



DEPARTMENT OF THE AIR FORCE

WASHINGTON, DC 20330-1000

OFFICE OF THE ASSISTANT SECRETARY

MEMORANDUM FOR INSTALLATION COMMANDERS

FROM: SAF/IEI
1665 Air Force Pentagon
Washington, DC 20330

SUBJECT: Informal Landlord-Tenant Dispute Resolution Process

1. The Air Force recognizes the importance of establishing a standardized formal dispute resolution process to ensure the prompt and fair resolution of disputes between the owners of privatized housing (Landlords) and their military tenants (Tenants). We are working diligently with the DoD Chief Housing Officer and Landlords to establish a formal dispute resolution process meeting the requirements of 10 U.S.C. §2894. Upon reaching final agreement, we will provide further guidance on that process, including project specific steps for informal dispute resolution that must be accomplished prior to initiating formal dispute resolution.
2. Independent of a formal dispute resolution process, Tenants and Landlords should always attempt to expeditiously resolve any dispute informally by mutual agreement at the lowest level. With that important goal in mind, Tenants need to have a clear understanding of the resources at their disposal to assist them in the informal dispute resolution process, including direct engagement with the local military housing office (MHO), Resident Advocates, and the legal assistance office. If a Tenant has an issue with the Landlord's performance of responsibilities under their lease, it is important for the Tenant to immediately notify the Landlord of the issue. Attachments 1 and 2 to this memorandum set out guidance for Tenants experiencing such issues.
3. Request commanders get this information to their Tenants so that they understand the available options for resolving issues with their Landlord. Our goal is to provide military families with access to safe, quality, affordable, and well-maintained housing communities and ensure the chain of command is available and informed to support our members and their families. Please have tenants direct any questions regarding this process to the POCs identified in the Attachments.

ROBERT E. MORIARTY, P.E., SES
Deputy Assistant Secretary of the Air Force
(Installations)

Attachments:

1. Informal Dispute Resolution Process
2. Other Resources

Attachment 1

Informal Dispute Resolution Process

If a Tenant discovers a problem with their home, the Tenant shall first communicate the issue directly to the Landlord. For example, if a Tenant discovers that an appliance is not functioning correctly, the Tenant should submit a work order request to the Landlord, in the manner that is required by the tenant lease agreement. If the initial communication or request does not result in action to resolve the issue, the steps outlined below should be followed:

- Follow-up with the Landlord’s property management staff
 - If the Landlord has not resolved the issue after the initial communication or request, the Tenant shall follow-up with the local property management staff
 - Depending on the circumstances, the Tenant may also communicate the issue to the MHO for their awareness (and direct engagement, if necessary)

- Direct engagement with MHO staff to assist with resolution
 - If the issue isn’t resolved by the Landlord, the Tenant may seek assistance from their MHO, to include sharing details on previous efforts to resolve the matter directly with the Landlord
 - The MHO staff can then engage directly with the Landlord’s local property management staff to resolve the issue. If further engagement with the local staff is not successful:
 - MHO can elevate the issue within the Landlord’s management structure, as necessary, and
 - MHO can elevate the issue within the chain of command, up to the first O-5 or civilian equivalent in the chain, depending on the nature of the issue (e.g., life/health/safety)

- Members should also use their chain of command or the installation chain of command to try to resolve housing issues if they feel their issues are not being resolved – the chain of command is a good resource for members when they need assistance and other informal sources are not working

- If the Tenant does not believe the issue can be resolved at the local level, the Tenant may contact the Air Force Housing Call Center (1-800-482-6431) to assist with resolution of their issue

Attachment 2

Other Resources

Resident Advocate

Every Air Force Base with privatized housing has a Resident Advocate. The Resident Advocate assists military members and their families residing in privatized housing in developing solutions to unresolved problems, concerns and needs. They will provide consultation on landlord/tenant disputes and take a proactive approach to ensure the concerns of military members and their families regarding privatized housing are addressed and elevated to the appropriate levels within the chain of command. The Tenant may seek the assistance of the Resident Advocate at any point during the informal dispute resolution process that is described on Attachment 1.

Medical

If a Tenant believes they have a health issue related to conditions in housing, they can contact the MHO who will refer the tenant to a Primary Care Manager (PCM) for evaluation. A Tenant who is not satisfied with the support provided by the PCM, may contact the USAF School of Aerospace Medicine Environmental, Safety, and Occupational Health (ESOH) Service Center at 1-888-232-ESOH (3764). If the PCM confirms the Tenant has a mold-related illness and the Tenant believes there is an unremediated condition in the home that is aggravating the condition, the PCM can engage the Installation Occupational and Environmental Medicine Consultant (IOEMC) to initiate an evaluation of the home and determine appropriate follow-up actions together with the Bioenvironmental Engineering Flight and the MHO.

Legal

The Legal Assistance Office is also available to provide legal advice on landlord/tenant rights and assist in resolving disputes with the Landlord short of actual litigation. The scope of legal services that can be provided by the Legal Assistance Office is further detailed in AFI 51-304 (*Legal Assistance, Notary, Preventive Law, and Tax Programs*). In addition, the Tenant always has the option to independently hire private legal counsel to provide legal advice on their dispute with the Landlord.