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Navy Owned and Leased Family Housing Eligibility, Assignment and Termination Criteria



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CNIC MANUAL 11103.3

From: Commander, Navy Installations Command

Subj: NAVY OWNED AND LEASED FAMILY HOUSING ELIGIBILITY ASSIGNMENT
AND TERMINATION CRITERIA

Ref: See appendix A

1. Purpose. To provide policy and criteria governing the eligibility for, assignment to and termination of occupancy, of Navy-owned or -leased family housing per references (a) and (b). This manual only applies to Navy installations with military family housing. Policy for eligibility and referral to family housing Public-Private Venture is addressed in reference (c). Policy for eligibility, assignment and termination of general and flag officer quarters is addressed in reference (d). Exceptions or waivers to policy contained herein, unless otherwise stated, will be forwarded with impact statements to Commander, Navy Installations Command (CNIC) Headquarters (HQ) via the chain of command for review and consideration.

2. Cancellation. CNICINST 11103.5 CH-1

3. Scope and Applicability. This manual applies to all CNIC HQ, Regions and installations.

4. Background. All eligible personnel will be afforded equal opportunity for assignment to suitable and safe housing.

5. Responsibilities

a. CNIC is responsible for:

(1) Providing and administering Navy housing programs per references (a) and (b).

(2) Assisting the Regions with the management and oversight of a housing program that is in compliance with this instruction.

(3) Evaluating reports and impact statements from Regions and providing recommendations or decisions on exceptions or waivers to the provisions of this instruction.

b. Region commanders are responsible for:

(1) Providing installations assistance with the implementation of local policies to comply with this instruction.

(2) Review and endorse, or reject, applications for exceptions or waivers submitted by the installations.

c. Installation commanding officers serve as the Housing Authority and are responsible for:

(1) Developing and implementing local policies in compliance with this instruction.

(2) Managing the eligibility, assignment and termination process using enterprise Military Housing (eMH). Per reference (e), eMH is the established authoritative source for housing and is required to be used for all Department of Defense (DoD) housing operations.

(3) Process applications for Navy-owned and -leased housing per policies and procedures stated in this instruction.

(4) Require that eligible applicants for housing read and sign the “Sex Offender Policy and Acknowledgement Disclosure Form” as prescribed in reference (f).

(5) Establish and maintain a wait list of eligible applicants for Navy-owned and -leased housing, consistent with the requirements in this instruction.

(6) Prepare and forward necessary documents and reports for the termination or reinstatement of housing allowances for military personnel.

(7) Prepare impact statements and forward requests for exceptions and waivers to CNIC (N93) via the Region.

6. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned for the standard subject identification codes (SSIC) 1000, 2000 and 4000 through 13000 series per the records disposition schedules located on the Department of the Navy/Assistant for Administration (DON/AA), Directives and Records Management Division (DRMD) portal page at [https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record %20Schedules/Forms/AllItems.aspx](https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx). For SSIC 3000 series dispositions, please refer to part III, chapter 3, of Secretary of the Navy Manual 5210.1 of January 2012.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local records manager or the DON/AA DRMD program office.

7. Review and Effective Date. Per OPNAVINST 5215.17A, CNIC (N9) will review this manual annually around the anniversary of its issuance date to ensure applicability, currency and consistency with Federal, Department of Defense, Secretary of the Navy and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This manual will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the manual is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

8. Forms Management. The following forms are available for download from the eMH management system: DD Form 1746 and CNIC 11103/1 Sex Offender Policy Acknowledgement and Disclosure Form.



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Releasability and distribution:

This manual is cleared for public release and is available electronically only via CNIC G2, <https://g2.cnic.navy.mil/CC/Documents/Forms/Directives%20Only.aspx>

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CHAPTER 1
ELIGIBILITY FOR MILITARY FAMILY HOUSING

1. Scope. Military personnel, Department of Defense (DoD) civilian employees, DoD-sponsored civilian employees on permanent change of station (PCS) orders or students on PCS status for training are eligible for government-owned and -leased military family housing (MFH). Eligibility does not ensure availability of, or assignment to, MFH.

2. Eligibility Waivers. Individuals identified as registered sex offenders are not eligible for Navy MFH per reference (f), except where waived for the Secretary of the Navy (SECNAV) by the Region Commander. Reference (f), enclosure (2), provides guidelines for waiver requests of those not eligible as specified herein.

3. Eligibility for MFH. Personnel who are eligible to live in MFH include:

a. Active Duty Military Personnel with Dependents (accompanied by dependents). Dependent is defined in reference (g). Accompanying family members must be command-sponsored in locations outside the continental United States.

b. Civilian Employees. DoD civilian personnel may be provided government housing in foreign countries where DoD employees cannot enjoy the facilities of the civilian community without restriction, or where appropriate and adequate facilities do not exist or are not readily available, per reference (h), enclosure 2, paragraph 5a and enclosure 3, paragraph 2c.

(1) In the continental United States (CONUS), Hawaii and Alaska, where appropriate and adequate facilities do not exist or are not readily available, civilian employees may be given equal priority as their grade-equivalent military counterparts, per reference (h), table 1, only if they are designated key and essential personnel by the installation commanding officer (CO).

(2) In foreign locations, U.S. possessions and territories, civilian employees will be given equal priority as their grade-equivalent military counterparts per reference (h), table 1 only if:

(a) They are designated key and essential.

(b) Community housing and support services are unacceptable, unsafe or nonexistent, as reflected in the local Housing Requirements Market Analysis, or as determined by the local Housing Authority (HA) with Region approval.

