenance Requests Procedures from Resident Handbook

- All maintenance requests and any other requests or communications regarding property management should be directed to Wescoat Villages at Moffett Fields Housing Office. Tenants have several ways of notifying the maintenance department about a work order. They may call the housing office, submit the request in person at the leasing office, or through electronic means such as email or an online portal, <https://moffettandparks.activebuilding.com/>. Tenants can monitor the work order process through the online portal.
- Wescoat Villages at Moffett Fields provides 24-hour emergency maintenance service. Emergency work orders take priority over all other work orders because they require immediate action. Wescoat Villages at Moffett Fields personnel will respond promptly, either by telephone or in person, to confirm the classification of emergency maintenance requests and establish priorities for addressing multiple emergencies. The following situations are examples of the classifications, but maintenance service requests are not limited to these situations:





Privatized Housing - Tenant Bill of Rights

Emergency Service Requests

Conditions that may constitute an immediate threat to life, mission, security or property are classified as “emergency”. These requests are responded to within one (1) hour. *Emergency phone: (866) 642-2615*

- Examples: Fire, natural gas leak, loss of heating, sewerage back-up, electrical hazards, inoperable front door lock, broken water line, flooding, lock out, etc.

Urgent Service Requests

Conditions that could become an emergency are classified as “urgent”. These requests will be responded to within four (4) hours of the request during normal business hours and within eight (8) hours outside of normal business hours.

- Examples: range/oven failures that prevent resident from cooking, refrigerator failure that could result in food spoilage, water heater failure, inoperable toilet, broken window, jammed or otherwise inoperable garage door, light fixtures, switches, or receptacles not working, etc.





Privatized Housing - Tenant Bill of Rights

Routine Service Requests

Normal work that does not meet the category of “emergency” or “urgent”. Residents are asked to inform the person taking the maintenance request if there are any verifiable medical conditions that will be aggravated by conditions in the home related to the request. Residents are encouraged to contact the Housing Office if there are any questions concerning any maintenance issues. Residents are also encouraged to complete and return Maintenance Rating Cards each time that maintenance is performed.

- Every Routine work order will be scheduled with the resident as an appointment and resident will be given a choice of AM or PM on the next available day.
- If management cannot complete the work order due to the non-availability of the resident, the work order will be closed, and it is resident’s responsibility to reschedule. A call prior to arrival is not necessary.

Work order or maintenance ticket to be closed only once the tenant and Installation Housing Management Office signs off





Privatized Housing - Tenant Bill of Rights

- The right to have reasonable advance notice of any entrance by the 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. (Right 13)
 - **ENTRY.** Landlord shall maintain the right to enter the Residence as allowed by law. Law permits entry in case of emergency, to make necessary or agreed repairs, decoration, alterations or improvements, supply necessary or agreed services, to test smoke and carbon monoxide detectors, to exhibit the Residence to prospective or actual purchasers, mortgagees, residents, workmen or contractors, to make an inspection under subdivision (f) of Civil Code §1950.5, when you have abandoned or surrendered the Residence and under to court order. Unless you have given us permission to enter, we will give you written notice at least 24 hours before entry unless entry is due to (1) an emergency, (2) surrender or abandonment of the Residence, or (3) we have agreed to a date and time within a one week time period when we will enter to make repairs. Additionally there is no requirement to give written notice to show the Residence to prospective or actual purchasers and instead can give you verbal 24 hour notice of entry, if within the previous 120 days from our verbal notice of entry we inform you in writing that the Property is for sale and that you may receive oral notice of our intent to enter. If we give you verbal notice of our intent to enter to show the Residence to purchasers, we will leave written evidence of our entry in the Residence.





Privatized Housing - Tenant Bill of Rights

- The right to not pay non-refundable fees or have application of rent credits arbitrarily withheld. (Right 14)
 - A refundable pet deposit of \$250 per pet is due at lease signing or at time of pet acquisition. Michaels Management will deduct from this refundable deposit for costs and expenses incurred in repairing damages caused by pets, if any.
- The right to 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. (Right 15)

“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.”

Reference:

ASAIE&E Memorandum, SAIE, JUN 1, 2020, Memorandum For Tenants In Housing Privatized Under The Military Housing Privatization Initiative

* Copy is available upon request





Privatized Housing – Tenant Responsibilities



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.





Privatized Housing – Tenant Responsibilities

- The Military Housing Privatization Initiative Tenant Bill of Rights highlights 5 important responsibilities for Service Members and their Families while they reside in privatized family housing.
 1. 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. The responsibility to maintain standard upkeep of the home as instructed by the housing management office.

