

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 75-33

ESTABLISHMENT OF THE GOVERNMENT OF GUAM
HOUSING RULES AND REGULATIONS

WHEREAS, Section 4301 of the Government Code of Guam provides that Government housing shall be made available to employees of the Government of Guam and other authorized persons upon such terms and conditions as the Governor shall prescribe by Executive Order; and

WHEREAS, the Director of Administration in its meeting of July 7, 1975, approved the establishment of the attached Government of Guam Housing Rules and Regulations; and

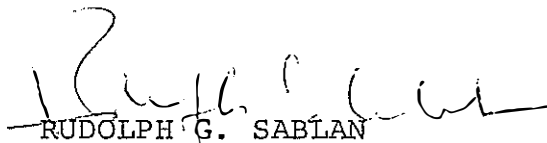
WHEREAS, the establishment of these rules is for the purpose of providing a more effective set of rules and regulations to guide the Housing Management Division of the Department of Administration in its day to day operations;

NOW THEREFORE, I, Rudolph G. Sablan, Acting Governor of Guam, by the authority vested in me by the Organic Act of Guam and Section 4301 of the Government Code of Guam do hereby approve and promulgate, as attached hereto, the Government of Guam Housing Rules and Regulations.

All prior rules, regulations, policies, memoranda, or Executive Orders in conflict with this order are hereby superseded.

This order shall be effective upon approval of the Governor.

Signed and promulgated at Agana, Guam this 10th
day of July 1975.


RUDOLPH G. SABLAN
Acting Governor of Guam

COUNTERSIGNED:


JOSEPH F. ADA
Acting Lieutenant Governor of Guam

GOVERNMENT OF GUAM
HOUSING RULES & REGULATIONS

I. PURPOSE:

The purpose of these Rules and Regulations is to establish policies governing administration of the Government of Guam housing program, including but not limited to establishment of rental rates, payment of rent, determination of eligibility to lease and assignment of quarters, maintenance of units, conduct of occupants, liabilities of lessor, lessee and government tenant, etc.

II. AUTHORITY:

Section 4301 of the Government Code of Guam provides:

"Administration. Government housing shall be made available to employees of the Government of Guam and other authorized persons upon such terms and conditions as the Governor shall prescribe by executive order, provided, however, that in no event shall government housing be made available to any person at less than the actual cost paid by Government for housing it leases or at less than fair market value for housing it owns and provided further that nothing in this Section shall have any effect on any contracts relative to subsidized housing for government employees entered into prior to July 1, 1974. The responsibility for administration of government housing shall be delegated to the Director of Administration."

III. ADMINISTRATION:

Responsibility for administration of government-owned and government-leased housing units is vested in the Department of Administration (herein often referred to as the Department). Day to day management falls under the responsibility of the Housing Management Division of the Department.

IV. ELIGIBILITY FOR HOUSING:

All persons seeking housing who are willing and able to pay the rental rates established pursuant to these rules shall be eligible for government housing, except that priority shall be to off-island contract employees, including returning residents, whose contracts were executed prior to July 1, 1974, and to off-island contract employees who converted to local hire prior to

July 1, 1974, and whose contracts at time of conversion specifically provide for housing subsidy. No tenant, however, shall be evicted to house contract employees or contract employees who turned local hire when equally other suitable housing units are available.

V. HOUSING ASSIGNMENT:

Assignment of housing is a function of the Department and shall be based on one or more of the following criteria:

1. Availability
2. Family Size
3. Ability to Pay Rental
4. Proximity to Employee's Work Location

Assignment shall be for a minimum of one (1) year and no reassignment shall be authorized except for reason of health or for the convenience of the Government. Reassignment at the request of the tenant when authorized by the Department shall be at the employee's or tenant's own expense. Reassignment for the convenience of the Government, however, shall be at the expense of the Government.

VI. RENTAL RATES:

Rental rates for Government housing units shall be as established by the Director of Administration from time to time with the approval of the Governor, subject to these general rules:

1. The monthly rental rates for employees eligible for housing subsidy shall not exceed 75% of the monthly cost for leasing the privately owned rental unit or 75% of the fair market value of the government-owned rental unit.
2. The monthly rental rates for persons not eligible for government housing subsidy shall not be less than the monthly cost for leasing the rental unit, if the unit is not government-owned, or less than the fair market value of the government-owned rental unit.
3. Rental charges shall be payable monthly in advance.

VII. SECURITY DEPOSIT, CLEANING COST, AND MISCELLANEOUS CHARGES:

A security deposit equal to one (1) month's rental shall be paid by the government's tenant prior to occupancy. This deposit is to be held in escrow and is refundable only upon satisfactory inspection of the government rental unit at time of vacation. A cleaning deposit of One Hundred Dollars (\$100.00) shall be paid by the government's tenant to pay the cost of cleaning the unit when vacated. This deposit is not refundable. Costs incurred by the Government above and beyond those described in foregoing will be billed the tenant.