(c) There exists housing in excess to military requirements, as determined by the local HA.

(d) It is a condition of employment. Approval must be obtained from the local HA,

prior to including MFH as a condition of employment for non-key and essential civilian employees.

c. Non-DoD Personnel. When acceptable community housing, as determined by the HA, cannot be obtained within the same geographical location of that installation, personnel serving on DoD military installations in foreign countries or U.S. territories and possessions may occupy MFH. These include, but are not limited to, the following: Coast Guard personnel, non-military uniformed personnel of the National Oceanic and Atmospheric Administration (NOAA), the U.S. Public Health Service, Red Cross personnel, United Services Organization (USO) and other civilian employees (e.g., key contractor personnel). Installations must negotiate fixed rate agreements providing for reimbursements of operation and maintenance costs to permit authorized non-DoD personnel and their dependents to occupy MFH when available per reference (i), paragraph 5.

d. Foreign Nationals. Where a specific agreement exists between a foreign government and the U.S. regarding the provision of housing, foreign nationals, with or without accompanying family members, will be provided housing by the terms of that agreement.

4. Allowance Standards and Bedroom Eligibility. Eligibility determination is based on both pay grade and family composition. The HA will apply the following eligibility standards to provide equitable availability of housing to all eligible personnel. Eligible civilian employees sponsored by the command when provided MFH will be eligible for the same minimum space standards or bedroom allotment as their military equivalents, as defined in reference (h), table 1.

a. By Pay Grade. Assignment by pay grade is subject to inventory availability. Minimum standards based upon pay grade are as follows:

(1) Officers (O-6 and above) are eligible for a minimum of a four-bedroom unit where available.

(2) Officers (O-1 through O-5), (W-1 through W-5), (O-1E through O-3E) and senior enlisted personnel (E7 through E9), are eligible for a three-bedroom unit. The HA has discretion (depending on inventory and local conditions) to establish a three-bedroom minimum assignment policy for these personnel.

(3) Junior enlisted personnel (E-1 through E-6) bedroom eligibility is based on family composition.

b. Family Composition. Where inventory permits, families will be eligible for one bedroom per dependent and a separate bedroom for married dependent parents.

5. Assignment Considerations. Assignment to MFH units for eligible personnel is supported by

the following where inventory allows:

a. Dependent parents will be assigned one bedroom per couple if married, and separate bedrooms if not married.

b. Each dependent child should have a private bedroom. If inventory does not allow private bedrooms, assignment will be based upon the following criteria.

(1) No more than two children should share a bedroom, unless the HA approves an exception to policy.

(2) A child 6 years of age or older should not share a bedroom with a child of the opposite sex.

(3) A child 10 years of age or older should not be required to share a bedroom.

(4) An adult child with disabilities should not be required to share a bedroom.

c. Service Members who have joint legal and physical custody of dependent children for at least 6 months will be considered for appropriate bedroom eligibility. The Service Member must provide legal proof of custody. Legal proof of custody is a divorce decree or court issued custody paper work.

d. An unmarried dependent child under 23 years of age who is enrolled full-time (i.e., 12 hours or more course load) in an institution of higher learning will be counted as a family member when determining bedroom eligibility, provided the child will be residing with the sponsor for at least 6 months a year.

e. When a live-in aide is approved by the installation CO, the live-in aide will be eligible for an additional bedroom.

f. When the sponsor or spouse is pregnant (requires doctor certification), the sponsor may apply for and occupy housing with a separate bedroom for the expected child.

g. Additional bedroom allowances will not be considered for persons not enrolled in the Defense Enrollment Eligibility Reporting System as a dependent, such as a short-term foster child or foreign exchange student.

h. Additional bedroom allowances will not be considered for purposes other than providing a sleeping area for dependents. Establishment of an approved home business does not qualify a Service Member for additional space.

6. Unique Considerations for MFH Assignment

a. Activated or Mobilized Reservists. Reservists recalled to active duty on PCS orders (and not authorized per diem in addition to a housing allowance) are housed on the same basis as their active duty counterparts.

b. Service Member Married to Service Member

(1) Either Service Member may be assigned to MFH when co-located or accompanied by a dependent. When co-located, the housing assignment will be based upon the senior Service Member's eligibility. If an officer is married to an enlisted Service Member, assignment will be made to officer housing.

(2) If the Service Members have dependents and are assigned to separate installations not in the same geographic area, the Service Member with physical custody of the dependent will be eligible for MFH.

(3) Service Members are eligible for MFH when assigned to the same installation, but separated by temporary duty assignment or deployment. The same geographic area is defined as within one-way, 1 hour travel time.

c. Single Military Member with Legal and Physical Custody of a Child. A Service Member entitled to housing allowances at the with dependent rate, who has legal and physical custody of a child who lives with the sponsor at least 6 months of the year will be authorized to live in MFH. Single Service Members without legal proof of child custody (not entitled to housing allowances at the "with dependent" rate) are ineligible for MFH.

d. Deployed Service Member. Service Members accompanied by dependents are eligible for MFH, even if deployed.

e. Single Pregnant Service Member. Upon doctor's medical certification of pregnancy, a single Service Member with no other dependents is eligible to apply for MFH and, at the discretion of the installation CO, may occupy MFH before the birth of the expected child.

f. Civilian Employees. Civilian employees normally will be expected to rely on surrounding civilian communities for housing support whether stationed in CONUS, Hawaii, U.S. territories and possessions or foreign areas. Where the HA determines appropriate and adequate community services and support facilities do not exist, are substandard or cannot be enjoyed without restriction, housing will be allocated to provide reasonable and equitable treatment to both eligible military personnel and eligible U.S. citizen civilian employees. Where applicable, fair market rental rates will be established per reference (i), paragraph 7. The local HA will establish policy for collection of rental payment. DoD U.S. citizen civilian employees' living quarters allowance will be terminated when assigned to MFH.

g. DoD Appropriated and Nonappropriated Fund Civilian Employees

(1) Key and essential employees designated by the Region in special circumstances that must relate to military necessity, accomplishment of mission, safety or security.

