

# **15 FAM 200 HOUSING ABROAD PROGRAM**

## **15 FAM 210 POLICY AND RESPONSIBILITIES**

*(CT:OBO-7; 04-26-2006)  
(Office of Origin: OBO)*

### **15 FAM 211 HOUSING ABROAD POLICY**

#### **15 FAM 211.1 Purposes and Authorities**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

- a. U.S. citizen employees assigned to U.S. missions abroad may be provided housing. Such housing may be provided in U.S. Government-owned or -leased properties, or through the living quarters allowance (LQA) and military overseas housing allowance (OHA) programs. The objective of the housing program is to provide safe and secure housing that is adequate to meet the personal and professional requirements of employees at a cost most advantageous to the U.S. Government. For the purposes of this policy, adequate housing is defined as that comparable to what an employee would occupy in the Washington, DC Metropolitan Area, with adjustments for family size and locality abroad.
- b. *Housing abroad policy and space standards are established pursuant to Section 156 of the Foreign Relations Authorization Act, FY 1990 and 1991(Public Law 101-246).* Responsibility for managing the program was centralized in the Department of State, with ultimate responsibility delegated to the Bureau of Overseas Buildings Operations (OBO). The objective of this decision was to ensure coherent, cost-effective management of this extensive worldwide program.

## **15 FAM 211.2 Scope and Applicability**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

The policies and standards outlined in this subchapter apply to employees of all agencies serving abroad who come under the authority of the chief of mission (COM) and to all U.S. Government-held property, as well as to housing acquired under living quarters allowance (LQA) and overseas housing allowance (OHA) programs. No other housing policy takes precedence over or alters these provisions. Under its independent legislative authorities, USAID manages its *owned and long-termed leased properties*, following this same interagency policy. Procedures to implement these regulations are found in 15 FAM 250 and 260. Questions or comments may be directed to the Real Estate Office in the Bureau of Overseas Buildings Operations (*OBO/RE*) or to the Overseas Management *Staff* in the Bureau for Management, USAID/Washington (USAID/W - M/OMS).

## **15 FAM 212 RESPONSIBILITIES**

### **15 FAM 212.1 General**

*(CT:OBO-1; 04-29-2005)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

The chief of mission or principal officer (COM or PO) is ultimately responsible for ensuring the effective management of the post housing program. The single real property manager (SRPM) has responsibility for management of all aspects of the real property program, including the housing program, to ensure compliance with policies and regulations (see 15 FAM 113).

### **15 FAM 212.2 Interagency Housing Board (IAHB)**

*(CT:OBO-1; 04-29-2005)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

An interagency housing board (IAHB) is established at most posts abroad and in Washington, DC to ensure, within the parameters of the housing policy, the fair and equitable treatment of all employees and appropriate consideration of the varied requirements of other agencies.

## **15 FAM 212.2-1 Washington Interagency Housing Board (IAHB)**

*(CT:OBO-1; 04-29-2005)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

The Washington Interagency Housing Board (IAHB) consists of representatives of agencies with employees assigned to U.S. missions abroad and is chaired by the Director/Chief Operating Officer (DIR/COO), Bureau of Overseas Buildings Operations (OBO). OBO consults with the board on the formulation of policies regarding the housing program abroad, residential space criteria, and locality adjustment factors. The Washington IAHB may also be called on to adjudicate appeals submitted by member agencies on specific housing-related issues that cannot be resolved at post.

## **15 FAM 212.2-2 Post Interagency Housing Board (IAHB)**

### **15 FAM 212.2-2(A) Establishment**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

The chief of mission/principal officer (COM/PO) will establish an interagency housing board (IAHB) at every post with three or more U.S. Government agencies. The post IAHB functions as an independent working group reporting to the COM/PO through the single real property manager (SRPM). The board will implement housing policies in compliance with the regulations and standards set forth in 200.

### **15 FAM 212.2-2(B) Board Composition**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

- a. **General:** The interagency housing board (IAHB) will consist of personnel representing all U.S. Government agencies at post and should include the range of personnel assigned, i.e., large and small agencies, high- and low-ranking personnel, and families and singles. Agencies' representation on the board should reflect their respective number of U.S. personnel at post. Larger agencies may have one permanent representative on the board; smaller agencies may represent each other on a rotating basis, may be represented by a larger agency, or may be represented in some other manner as determined by the chief of mission/principal officer (COM/PO) and the principal representatives of the agencies concerned.
- b. **Size:** The total number of representatives is determined by the COM/PO; however, the recommended maximum size is 10.

