

## **Military Housing Information and Tips**

### **Your Military Housing Landlord Owes You a Habitable Home – it's Their Responsibility.**

It's in their contracts with the U.S. Government and it's in the law of every State in which they operate – the military housing landlord owes you a habitable home. Period. Your responsibility is to tell them about the problem (even if you caused it) and give them a “reasonable” time to fix it. Who decides what's reasonable? Normal civilian citizens outside the base sitting on a jury – not the housing company, not the base commander, and certainly not the housing maintenance manager who acts like he's never heard of your problem.

### **You Have Legal Rights in State and Federal Court – and They're not That Hard to Enforce.**

Every State has laws that protect tenants – lots of them – and they apply to you and your military landlord. Dozens of court cases about landlords trying to force tenants to live in uninhabitable houses go on every single day. What's more, as a military family, you're protected by the Servicemember's Civil Relief Act which says that you can't be evicted without a court order – which is what has already happened if you've decided to move out or close off part of your house due to uninhabitable conditions. Many attorneys who support military families will consult with you for no fee and will take your case on contingency which means that there's nothing out of your pocket and they don't get paid unless you win.

### **Your Command May Not be Able to Fix it – But Get Them on Your Side Anyway.**

Who is almost as frustrated as you at your broken house that the military housing landlord can't ever seem to fix? Your command! In particular, the base commander who has to sit by with her hands tied while the housing contractor does whatever it does or doesn't want to do. Senior uniformed personnel care about troops and their families, they want to believe that the military housing Public/Private Partnership is working, and they are frustrated and need someone to blame when it doesn't. Follow all the housing complaint steps with your landlord company – but do it in email only. After you've got all the proof that you've asked a bunch of times for specific help and waited and nothing's happened, let your command in on what's going on. Invite them over to check out your house. Don't blame, just inform. The facts you lay on them will increase the pressure on the situation – even if you don't see it.

### **Complete Myths:**

- Private company landlords of military housing are immune from lawsuits because they're in contract with the Government or the housing is on Federal Land.

- You are the one who caused the problem.
- You are the one who is supposed to fix the problem.
- You are complaining unreasonably about your house and the company's failure to fix it.
- You are going to be in trouble with your command when they find out!

## **Immediate Action Steps:**

### **1. Document Everything That is Wrong with Your House**

*Take photos and video, use a mold test kit from the hardware store, buy mouse traps, get the allergist at the hospital to test your family, communicate with your landlord company in email only, and make notes about who shows up when and does and says exactly what. Save everything: notes, photos, videos, emails, letters, doctor's notes, lab results, etc.*

### **2. Give Your Military Housing Landlord Notice of the Problem**

*Notify them specifically of everything that's wrong and what you expect to have done about it and by when. Do it in email only and CC a lot of relevant people at the landlord company. Google how problems like yours normally get fixed (e.g. moldy drywall gets cut out and replaced only after water leaks are identified and repaired, rodent entry points are sealed) and insist in writing that they get fixed to that standard. Give them a reasonable time to accomplish it and try to get them to agree to that time frame. Insist on temporary adequate quarters during repairs. Insist on a complete fix (e.g. mouse feces and urine cleaned from house, moldy personal effects professionally sanitized, etc.)*

### **3. Follow Up, Follow Up, Follow Up**

*Your military housing landlord should be getting an email from you (again CCing a lot of people in their company) at least every other day until the problem has been solved. Tell them how it is affecting your family, ask when the next step will be accomplished, ask why things haven't been done yet or done to the standard that you expect. Do NOT chicken out on this step – this is where your military landlord may start to threaten you with retaliation but aggressively squeaky wheels are getting greased first!*

### **4. Move Out.**

*If you've followed the steps above and, after a reasonable time (an attorney can help you figure this out if it's not clear yet) it's still not fixed, move out and demand moving expenses and a refund of your BAH. Then Request Mast to get your ongoing BAH redirected back to you. Find money to move off base (Credit Unions, Relief Societies), or demand a different home without defects, or simply move your family into a cheap hotel. THIS WILL BE HARD, but in the long run your family's health and the strength of your legal case may depend on it.*