(2) Submission of justification and approval of civilian employee designation as key and essential will be documented and retained in installation files for 2 years after the employee has vacated housing.

h. Non-DoD Employees

(1) Coast Guard personnel and non-military uniformed employees of NOAA and the U.S. Public Health Service, with or without accompanying family members, will be provided housing when inter-service support agreements are in place between the Department of the Navy and the agency concerned.

(2) Red Cross personnel in foreign areas will be furnished quarters in foreign areas on the same basis as DoD U.S. citizen civilian employees recruited from the U.S. In instances where DoD U.S. citizen employees are furnished government quarters without charge, Red Cross personnel also will be furnished quarters without charge. When American Red Cross personnel are provided government quarters in the U.S. or its territories and possessions, the established rental rate for those quarters will be charged.

(3) USO executive and professional staff may be provided housing on a reimbursable basis at locations in foreign countries or U.S. territories and possessions when it is within the capability of the overseas military command and not prohibited by appropriate status of forces agreements.

(4) Personnel (e.g., U.S. or third-country national bank personnel and key contractor personnel) serving on DoD military installations in foreign countries or U.S. territories and possessions, as specified in written agreements.

(5) Political advisors will be provided housing without charge at locations in foreign countries or U.S. territories and possessions. When political advisors are the equivalent rank of general or flag officers, they will be supported as such.

i. Foreign Nationals. Where a specific written agreement exists between a foreign government and the U.S. regarding the provision of housing, foreign nationals, with or without accompanying family members, will be provided housing by the terms of that agreement. In the absence of such agreement, per reference (i), paragraph 5, those in the personnel exchange program, foreign military sales and trainees in the international military education and training program may occupy government housing.

CHAPTER 2
MANAGING THE MILITARY FAMILY HOUSING APPLICATION PROCESS

1. Application for Assignment

a. A customer may begin the application process for military family housing (MFH) at any time. However, an application received prior to the customer's control date (see appendix B) is considered an advance application and will not be placed on the wait list. All applications completed on or after the control date will be placed on the appropriate wait list.

(1) Advance submittal of applications is recommended to allow advance planning by the housing office and assist the member in obtaining information about the housing situation at the receiving location.

(2) To receive advance information about housing at a prospective duty station, Service Members may use the Housing Early Assistance Tool (HEAT). HEAT allows Service Members and their families to begin the application process for housing at one or more locations before or after they receive their permanent change of station (PCS) orders. All Service Members and family members can use HEAT. The Housing Service Center (HSC) counselor will process all HEAT inquiries using the HEAT business rules, per reference (c), chapter 3.

b. The HSC staff will assist customers in completing their MFH application. The customer can obtain the required forms online or through the HSC. The HSC staff will collect all required forms and paperwork from the customer:

(1) DD Form 1746 Application for Assignment to Housing.

(2) Copy of PCS orders.

(3) Dependency record.

(4) CNIC 11103/1 Sex Offender Policy Acknowledgement and Disclosure Form.

(5) Detaching endorsement from last permanent duty station.

(6) Other supporting documents as needed.

c. The housing counselor, using the application, will determine the customer's eligibility for housing, including number of bedrooms.

2. Application Procedures

a. Applications for MFH will be made on a DD Form 1746 Application for Assignment to Housing. A complete application package includes a DD Form 1746, a copy of the Service Member's PCS orders, CNIC 11103/1 Sex Offender Policy Acknowledgement and Disclosure Form and a certification of dependents. Examples of dependent certification documents are NAVPERS 1070/602, Record of Emergency Data or Dependency Application (Page 2), signed or approved DD 1172 and Application for Uniformed Services Identification Card (Defense Enrollment Eligibility Reporting System (DEERS) enrollment). Overseas locations may use the Service Member's dependent entry approval message to verify the status of dependents.

b. Once the HSC receives the completed application package, applicants will be informed promptly of their eligibility for, and the conditions of assignment or availability of, MFH. Where entry approval of dependents is required, such notification will be included in the entry information message. The HSC will also provide the following information:

(1) A statement to indicate the current wait times based on MFH bedroom eligibility and pay grade.

(2) Information on temporary lodging.

c. Upon establishing the eligibility of the applicant for MFH, the applicant's name will be placed on the wait list.

3. Managing the Application in Enterprise Military Housing. The installation is responsible for managing the application process using enterprise Military Housing (eMH) per reference (e). eMH is the established authoritative source for housing and is required to be used for all Department of Defense (DoD) housing operations.

CHAPTER 3
MILITARY FAMILY HOUSING WAIT LIST MANAGEMENT

1. Overview. The Housing Authority (HA) will establish a wait list of eligible personnel who have applied for Navy military family housing (MFH). Revisions or updates to the lists will be made, at a minimum, every 30 days.