- c. **Membership:** The individual members are designated by the principal representatives of the agencies at post. The board should include the regional security officer (RSO) as an ex officio, nonvoting member to address security issues related to housing. Ad hoc or at-large voting members may also be assigned to the board by the COM/PO, regardless of the parent agency affiliation, to represent various points of view that might otherwise be underrepresented, such as secretaries and junior officers. The board may include representatives from the community liaison office (CLO), the general services office (GSO), and the American Foreign Service Association (AFSA) as ex officio, nonvoting members.
- d. **State representation:** The Department of State should be represented by an officer outside of the management section. The single real property manager (SRPM) serves on the board as an ex officio member, providing all necessary guidance on interpretation and application of policies and regulations, and making recommendations to the post IAHB. The SRPM is responsible to the COM to ensure that management of the housing program complies with all regulations, policies, and procedures.
- e. **Chairperson:** The chair of the post IAHB shall be rotated every 12 months among senior members of the agencies represented on the board. The COM/PO and deputy chief of mission (DCM) *must* not be members of the board as these individuals serve in the direct line of appeal if an employee disagrees with a board decision.
- f. **Meetings:** The post IAHB should meet as often as necessary to fulfill its responsibilities.

## **15 FAM 212.2-2(C) Post IAHB Responsibilities**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

- a. Under the guidance of the single real property manager (SRPM), the post interagency housing board (IAHB) is responsible for overseeing the implementation of the housing policy and standards of 15 FAM and ensuring that they are equitably applied to employees of all agencies. Because of its representative composition and familiarity with local housing conditions, the post IAHB is considered the best vehicle to administer the housing policy. The post IAHB should exercise its best collective judgment to reconcile employees' housing requirements with the intent of the U.S. Government regulations and to make decisions that can be logically defended as in the best interests of the U.S. Government.
- b. Specific responsibilities are *presented* below:
  - (1) As guided by the SRPM, apply the standards and procedures outlined in this policy to the management of the post-housing program;

- (2) Review regularly the existing U.S. Government-held housing, ensuring retention of appropriate and cost-effective housing in the post housing pool. Such reviews are to be supported by periodic market surveys;
- (3) Establish rental control ceilings for housing in each category;
- (4) Approve the assignment of housing;
- (5) Review the acquisition of short-term lease (STL) residential leases, as necessary;
- (6) Review living quarters allowance/overseas housing allowance (LQA/OHA) requests for residential quarters exceeding the space standards or the established rental control ceiling;
- (7) Review the conditions at post that determine ranking on the Locality Index. When a change is deemed necessary, the IAHB should present a justification memorandum to the chief of mission/principal officer (COM/PO) through the SRPM. If the COM/PO concurs, the request should be submitted to the Bureau of Overseas Buildings Operations (OBO) for review and approval;
- (8) Assist the SRPM with the preparation of and revisions to a post housing guidebook that defines the housing policy and outlines responsibilities of occupants of U.S. Government-held housing and of recipients of LQAs. This guidebook should include, but is not limited to:
  - (a) Guidelines on space authorizations and rental ceilings;
  - (b) An interagency-approved list of supplemental furniture, furnishings, appliances, and equipment (FFA&E) to be provided in U.S. Government-furnished residential quarters;
  - (c) Guidelines for short-term loan of U.S. Government property; and
  - (d) Tenant responsibilities when occupying U.S. Government-held quarters, e.g., condition of quarters upon departure, liabilities for damage; and
- (9) Research local laws pertaining to rent control and retain copies of these laws or pertinent extracts therefrom, together with an original or certified copy of pertinent rulings of the local rent control board or authority, keeping Washington, DC headquarters offices informed as necessary.

## **15 FAM 212.3 Post Interagency Housing Board (IAHB) Records**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

The post interagency housing board (IAHB) shall maintain written records of its meetings, including justifications for decisions. In particular, decisions that are one-time exceptions to policies, procedures, or regulations, such as assignment of housing which is larger than warranted by family size and tier, must be documented and records kept on file at post for three years.

Specifically, the IAHB shall produce and transmit to the single real property manager (SRPM) written justification for each assignment that is:

- (1) Not within 15 FAM 200 guidelines for space; and
- (2) To a short-term lease (STL) that is 10 percent or more expensive than the average for that tier and family size.

