

GOVERNMENT OF GUAM  
Office of the Governor  
Agana, Guam

EXECUTIVE ORDER NO. 1-59

GOVERNMENT HOUSING

WHEREAS, Section 5 of Public Law 2, Second Guam Legislature, 1954 (Second) Special Session, authorized the Governor to create a Housing Revolving Fund, hereinafter referred to as "the Fund";

WHEREAS, such Fund has been created by the Director of Finance pursuant to Executive Order No. 3-54, dated July 1, 1954, as amended by Executive Order No. 1-55, dated January 4, 1955;

WHEREAS, Sections 4300 and 4301 of Chapter 4, Title V, Government Code, as enacted by Public Law 29, Fourth Guam Legislature, effective July 24, 1957, provide:

"Section 4300. Lease; Authority. The Governor is authorized to execute leases not exceeding two years in length in the name of the government of Guam with private individuals for real property or housing units for the purpose of acquiring housing facilities for employees of the government of Guam and other authorized persons providing such housing facilities are available at reasonable cost which shall not exceed double the amount charged for comparable employee housing owned by the government of Guam.

"Section 4301. Housing Revolving Fund. The Housing Revolving Fund established pursuant to Section 5, Public Law 2, Second Guam Legislature, Second Special Session, shall be available for payment of the costs of maintenance and operation of,

and the supplying of light, power and water to, housing occupied by employees of the government of Guam and other authorized persons, and for the leasing of real property or housing units from private owners to provide such housing, in accordance with such terms and conditions as the Governor shall prescribe by executive order. Charges to employees and other authorized persons for the use of housing acquired by lease pursuant to Section 4300 shall be based on standards comparable to charges made for use of other government housing, and may be less than the rent paid for such housing under such lease. All charges for the use of housing and any other income received therefrom shall be paid into the Fund.";

WHEREAS, administration of the Fund and of government housing, except for assignment of such housing, has heretofore been transferred to the Director of Public Works by Executive Order No. 3-58, dated April 11, 1958, and it is deemed desirable to transfer responsibility for assignment also to the Director of Public Works;

NOW, THEREFORE, by virtue of the foregoing, it is hereby ordered as follows:

1. The Director of Public Works is charged with the administration of government housing, including assignment, maintenance, operation, and furnishing of utility services (except telephone), and he is authorized to requisition through prescribed procedures supplies, materials, alterations and repairs.

2. All charges for occupancy or for damages against occupants of such housing shall be credited to the Fund, provided that where such housing is furnished authorized persons without charge, under special arrangements, the department or agency to which such person is assigned shall pay the Fund on the same basis as an occupant paying his own charges.

3. All expenses relative to the operation, maintenance and repair of government housing shall be paid from such Fund, including administrative charges and utility billings (except telephone) but not capital improvements or investments.

4. The Director of Finance shall prescribe the accounting procedures to be followed in connection with such Fund, shall monthly render to the Governor, the Director of Budget and Management, and the Director of Public Works an operating statement and balance sheet reflecting the financial condition of the Fund, and shall periodically audit the accounts and records of the Fund and render a report thereon to such officials.

5. In connection with the leasing of private property for government housing, the Director of Public Works shall from time to time determine the number of available acceptable private housing units and the number needed in various areas, and shall negotiate for the leasing of the desired units. Leases shall be for a period of not longer than two years. In negotiating with regard to the rent, the Director of Public Works shall consider the type of construction, size, and condition, including any furnishings and equipment. In no event shall the rent be more than double the amount charged employees for comparable government housing. Where there is no comparable government housing, the general charge schedule for all government housing shall be taken into consideration. Leases shall contain a clause whereby the Government of Guam may terminate such lease before the expiration date. Leases

shall be subject to approval as to form by the Attorney General. Title to the housing unit and the land must be approved by the Director of Land Management. The units shall be leased from private individuals only. Leases shall be subject to approval by, and shall be executed by, the Governor, and until such execution no liability shall accrue against the Government of Guam.

6. There is hereby appointed a Government Housing Committee consisting of the Director of Public Works, Chairman, Director of Land Management, Director of Finance, and the Director of Budget and Management. The function of the Committee shall be to prepare a charge schedule for the occupancy of government housing, which shall be subject to approval by the Governor. Such charges shall be issued by Government memorandum and included in the Government Manual.

Charges shall be based on the costs of maintenance and operation, and, where furnished, the cost of supplying power and water. In preparing the charge schedule, consideration shall be given to the type of construction, size, and condition of individual units or types of units. In the case of private housing leased by the Government, consideration shall be given to the rent paid the lessor.

Where feasible, power and water may be charged separately by meter. Where separate meters are installed, occupants will be charged at government rates, and charges for power shall be collected in the same manner as charges for occupancy.

The Committee shall periodically review the charge schedule and prepare such changes for submission to the Governor as it deems necessary.

Charges shall apply uniformly to all occupants.

Charges as heretofore fixed shall continue in effect until amended.

7. All off-island government employees, their dependents and household employees, may occupy government housing. "Dependents" includes a spouse of the employee, except that an employee will not

be entitled to housing for a spouse where such employee and spouse are separated; and except that a married employee will not be entitled to housing who is living with a spouse in Guam unless such employee is the head of the family. The Director of Public Works shall determine what employees are entitled to government housing.

In addition to government employees, certain employees of the United States and other persons, when authorized by the Governor may occupy government housing.

8. The appointing authority of each department and agency shall be responsible for notifying the Director of Public Works of general requirements for housing, and for making individual requests for housing of each employee in time to permit completion of arrangements for housing prior to arrival of the employee in Guam.

9. The Director of Public Works shall develop and carry out a continuing program of preventive maintenance for all government-owned housing.

10. Occupants of government housing must at all times observe the provisions of this executive order and other regulations pertaining to housing. Any violation by an occupant, his dependents, agents or employees shall be grounds for forfeiture of all rights to government housing. The following provisions are specifically prescribed:

(a) All occupants shall conduct themselves in a courteous and moral manner so that no unreasonable infringement will be made on the privacy or rights of others.

(b) No occupant of government housing shall keep poultry or livestock within or near the housing area. Household pets shall be properly controlled at all times. Pets which create a disturbance, such as barking dogs, must be disposed of.

(c) Government housing shall not be used for the conduct or operation of any trade or business activity.

(d) No subletting of all or any part of a housing unit is authorized. Boarders and roomers are not permitted, but this does not prohibit bona fide guests for reasonable periods. Upon prior approval of the Director of Public Works, during the absence of all occupants from Guam, other authorized personnel may occupy a housing unit by arrangement with the occupants.


(e) Housing shall be kept in a clean and orderly condition. The occupant is responsible for exterior policing of house type units, including maintenance of grounds, cutting of grass, and hedge trimming. The Director of Public Works is responsible for exterior policing of apartments and grounds of apartments, and of community areas and housing area perimeters. The Director of Public Works is responsible for vacant units.

11. The Director of Public Works is authorized to issue from time to time additional reasonable regulations concerning occupancy of housing not in conflict with any law and this executive order.


12. This Executive Order supersedes Executive Order No. 3-54, July 1, 1954, Executive Order No. 1-55, January 4, 1955, and Executive Order No. 3-58, April 11, 1958.

Dated at Agana, Guam, this 13<sup>th</sup> day of

January, 1957.

  
RICHARD BARRETT LOWE  
Governor of Guam

COUNTERSIGNED:

  
MARCELLUS GRAEME BOSS  
Secretary of Guam