2. Wait Lists. The Housing Service Center (HSC) will maintain wait lists for those requesting MFH. The customer will be placed upon the appropriate wait list based upon bedroom eligibility and paygrade. Customers may request in writing to be placed on a wait list with fewer bedrooms than they are eligible. Where local housing areas are designated for separation of officers and enlisted personnel, separate wait lists will be maintained. The HA may establish requirements for additional wait lists to encompass specific areas or paygrades. At a minimum, the following wait lists will be established, as allowed by housing inventory:
 - a. Officers by bedroom eligibility.
 - b. Enlisted by bedroom eligibility.

3. Position on the Wait List. Position on the wait list for MFH is based on:
 - a. Control date established for placement.
 - b. Designation of housing for which the customer is eligible (i.e., enlisted, officer, student, eligible civilian billet, etc.).
 - c. Priority of the applicant.
 - d. Bedroom entitlement by family composition and rank.

4. Control Date. Control date (see table 3-1), along with assignment priority, determines a Service Member's position on the wait list.
 - a. Applying for Housing. Eligible personnel must apply for housing and confirm their application within 30 calendar days of report date to the new permanent duty station to receive the effective date of application for assignment to housing. If the Service Member does not apply or confirm their housing application within 30 days of report date, the control date is the date the HSC receives the application. Advance applications do not influence the control date.

Housing Applicant	Control Date is...
New Military Personnel (those reporting for initial permanent station tour)	NO EARLIER THAN enlistment or entry into Navy.
Career Military Personnel	<p>The date of detachment from the previous permanent duty station if the application is submitted within 30 days of the reporting date; or the date of receipt of the application by the HSC if application is not submitted within 30 days of the reporting date.</p> <p>The date of promulgation on the Chief of Naval Operations (CNO) message for Change in Homeport Certificates (per reference (j), enclosure 1, section 222.1).</p> <p>The date of promulgation on the CNO message for pre-commissioning or new ships.</p>
Civilian Employees	NO EARLIER THAN the effective date of transfer, as shown on the SF50.

Table 3-1, Housing Applicant Control Dates

b. Sponsors of Equal Bedroom Eligibility with the Same Control Date. When Service Members are of unequal grade, the more senior member will take precedence. In the case of applicants of equal grade and date of rank, the Service Member with the greatest length of service will precede the other on the wait list.

5. Priority Position on Wait List. Eligible housing applicants will be placed on the wait list upon receipt of application based on the following order of priority.

a. Priority 1. Key and essential Service Members and civilians, including special command positions.

b. Priority 1A. Commanders and commanding officers of major commands at sea in pay grade O-6 per reference (k), enclosures 4, 5 and 6; Master Chief Petty Officer of the Fleet or Force; host command master chief petty officer; current Navy-wide fleet or shore Sailor of the year; Service Members enrolled in the Navy Safe Harbor-Wounded Warrior program (reference (l), chapter 3) and sponsors with family members in Exceptional Family Member Program levels IV and V.

c. Priority 2. All sub-categories are equal, and members will be placed on the wait list by order of control date.

(1) Service Members, including Active Guard Reserve personnel, assigned or attached for duty at the installation (including deployable ships or units).

(2) Foreign North Atlantic Treaty Organization personnel assigned for duty at the installation.

(3) Civilian employees in foreign countries and U.S. overseas areas who are assigned to, or attached for duty at, the installation (including ships), or who are assigned to other installations served by the housing complex.

(4) Independent duty personnel of any Service assigned or attached for duty or working at activities within a 1 hour commute during rush hour of the installation or of a housing complex serving the installation. If there is more than one installation with MFH within commuting distance of the independent site, the nearest one will be the MFH provider unless another installation consents to a transfer of the responsibility.

(5) National Guard and Reserve personnel, serving on active service (active duty service or full-time National Guard or Reserve duty) assigned to or attached for duty at the installation, or within a 1 hour commute during rush hour of the installation or of a housing complex serving the installation.

d. Priority 3. Civilian employees in foreign countries and U.S. overseas areas assigned to duty in the area of the installation, but not served by the housing complex.

e. Priority 4. National Guard and Reserve personnel on active guard and reserve-duty pursuant to an active duty or full-time National Guard for a period of 180 consecutive days.

f. Priority 5. Unaccompanied military families. All U.S. citizen civilian employees in the continental United States with family members. All U.S. citizen civilians in pay grade GS-3 and below (or equivalent) in foreign countries and U.S. overseas areas.

6. Freeze Zone

a. The relative position of the top 10 percent of personnel on each housing assignment wait list will be stabilized and normally not be altered by placing new arrivals within this zone, regardless of grade or duty assignment. This portion of the wait list is called the freeze zone, from which assignments to family housing will be made.

b. The top 10 percent of personnel on each wait list will be stabilized and not be altered by placing new arrivals within the top 10 percent, regardless of rank, rate or duty assignment.

Exceptions are personnel in key and essential billets. Incumbents of designated key and essential billets are placed at the top of the freeze zone without displacing personnel who have received a firm commitment for housing assignment. Where anticipated assignment to MFH for personnel on the wait list is scheduled to occur within 60 days, the freeze zone may be temporarily extended beyond the top 10 percent to include such personnel.

c. Applicants in a deferred status will not be placed in the freeze zone until 60 days prior to their deferral date.