Rubbish / Refuse / Recycling

- Trash containers and recycling bins will be provided to each residence. Bins will be picked up once a week, along with recyclable materials, on Saturday. Residents of Wescoat Villages at Moffett Fields
- Trash containers must be kept covered and stored in the garage, or designated location or an area outside of public view. Containers may be put out for pickup no earlier than 1800 (6:00p.m.) on the evening prior to the scheduled pickup day (Friday) and must be removed from the curb and returned to the storage area after pickup no later than 1800 (6:00 p.m.) the day of pickup (Sunday). Bulk items services is not offered and may not be placed outside the home or at the curb except coordination is done prior to dispose item at the resident expense. Contact Office prior to disposing items.





Privatized Housing – Tenant Responsibilities

Household Hazardous Waste

- Household products that contain corrosive, toxic, ignitable, or reactive ingredients are considered to be “household hazardous waste” or “HHW”. Products such as paints, cleaners, oils, batteries, and pesticides that contain potentially hazardous ingredients require special care when you dispose of them. Improper disposal of household hazardous wastes can include pouring them down the drain, on the ground, into storm sewers, or in some cases putting them out with the trash. The dangers of such disposal methods might not be immediately obvious, but improper disposal of these wastes can pollute the environment and pose a threat to human health. Please dispose of hazardous household waste by making a Free Drop-off Appointment with the Santa Clara County Household Hazardous Waste Program website <https://www.sanjoseca.gov/your-government/environment/recycling-garbage/residents/what-goes-where/household-hazardous-waste#:~:text=Make%20a%20Free%20Drop%2Doff,at%20the%20Environmental%20Innovation%20Center>. or call (408) 299-7300 to schedule a free drop-off appointment. San José has a permanent HHW facility at the Environmental Innovation Center.





Privatized Housing – Tenant Responsibilities

3. 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.
 - All Resident Occupancy Agreement or Resident Responsibility Guide disputes will first be submitted, in writing, to Wescoat Villages at Moffett Fields for resolution. If a mutually acceptable resolution cannot be agreed upon, the dispute will then be referred to the Residential Communities Initiative (RCI) Office for review.
 - Refer to Resident Handbook, available at <https://moffettandparks.activebuilding.com/>
4. The responsibility to allow the Landlord reasonable access to the rental home in accordance with the terms of the tenant lease agreement to all the Landlord to make necessary repairs in a timely manner.
5. 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.





Garrison Housing Services Office (HSO)

The goal of the HSO is to implement and maintain a high quality worldwide resource for relocation services that is innovative, comprehensive, and the first choice of information and support when Soldiers and families relocate.

- Non-discriminatory listings of adequate and affordable rental and for-sale housing
- Counseling/referral on eligible installation services (i.e. legal, education, Exceptional Family Member Program)
- Preliminary inquiries to validate housing discrimination complaints
- Liaison with community and government officials / organizations (on and off post)
- Housing data exchange with other DoD housing offices
- Liaisons with Army Community Services in support of the Housing Relocation Assistance Program
- Housing market area data for use in developing market analyses Rental negotiations and lease review





Garrison Housing Services Office (HSO)

- One-Stop, Full Service from Arrival to Departure for the Following:
 - Home buying counseling
 - Landlord-tenant dispute resolution
 - Basic Allowance for Housing (BAH) data submission
 - Property inspections
 - NEW---Per FY20 NDAA: If tenant is not available for pre-assignment walkthrough inspection, Housing Office must attend on tenant's behalf
 - NEW---Per FY20 NDAA: The Housing Manager shall initiate contact with resident 15 day and 60 days after move in regarding the satisfaction of the resident.
 - Administrative assistance with utility company fees/deposits, connections, and billings
 - Informational briefings (in- and out-processing, entitlements),community outreach





Furniture Safety & Additional Information

- Tenants are permitted to anchor any furniture, television, or large appliance to the wall of the unit for purposes of preventing such item from tipping over without incurring a penalty or obligation to repair the wall upon vacating the unit if the Landlord does not anchor the furniture for the tenant.
- Additional information about Moffett Federal Airfield Housing can be found on the garrison website <https://www.housing.army.mil/#!pg=post&sp=welcome> and select Moffett
- Features and amenities on Wescoat: Community Club House, 2 playgrounds, Dog park, Tennis court, Basket ball court.





End of Brief