VIII. METHOD OF PAYMENT:

Rental of government quarters by employees shall be paid through payroll deduction. It shall be the responsibility of the employee to authorize such deduction. When the employee fails to give such authorization after 15 days occupancy of government quarter, the department may authorize such deduction without notice to the employee.

Monthly rental charges for Government of Guam employees are payable in advance and will be deducted from the first pay check of each month. Housing occupied for a fractional part of a month shall be charged a daily rate based on a 30-day month. Contract employees drawing lump sum payment or leaving the island on vacation for an extended period will be deducted the full rental if such action is authorized in advance.

Rental payment by non-contract tenants shall be in cash or certified check, payable in advance on the first of each month, except that rental payments by Government of Guam employees leasing government quarters shall be by payroll deductions.

Charges for property damages shall be imposed upon tenant if discovered before quarter is vacated. Property damage discovered during clearance inspection shall be charged to security deposit. Any unused portion of the deposit shall be refunded within 30-days after the final housing inspection. If the security deposit is insufficient, an additional billing will be submitted to the former tenant.

Any tenant who fails to pay rental after 60 days that payment becomes due or fails to make payment after 30 days notice is deemed to have abandoned his rental quarter. If tenant remains in default of such rental payment after 30 days notice, a five (5) day notice to pay rent or surrender possession of the leased premises should then be sent to the tenant. Following such notice, the Government is, therefore, free to enter and take full possession of all properties and equipment therein and to do all things necessary to obtain satisfaction of the amount due the Housing Fund.

IX. PROPERTY ACCOUNTABILITY:

All furniture, appliances, equipment, etc., in a housing rental unit shall be inventoried before occupancy. A copy of the equipment list which shall also describe the condition of the household property shall be furnished the tenant. Upon vacating, the property list shall be checked against the original inventory and the tenant will be charged for property not accounted for, and for property damaged by the occupant, his dependents, agents, or guests, normal wear and tear excepted. The amount of loss or damage shall be determined by the department and shall be paid for prior to release of final pay check to the employee. For non-government employee tenants, payment shall be sought through procedures to be established by the Director.

X. MAINTENANCE AND REPAIR:

Responsibility for maintenance and repair shall be vested in the Department of Administration. Repairs to government quarters shall be made by the Department when authorized by the Director or his designee. Maintenance and repair of government leased units shall be made by the landlord, except that the Department for failure of the landlord, may make such repairs as are necessary and bill the landlord for such service. The Department may elect to terminate contract for failure of landlord to provide adequate and proper maintenance and repair.

XI. ALTERATIONS:

No tenant shall make alterations to a housing unit without prior approval from the Department. This includes the installation of air conditioning units. Unapproved alterations shall be restored to the previous condition at the expense of the tenant. Approved alterations shall be at the expense of the tenant, unless for the benefit or convenience of the Government.

XII. UTILITIES:

Utility service charges are the responsibility of the tenant. Service applications and termination requests shall be made by the tenant.

XIII. CONDUCT OF TENANTS:

The following provisions shall govern the conduct of tenants of government-owned housing units or government-leased housing units:

- A. All tenants, their dependents, agents, employees, and guests shall properly conduct themselves in an ethical and courteous manner so as to avoid infringement upon the rights or privacy of others.
- B. The keeping of poultry and livestock is strictly prohibited. Household pets shall be properly controlled at all times. Pets which create disturbance shall not be allowed to be kept in or on the leased premises.
- C. No government housing shall be used by tenants to conduct business or trade.
- D. No government housing units may be sublet by tenant without the prior written approval of the Director. Bonafied guests or visiting relatives are allowed for reasonable period, but not to exceed 30 days.
- E. Housing shall be kept in a clean and orderly condition. Tenants are responsible for exterior policing of house type units, including maintenance of grounds. Mowing of grass and trimming of hedges shall be done at least once every 15 days. Apartment tenants are responsible for corridors and walkways fronting or abutting the exterior sides of their apartments.
- F. Exchanging furniture or appliances between tenants is prohibited.
- G. Passing of keys from outgoing to incoming tenants or any other person is prohibited. Keys are to be turned in to Housing Management Division when vacating unit.

XIV. FORFEITURE:

Tenants shall observe all rules and regulations pertaining to housing. Violation by tenants, dependents, agents, employees, or guests may result in removal from government-owned or government-leased housing units.

XV. LIABILITY:

The Government of Guam is not responsible for any injury to persons or loss or damage to property of any kind or nature, occasioned by or resulting from the ownership or rental of government housing, for any cause whatsoever.