7. Maintaining the Wait List

a. Revisions or updates of the housing wait list will be made, as a minimum, every 30 days. Procedures for managing the wait list must comply with the Privacy Act. The HSC should counsel customers on the requirement to notify the HSC of any changes in entitlement.

b. When there is an extension of tour or reassignment to the same geographic area, the member may remain on the wait list with the original control date.

c. Occupancy of MFH by a Service Member's dependents at one location will not prevent a Service Member from going on a wait list at the new location.

d. Available housing, other than designated as billeted, special environment or student quarters, will not be kept vacant for assignment to a specific individual or group.

e. Upon acceptance of housing, written guidance delineating occupant responsibilities will be provided. The military member or eligible civilian will acknowledge, in writing, receipt and understanding of their responsibilities.

8. Non-Acceptance of Offered MFH

a. One turndown of MFH should be allowed without adversely affecting an individual's position on the wait list.

b. An applicant can give the HSC notice of an inability to accept MFH until on or after a specified future date. If notice is given prior to an offer of MFH, the applicant will be deferred until that future date. Such action will not adversely affect that applicant's position on the wait list.

c. If the housing office is unable to contact the next applicant on the wait list to offer MFH, the next applicant will be offered the MFH. If the applicant cannot be reached within 30 days, it will be considered a refusal of MFH.

9. Change to Eligibility

a. When eligibility changes while on a wait list, the original control date will continue to be used in instances which cause the member to be placed on another wait list, such as:

(1) Promotion or frocking resulting in eligibility for a higher-grade category of housing.

(2) A change in priority status.

(3) A change of eligibility for number of bedrooms. If the control date would place the member in the freeze zone on the new wait list, the Service Member's name will be placed immediately below the freeze zone.

b. When eligibility changes due to change of rank while assigned to MFH, the Service Member's control date will be the date the HSC is notified of the change. The Service Member may be placed on the wait list for MFH they are now eligible for. They will be placed on the wait list with a deferral date if they have not completed their occupancy agreement. Relocation will be at the Service Member's expense.

10. Managing the Wait List in Enterprise Military Housing. The Region and installation are responsible for managing the wait list using enterprise Military Housing, per reference (e).

CHAPTER 4
ASSIGNMENT TO MILITARY FAMILY HOUSING

1. Overview. Assignment is the formal provision of quarters to eligible military, non-military or civilian personnel. Assignment to military family housing (MFH) may not occur without prior determination of entitlement and eligibility. Housing for Service Members accompanied with dependents will be assigned by control dates and priority of the applicants.

2. Special Health or Disability Requirements. No eligible personnel will be discriminated against in the assignment of housing because of special health or disability requirements. Reference (h), enclosure 3, paragraph 2c(1)(g), requires that at least 5 percent of the total MFH (no less than one house) of an installation will be easily modifiable for use by persons with disabilities. If it is anticipated that no Americans with Disabilities Act (ADA) accessible units will be vacant or available in time for a housing assignment, appropriate modifications to existing housing will be accomplished on a high priority basis to ensure availability of an accessible housing unit when the eligible sponsor's name is at the top of the wait list. A minimum of 60 days will be required for proper notification to the Housing Authority (HA) for reasonable modifications. If unable to provide an accessible housing unit, assistance in finding appropriate private sector housing should be provided. ADA homes are not to be held unoccupied for more than 30 days. Once occupied, the resident will not be required to move out prior to the end of their occupancy agreement if a family on the wait list requires an ADA home.

3. Guidelines. The Housing Service Center will adhere to the following guidelines when assigning personnel to MFH:
 - a. The sponsor or sponsor's designee (power of attorney required for the latter) will sign acceptance of government housing upon assignment. The customer will be provided, and acknowledge receipt and understanding of, written guidance delineating landlord-tenant responsibilities.

 - b. Assignment to MFH should be made only when a member has 6 months or more remaining on their tour of duty.

 - c. MFH may not be sublet to other parties.

4. Mandatory Assignment. When necessary for maintaining maximum occupancy, and without causing undue hardship to the resident, the command may implement involuntary assignments to MFH.
 - a. Service Members may be mandatorily assigned only to adequate MFH for which they qualify.

b. Mandatory assignments will not be made where less than 6 months occupancy is expected.

c. Service Members may make a request to the HA for an exception to mandatory assignment.

5. Billet Quarters

a. Certain positions are recognized to warrant a specific MFH unit on the installation, referred to as command or billet quarters. Other positions, designated as key and essential because of their duties, are assigned a position of priority on the assignment wait list; a specific unit is not set aside.

b. An MFH unit designated as billet quarters, per reference (m), will only be kept vacant for that billet up to a maximum of 3 months. In no case will billeted quarters be kept vacant for a specific billet in excess of 3 months from the date the quarters become available for occupancy.

6. Managing Assignment in Enterprise Military Housing. The installation is responsible for managing assignment to MFH using enterprise Military Housing, per reference (e).

CHAPTER 5
MILITARY FAMILY HOUSING TERMINATION

1. Scope. Once assigned, the Service Member and eligible dependents may not be displaced or terminated from the military family housing (MFH) unit assigned for reasons other than those stated throughout this chapter.
2. Conditions for Termination. When any of the following conditions exist, termination of housing is required:
 - a. When the Service Member receives permanent change of station (PCS) orders to a command not supported by the Housing Authority (HA).
 - b. When a Service Member's or family member's personal behavior warrants removal, as determined by the HA.
 - c. Upon identification of a registered sex offender in the household as defined in reference (f).
 - d. When the Service Member is declared a deserter; released from active duty; separated from the Service; transferred to the Fleet Reserve; retired; transferred to the Temporary Disability Retirement List; deceased or in an appellate leave status (not entitled to pay and allowances).
 - e. When a member who occupies billeted or student quarters is transferred to another position or retires from active duty.
 - f. Upon the Service Member's request (or designee with power of attorney) and HA approval.
 - g. Upon termination of an MFH occupancy agreement, subject to approval of the HA.
 - h. When the Service Member or sponsored dependents residing in Navy housing engage in subleasing.
 - i. When the Service Member is separated from dependents (i.e., legal separation or divorce) and does not have legal and physical custody of any dependent; or is separated from family members for more than 90 consecutive days for reasons other than temporary duty or deployment and orders are changed to unaccompanied.
 - j. When a Service Member goes on terminal leave.
 - k. Upon the death of the sponsor or the sponsor's sole dependent.

