

HOW TO RESOLVE A MILITARY HOUSING RESIDENT CONCERN

Companies participating in the Military Housing Privatization Initiative (“MHPI”) encourage residents who are active-duty military or otherwise eligible as a Tenant under Section 2871 of title 10 of the United States Code (“Military Residents”) to take advantage of the communications channels and independently administered processes available to resolve a housing concern. The following three step process gives all Military Residents, regardless of location or provider, a fair and uniform process to resolve their concerns.

STEP 1: NOTIFY THE PROPERTY MANAGER

Military Residents should immediately notify their property manager in accordance with the terms of their lease agreement if they have a concern with their home. For maintenance requests, property managers provide Military Residents with convenient and transparent online tools to report and resolve the service request. Military Residents are also given the opportunity to electronically submit feedback on closed service requests to ensure work by the property manager was completed to their satisfaction. If it is not completed to the Military Resident’s satisfaction, the property manager may follow up to rectify the situation.

STEP 2: ESCALATE THE CONCERN THROUGH THE SERVICE BRANCH

Military Residents should adhere to the dispute resolution guidelines in their lease agreement in favor of resolving the dispute first with their property manager. If a housing concern remains unresolved after a Military Resident communicates with the property manager, the next step is for the Military Resident to contact their installation’s Resident Advocate, the Government Military Housing Office (“MHO”), or directly to the Installation Command, who will then work with the property manager to resolve the issue.

STEP 3: UTILIZE THE DISPUTE RESOLUTION PROCESS

As part of the Tenant Bill of Rights, the Department of Defense provides a Dispute Resolution Process (“DRP”) for Military Residents who exhaust the options available in steps 1 and 2. Congress empowered Military Residents with this enhanced process to resolve disputes fairly and efficiently with their property managers. In 2021, the Department of Defense and the Service Branches introduced the DRP after listening to concerns of Military Residents and military family advocacy organizations. The updated DRP places Military Commanders at the heart of the process to resolve disputes fairly and impartially if needed.

HOW DOES THE DEPARTMENT OF DEFENSE DRP WORK?

Informal DRP: Military Residents must first attempt to resolve a concern informally at the installation level through the informal DRP identified in their lease agreement. The informal DRP can address lease concerns as well as concerns that fall outside of the lease, like personal property claims. Military Residents are responsible for submitting an informal DRP form and can receive assistance from the MHO or a legal assistance attorney to prepare the form. The Military Commander who has the authority to review the informal DRP request will attempt to mediate a resolution between the parties. The terms of any settlement mediated by a Military Commander are subject to review and approval by the Military Resident. The informal DRP enables Military Residents and property managers to mutually resolve most housing concerns.

Formal DRP: If the informal DRP does not resolve the matter, Military Residents can choose to initiate the formal DRP process. To do so, Military Residents must submit a request to the MHO, who will then validate it. Once a request is validated, an independent investigator will be appointed to review records and conduct any necessary interviews, and the MHO, or the independent investigator, will conduct an inspection of the property with the property manager if the condition of the property is the subject of concern. A report will be issued once the investigation is complete and both the Military resident and property manager have had the opportunity to provide comments. The Military Commander who oversees the formal DRP process, known as a “Deciding Authority,” will then issue a decision to resolve the concern after reviewing the facts documented by the independent investigator, the Military Resident’s stated concerns, and the position of the property manager. Department of Defense policy requires the formal DRP process to facilitate a resolution within 60 days.