

IMSW-HOD-PWH

SUBJECT: Deployment Policies for On- and Off-Post Housing Fact Sheet

PURPOSE: To provide information for deploying Soldiers and their family members.

FACTS:

### 1. On-Post Housing.

a. Family **members** of deployed Soldiers will **not** be required to vacate on-post quarters.

b. Single **parents and dual military** may retain quarters, but must appoint a guardian in writing to maintain those quarters. All requests to have guardian reside in quarters must be submitted to the Housing Office in writing for approval. Occupancy will only be authorized to the legal guardian.

c. Quarters **upkeep:** Family members electing to leave the Fort Hood area will remain responsible for the upkeep of their assigned quarters. The Housing Office must be notified in writing of the name of the person who will take care of the quarters. Family members must also provide a forwarding address for emergency notification (form available at Housing Office). Basic Allowance for Housing (BAH) will continue to be paid to Fort Hood Family Housing (FHFH) in the form of an allotment to cover rent during the absence of the sponsor. On-post quarters left vacant in excess of 6 months by family members, without requesting prior approval from the Housing Office will be considered abandoned. Failure to maintain grounds will result in FHFH charges to resident. Payment must be made upon return.

### 2. Terminating On-Post Housing.

a. Family members voluntarily terminating quarters during the Soldier's deployment will not be given priority housing upon the sponsor's return to Fort Hood. Soldiers may reapply for on-post housing; however, the eligibility date for placement on the waiting list will be the date of the sponsor's reapplication. Exception to this policy will be reviewed on a case-by-case basis.

b. Families electing to vacate quarters during a sponsor's deployment are not authorized storage or shipment of household goods at Government expense. When quarters are abandoned, sponsor's Rear Detachment will be responsible to inventory and store household goods and return housing unit to FHFH. Rent payment (BAH Allotment) continues until keys are returned to FHFH.

c. Single parents and dual military (both deploying) whose legal guardian/childcare provider cannot come to Fort Hood during a deployment, may elect to vacate their housing at no cost to the government and return keys to FHFH. BAH allotment will stop once keys are given to FHFH. Upon return, Soldier may request priority reinstatement on the waiting list for the first available house. Housing personnel will verify each case individually based on proper documentation.

### 3. Deceased Military Personnel.

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a. Family members of deceased military personnel can reside in privatized housing and are authorized to remain in on-post quarters without charge for a period not to exceed 90 days. Family members of deceased military personnel can reside in government-controlled housing (Liberty Village), and are authorized to remain in on-post quarters without charge for a period not to exceed 365 days.

b. Family members of sponsors declared missing in action or prisoners of war may continue to occupy on-post quarters until the status of the service member is changed.

#### **4. Waiting List for On-Post Housing.**

a. Soldiers in deployment status may submit an Exception to Policy through their company commander for priority housing if they are on the waiting list and within 60 days of being called for quarters. Eligibility dates will be verified by Housing prior to committing any quarters. Soldiers/Spouses are responsible to obtain release form from the landlord. This policy remains in effect even if Soldier departs the installation prior to being housed. In this case, the spouse can sign for housing when notified. Spouse will be required to be in possession of a special power of attorney (POA) for the purpose of signing the housing agreement. The POA can be obtained from Division Staff Judge Advocate offices (SJA). Other reasons for priority housing may be due to medical conditions, financial, no-fault evictions (due to no fault of the Soldiers,) adjustment to waitlist or compassionate reasons. Each request will be reviewed on a case-by-case basis and coordinated with the Soldier's Chain of Command.

b. Family members of deployed sponsor may sign for on-post quarters with the special POA when notified by housing, or request to be placed on administrative hold until the sponsor returns.

#### **5. Off-Post Housing.**

a. Section 305 of the SCRA provides service members the absolute right to terminate a residential lease whenever they receive orders for a Permanent Change of Station (PCS) or a deployment of 90 days or more, and comply with the procedural requirements of the statute. In this regard, it should be noted that the right conferred in section 305 of the SCRA applies to "lease[s] of premises occupied, or intended to be occupied by a service member or a service member's dependents for a residential, professional, business, agricultural, or similar purpose"(subsection 305(b) (1)) that are executed by the service member in a joint or individual capacity. When a service member exercises his or her option to terminate the lease under Section 305, that action terminates the entire lease.

b. Families electing to vacate their off-post rental unit are not authorized storage or shipment of household goods at Government expense.

c. Landlord's permission is required to have visitors stay in the rental unit beyond the authorized time limitation as stated in the lease during sponsor's deployment.

d. Spouses of deployed Soldiers may obtain Waivers with General POA and Deployment Order verification from Fort Hood Housing Office in Building 18010.

6. Visit our website at [www.dpw.hood.army.mil](http://www.dpw.hood.army.mil) for more information on housing services and policies.

(Original Signed)

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