3. Vacating Quarters. The following conditions apply when occupants are vacating quarters:
 - a. Occupant is required to give 30 days' written notice of intent to terminate quarters. Failure to provide sufficient notice may be grounds for disciplinary action by the installation commanding officer, except in instances which are beyond the Service Member's control, such as receipt of "short fuse" orders.
 - b. No one will be required to terminate quarters on a Saturday, Sunday or holiday.
 - c. The HA may continue MFH assignment for unsatisfactory termination notice or unit condition (i.e., failure to sufficiently clean the unit per local requirements) causing continued withholding of basic allowance for housing or overseas housing allowance up to the date of detachment of the member.
4. Date of Termination. The date of termination from housing will be the date housing allowances or rental payments are no longer withheld or paid.
5. Exceptions to Termination Requirements. The following are special conditions which constitute exceptions to the termination policy:
 - a. Extension of Assignment. Service Members are required to provide written notification and request for extension to the HA within 30 days of original detachment date.
 - b. PCS Orders to School on Temporary Duty, Temporary Duty under Instruction or Duty under Instruction. Not to exceed 11 months. The HA will allow family members to continue to reside in quarters until the Service Member reports to the ultimate duty station, or in the case of an overseas duty station, the family members receive authority to travel.
 - c. PCS Orders to Another Installation within a 1 Hour Commuting Distance during Rush Hour. The HA may permit the Service Member to remain in quarters at the first installation.
 - d. Pre-Commissioning Site. A Service Member ordered to temporary duty in connection with outfitting or conversion of a vessel other than at the prospective homeport site may leave family members in MFH at the old duty station until the Service Member reports to the new permanent duty station.
 - e. Member Barred from Contact with Family Members – Pending Investigation. The HA will allow family members to continue to occupy MFH while the case is under investigation and will follow up as appropriate.
 - f. Sponsor Sentenced to More than 90 Days Confinement by Military or Civilian Authority. The HA may authorize the family members of a Service Member sentenced to more than 90 days

confinement by military or civilian authority to remain in MFH until civilian housing is arranged, not to exceed 90 days from the start of confinement.

g. Hospitalization of Sponsor for More than 90 Days. If a sponsor is transferred out of the area for treatment requiring hospitalization of more than 90 days, the HA may authorize family members to remain in MFH until civilian housing is arranged. Generally, this period will not exceed 90 days, but may be extended by the HA in cases of severe hardship.

h. Ships in Overhaul. As per sections 8026 and 10402 of reference (n), chapter 3, part A, 0311, paragraph 031102, dependents of members attached to ships changing homeports for routine overhaul occupying MFH at the original homeport may continue to do so in lieu of PCS travel.

i. Unit Homeport or Location Changes. Personnel assigned to ships, aviation squadrons, staff and shore activities that are changing homeport or location will be required to vacate MFH at the previous location 15 days after the effective date of change or 15 days after the unit arrives at the new homeport or location, whichever is later.

j. Resident Request. Upon written request, residents may be permitted to remain in assigned quarters for reasons other than those cited above, although a condition requiring termination exists. The HA will determine if special circumstances warrant an exception to termination policy, approve or deny the request in writing and specify the duration if approval is granted. The HA will retain documentation concerning the special circumstances for 2 years after the Service Member has vacated.

6. Unique Situations for Required Termination. Special circumstances apply in the following required termination scenarios:

a. Eviction. Eviction is required when conditions for termination of occupancy exist and the occupant does not voluntarily vacate MFH. In cases where eviction is necessary, the HA will notify the occupant by registered mail 30 days in advance of the effective date of the eviction. The reason for the eviction and requirements for satisfactorily vacating quarters will be provided in the notification. Justification for eviction will be retained in installation files for 3 years after eviction. Length of eviction period will be determined by the local HA.

b. PCS Orders Overseas. Dependents of a sponsor transferred to an overseas tour or tour outside the continental United States may retain MFH while awaiting family member entry approval. The HA will establish a periodic review policy every 30 days in which to follow up with the Service Member to determine status of the awaited approval.

c. PCS Orders from Billeted Quarters. For Service Members who occupy billeted quarters and whose duty status or location changes from area of assigned installation, the Service Member's assignment to the assigned unit will terminate unless an extension waiver has been

approved. Requests to remain in available housing beyond retirement or new reporting date must be submitted to Commander, Navy Installations Command (CNIC) Headquarters (HQ) for approval no later than 30 days prior to the effective date. The request will detail the justification and hardship incurred. Waiver requests for extensions will be considered on a case-by-case basis and must demonstrate significant hardship to the resident if forced to move within these guidelines.

d. Retirement. Requests to remain in MFH beyond retirement date must be submitted to CNIC HQ for approval no later than 30 days prior to retirement date. The request will detail the justification and hardship incurred. Waiver requests for extensions will be considered on a case-by-case basis and must demonstrate significant hardship to the resident if forced to move within these guidelines.