These records will be made available, upon request, to the Office of the Inspector General (OIG), the *Government Accountability* Office (GAO), Department regional bureaus, and the Bureau of Overseas Buildings Operations (OBO), and will be used in annual certifications. Such documentation does not preclude the requirement for prior Washington, DC headquarters approval of leases or assignments that exceed the post's authority in 15 FAM 300.

## **15 FAM 212.4 Petitions and Appeals of Housing Assignments**

### **15 FAM 212.4-1 Petitions**

*(CT:OBO-1; 04-29-2005)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

At posts with sufficient vacant U.S. Government-held units, employees may petition the post interagency housing board (IAHB) for alternative quarters prior to occupying their assigned quarters. The post IAHB may decide whether or not to grant that petition without having heard a formal appeal that assigned quarters are unsuitable. An employee's petition for alternative quarters, heard and decided by the post IAHB, does not preclude a subsequent appeal. Such petitions may not involve the acquisition of new leases and should be limited to prospective reassignment of currently vacant properties already in the housing pool. The single real property manager (SRPM) and post IAHB should be careful about entertaining such petitions, since last-minute reassignments can increase maintenance costs or change

the incidence of cost to agencies (e.g., preoccupancy painting, furnishing, clean-up) and, if not carefully controlled, can make efficient make-ready scheduling impossible.

## **15 FAM 212.4-2 Appeals**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

An appeal is a formal request for a change of quarters that maintains that the assigned quarters are unsuitable for the assigned occupant. Employees who wish to appeal an interagency housing board (IAHB) housing assignment must submit the justification to the post IAHB and the single real property manager (SRPM) for review. If not resolved, it will be submitted to the deputy chief of mission (DCM) and/or chief of mission (COM) for a decision. If it is still not resolved at post, the employee may appeal directly to his or her parent agency or, if a State Department employee, to the appropriate regional bureau executive director for review. Copies of such appeals *must* be provided the SRPM who will forward copies to the Bureau of Overseas Buildings Operations (OBO) and the regional bureau. The parent agency, in consultation with OBO, *must* determine whether the issue warrants consideration by the Washington, DC IAHB.

## **15 FAM 212.4-3 Housing Options Pending Decision of Appeal**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

Until a decision is made on the matter, the employee may continue to receive temporary lodging allowance (TLA) benefits (not to exceed the maximum authorization set forth in the Standardized Regulations), may move into the assigned quarters, may occupy any unoccupied post transient housing, or may occupy alternate quarters at his or her own expense. Living quarters allowance/overseas housing allowance (LQA/OHA) *cannot* be authorized if appropriate U.S. Government-held housing would remain vacant.

## **15 FAM 212.5 Post Housing Guidelines**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

Each post shall prepare and update biennially post housing guidelines for the use of employees and their *eligible family members* on official assignment to post. The outline in 15 FAM Exhibit 212.5 can be adapted for individual post use in preparing such guidelines.

## **15 FAM 212.6 Annual Market Survey of Housing**

*(CT:OBO-7; 04-26-2006)*

*(Uniform State/USAID/Commerce/Agriculture/DIA)*

- a. A survey of the local real estate market provides an objective assessment of market conditions and enables posts to compare rents for the current housing inventory with the market. Posts should use survey results to establish rental ceiling and document conditions related to the availability and cost of suitable housing. The survey should reflect the housing selection criteria outlined in 15 FAM 225, including maximum space standards, cost, distance, and security considerations.*
- b. Posts must conduct a market survey, at least annually, providing the OBO Real Estate Office (RE) with a copy of the survey within 30 days of completion.* Each post should publicly advertise its housing requirements, listing all criteria that factor into the post's housing selection process (see 15 FAM 225). Each post should determine the most effective local medium for public advertisement (e.g., newspapers, magazines, realtors) to ensure maximum competition and the broadest possible selection of properties. The post should use survey results *and other appropriate market research, cleared with OBO/RE*, to develop housing profiles, establish rental ceilings, and document conditions related to the availability and cost of suitable housing. (See Department of State Acquisition Regulation (DOSAR) Part 606.170 for procedures.)

## **15 FAM 213 THROUGH 219 UNASSIGNED**



## **15 FAM EXHIBIT 212.5 POST HOUSING GUIDELINES OUTLINE**

*(CT:OBO-7; 04-26-2006)*

Items marked with an asterisk (\*) are required.

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