(1) No authorized personnel should be denied housing to accommodate a request for extension.

(2) The HA will establish rental charges and payment procedures, per reference (i), paragraph 7.

e. Deceased Service Member. The HA will permit the family of a deceased Service Member to remain in assigned housing, without charge, for 365 days after the death of the Service Member (or the date of the Service secretary's determination of death, if later). Extension requests must be forwarded no less than 30 days prior to the expiration of the 365 days via the Region HA to the CNIC Housing installation program director for consideration and approval. When an extension beyond the 365 days is granted, rental rates equivalent to the fair market value of the quarters will be charged.

f. Death of a Sole Dependent. The HA may permit the Service Member or civilian employee to remain in assigned housing for up to 90 days after the death of the Service Member's or employee's sole dependent. If the Service Member or civilian makes a request to extend occupancy, the HA will make the determination. Service Members will continue to forfeit housing allowances until termination of assignment.

g. Member in an Appellate Leave Status (Not Entitled to Pay and Allowances). The HA may authorize members in an appellate leave status to retain quarters until civilian housing is arranged, not to exceed 60 days from the start of appellate leave status. Rental rates equivalent to fair market value of quarters will be charged.

h. Discretionary Termination of Department of Defense Civilian Employees in Overseas and Foreign Locations. In U.S. overseas and foreign locations, MFH assignments (except for personnel in key and essential positions) may be terminated at the discretion of the HA after 5 consecutive years when such action is required to:

(1) Maintain an equitable and reasonable distribution of assets between eligible military personnel and eligible Department of Defense (DoD) civilian employees recruited from the United States.

(2) Permit the assignment of other eligible DoD civilian employees from housing wait lists.

i. Service Member Married to Service Member and Simultaneously Deployed. The HA will not require the Service Members to vacate MFH. Arrangements for the care of dependents and care of quarters must be made by the Service Member in writing and approved by the HA prior to deployment. The Service Member must inform the HA in writing of arrangements made. The Service Member is still ultimately responsible for quarters. This policy also applies to single Service Members with dependents.

j. Reduced in Rank by Non-Judicial Punishment. The HA will permit the Service Member to retain quarters until receipt of PCS orders unless eviction is required to maintain good order and discipline.

7. Managing Termination in Enterprise Military Housing. The Region and installation are responsible for managing the termination of MFH using enterprise Military Housing per reference (e).

APPENDIX A
REFERENCES

- (a) OPNAVINST 5009.1
- (b) CNICINST 11103.4
- (c) CNICINST 11103.1
- (d) CNICINST 11103.3
- (e) USD (AT&L) memo, "Enterprise Military Housing Information Management System," of 16 April 2014.
- (f) CNICINST 1752.1
- (g) 37 U.S.C.
- (h) DoD-M 4165.63, DoD Housing Management of 28 October 2010
- (i) OMB Circular A-45, Rental and Construction of Government Quarters of 20 October 1993
- (j) OPNAVINST 5400.44
- (k) OPNAVNOTE 5450 Ser N131/15U114093 of 17 Aug 15
- (l) CNICINST 1740.1
- (m) CNICINST 11103.10
- (n) Joint Travel Regulations

APPENDIX B
GLOSSARY OF TERMS

Americans with Disabilities Act Homes. At least 5 percent of the total military family housing (MFH) inventory at an installation will be accessible or readily and easily modified for use by persons with disabilities. The Department of Defense (DoD), by memorandum dated 31 October 2008, adopted the Architectural Barriers Act chapters 1, 2 and 3 through 10 as the DoD standards.

Basic Allowance for Housing. The basic allowance for housing is a U.S. based allowance prescribed by geographic duty location, pay grade and dependency status. It provides uniformed Service Members equitable housing compensation based on housing costs in local civilian housing markets within the U.S. when government quarters are not provided.

Community Housing. Private-sector housing located within a defined market area. This does not include privatized housing used by the military Services.

Control Date. The effective date of eligibility for MFH. A Service Member's position on the wait list is determined by their control date and assignment priority.

Defense Enrollment Eligibility Reporting System. The Defense Enrollment Eligibility Reporting System (DEERS) database contains information for each uniformed Service Member (active duty, retired or a member of a reserve component); U.S.-sponsored foreign military; DoD and uniformed Services civilians; other personnel as directed by the DoD (including the patient population serviced through the military health services system) and their eligible family members. DEERS registration is required for TRICARE eligibility and enrollment.

Deferral Date. When an applicant on the wait list for MFH is not able to accept MFH until a specific date due to a community lease or delay of dependents' arrival, they may request a deferral date. This is the earliest date they are available to move into MFH. When an applicant provides a deferral date to the Housing Service Center they will not be offered housing until after their deferral date.

Dependent. A sponsor's spouse, unmarried child or parent who qualifies the sponsor for dependent-rate housing allowances. Reference (h), sections 401 and 403, define dependent, child and parent for the purposes of allowances. For the purposes of housing management, dependent is further defined to exclude non-custodial dependents. Dependent also includes the authorized non-medical attendants of medical hold or holdover Service Members. The non-medical attendants can be the Service Member's parent, spouse, guardian or another adult (18 years or older).

DoD personnel. Military and DoD appropriated fund and non-appropriated fund personnel.

Enterprise Military Housing. Per reference (f), enterprise Military Housing (eMH) is the established authoritative source for housing and is required to be used for all DoD housing operations. Navy Housing is tasked with managing eligibility, assignment and termination processes using eMH.

Exceptional Family Members. There are five categories of exceptional family members (EFM) identifying the level of special care the EFM requires. Family members designated as categories IV and V EFMs are severely handicapped and permanency in living arrangements is desirable. Control dates for sponsors with family members in EFM categories IV and V will be directly below the freeze zone.

Freeze Zone. The relative position of the top 10 percent of personnel on each housing assignment wait list will be stabilized and normally not be altered by placing new arrivals within this zone, regardless of grade or duty assignment.

Frooked Service Member. A Service Member who has received notification of advancement to the next higher pay grade, but is awaiting advancement authority for pay and allowances. It allows for early recognition for petty officer third class through master chief petty officer. They are allowed to wear a rank prior to officially receiving the financial benefits of the rank. Frocking is administrative only and not recognized for the purposes of housing assignment standards or housing allowance eligibility.

Government Owned and Leased Housing. Housing that is government owned, leased, obtained by permit or otherwise acquired and provided for the military and their families, and, under certain circumstances, to DoD civilian personnel. It does not include privatized housing.

Housing Authority. The installation commanding officer (CO) who has the housing plant account responsibility and responsibility for the implementation of the policies contained in this directive.

Installation CO. The officer who is assigned by official orders to assume command of the installation.

Joint Legal Custody. Joint legal custody means that both parents can make decisions for the child and does not indicate physical custody. For a child to be considered a dependent in regard to bedroom eligibility, the child must reside with the Service Member for 6 months a year. Proof of custody can include divorce decree or other legal documents.

Key and Essential Personnel. Military and civilian personnel designated by an installation CO to reside on the installation because of military necessity and operational considerations.

Mandatory Assignment. When necessary for maintaining maximum occupancy and without causing undue hardship, the command may implement involuntary assignments to MFH.

Military Family Housing. Navy-owned or leased housing that is programmed to house accompanied personnel. It does not include privatized housing.

Navy's Wounded Warrior-Safe Harbor Program. As defined in reference (m), the Navy's Wounded Warrior-Safe Harbor Program provides support and advocacy to guide and assist the wounded, ill and injured Service Members and family or designated caregiver through treatment, rehabilitation, return to duty or military retirement into the civilian community. The Navy's "Safe Harbor" program provides Sailors and Coast Guardsmen, as well as their families, with non-medical care while they are recovering from serious illness or injury. Non-medical support includes pay and personnel issues, invitational travel orders, lodging and housing adaptation, child and youth care, transportation needs, legal and guardianship issues, education and training benefits, commissary and exchange access, respite care, traumatic brain injury or post-traumatic stress support services and more.

Occupancy. Percentage of housing inventory occupied or assigned to members for housing purposes. It takes into account units that are "inactivated" due to ongoing repair or renovation, but not due to routine cleaning and maintenance for change of occupancy. Also referred to as utilization.

Occupancy Agreement. Official written agreement signed by the sponsor or sponsor's designee (power of attorney required for the latter) upon acceptance of MFH outlining the terms and responsibilities of their MFH occupancy.

Overseas Housing Allowance. Overseas housing allowance (OHA) is a monthly allowance paid to a Service Member assigned to an outside the continental United States permanent duty station (less Hawaii) authorized to live in private housing. OHA is a cost reimbursement based allowance. OHA defrays the member's housing costs and includes rent, utility or recurring maintenance expenses and move-in housing allowance.

Overseas Unaccompanied Tour. Any permanent duty assignment where the Service Member's orders do not authorize the Service Member's dependents to relocate with the Service Member.

Permanent Change of Station. In general, the assignment, detail or transfer of a member or unit to a new permanent duty station under a competent order that does not specify the duty as temporary, provide for further assignment to as new station or direct return to the old station.

PCS Status for Training Courses of 20 Weeks or More. Formerly called DUINs, this is when a Service Member is ordered to attend a course(s) of instruction at a school or installation where the scheduled cumulative duration is more than 140 days (20 weeks). The school or installation is the Service Member's permanent duty station regardless of the terms of the orders involved.

Promulgation Date. The date specified, the date time group of naval message or date of OPNAVNOTE signed by the Director-Navy Staff (DNS). DNS issues the promulgation date as the starting point in time for the activity and its chain of command to execute the organizational

change request action on the effective date. Promulgation date has significance for ship and squadron personnel since it commences the homeport certificate process. The date is used by Navy Housing to allow Sailors to get on housing lists. For homeport or permanent duty station changes, the promulgation date is normally 6 months prior to the effective date to allow 6 months before, and up to a year after the effective date, to complete a permanent change of station move. For new construction, promulgation dates are usually 1 year prior to allow more time for Sailor planning due to the time length of school pipeline training.

Privatized Housing. MFH or military unaccompanied housing acquired or constructed by an eligible entity. This housing may be located on government property leased to the entity, typically for 50 years. This housing is not DoD-owned, but is one of the housing choices available to Service Members. Privatized housing can be located on or near military installations within the U.S. and its territories and possessions.

Temporary Duty Under Instruction. Member is ordered to attend a course(s) of instruction at a school or installation where the scheduled cumulative duration is less than 140 days (less than 20 weeks). The school or installation is to be considered TEMDU for entitlement purposes.

Utilization. The cumulative occupancy of MFH (owned, leased and public-private venture) inventory during the reporting period.