



## POLICY DIRECTIVE

Policy:	<b>DOC 2.3.1 STATE-OWNED HOUSING</b>
Effective Date:	02/01/1998 <span style="float: right;">Page 1 of 3</span>
Revision Date(s):	12/23/2016; 04/24/2026
Signature/Title:	/s/ Eric Strauss, Director

### I. POLICY

The Department will exercise all the rights of any landlord in renting state-owned housing at Department-approved locations.

### II. APPLICABILITY

All divisions, facilities, and programs Department-owned and contracted, as specified in contract

### III. DEFINITIONS (see Glossary)

### IV. REQUIREMENTS

#### A. Approval of State-Owned Housing

1. The Department Director, Department housing officer, and facility administrator must review and approve all housing lease agreements and housing assignments.
2. The Department housing officer will maintain a copy of all signed housing lease agreements.
3. All housing lease agreements will be reviewed and renewed every two years by the Department housing officer.
4. Tenants must adhere to this policy in its entirety.

#### B. Tenant Selection and Responsibilities

1. Tenants will be selected for state-owned housing based on:
  - a. key management and supervisory responsibilities;
  - b. ability to oversee facility operations on a 24 hour-a-day, seven day-a-week basis; or
  - c. approval by the facility administrator on an individual basis.
2. The responsibilities of key managers and supervisors will include:
  - a. oversight of facility operations and industries;
  - b. availability to respond to emergencies that may arise on or near facility property; and
  - c. capacity to help with activities or responsibilities that are deemed beneficial to the Department and Department operations.
3. Employees with round-the-clock oversight of facility operations will provide:
  - a. assistance with the security of outlying facility areas;
  - b. response to maintenance and animal-related issues or problems outside of normal business hours; and
  - c. help with activities and emergencies that may arise in or near the facility including escapes and disturbances.

**C. Housing Lease Agreement**

1. The Department housing officer and facility administrator will ensure that divisions providing state-owned housing comply with the following provisions:
  - a. provide a Department-approved *Housing Lease Agreement*;
  - b. ensure the *Agreement* is in effect as long as the tenant occupies state housing; and
  - c. as part of the *Housing Lease Agreement*, unless an exception is approved by the Department Director, the tenant must agree to all conditions contained in the *Housing Lease Agreement*.
2. Violations of Department policy or the *Housing Lease Agreement* may result in eviction with a 30-day notice. Violations of criminal statutes or security policy may result in immediate eviction.
3. Employees renting state-owned property will vacate the property no more than 14 calendar days after termination of employment following resignation or retirement. Employees terminated for cause will have 10 calendar days to vacate the premises.

**D. Rental Amounts**

1. The Department will charge fair market rental rates, when applicable.

**E. Rental Discounts/Waivers**

1. The Department Director, in consultation with the Department housing officer and facility administrator, may approve rental discounts or rental waivers for employees who are required to live on the premises or in state-owned housing as a part of their compensation package or have current lease agreements with the Department.
2. The Department Director will:
  - a. determine, with input from the Department housing officer and facility administrator, whether the rental discounts continue to serve the legitimate interests of the Department; and
  - b. approve or deny rental discounts.

**F. Animals**

1. Generally, tenants may have pets, but must be considerate of others in maintaining them.
2. The division housing officer:
  - a. will approve the number and type of pets and the location and types of pet structures in accordance with established requirements.
  - b. must approve all structures intended for animals (for example, large doghouses, kennels, dog runs, hutches, and sheds) prior to construction in accordance with established requirements.
3. Tenants will:
  - a. obtain authorization for pets from the division housing officer;
  - b. license all dogs at the applicable county or city office;
  - c. contact the Department of Livestock to ensure compliance with inspection and disease control regulations for all livestock (for example, cattle, horses, and sheep);
  - d. ensure all animals, when appropriate, are vaccinated for rabies;
  - e. maintain control of dogs and other large animals at all times; and
  - f. reimburse the Department or others for damage caused by animals; this may include damage to persons or property.

**G. Property Modifications or Replacements**

1. Prior to construction, the division housing officer must approve any modification or construction of a residence or structure located on the property, and will comply with operational requirements in the approval process.
2. The division housing officer will approve and administer routine maintenance and repairs, other than those due to misuse, and comply with operational procedures regarding maintenance procedures and costs.
3. Specific requirements will identify the specific types of appliances, window coverings, and maintenance responsibilities associated with state-owned housing.

**V. CLOSING**

Questions about this policy should be directed to the Department housing officer or appropriate administrator.

**VI. REFERENCES**

- A. §§ 39-3-205; 53-1-203; 70-24-104, MCA

**VII. FORM**

*Housing Lease Agreement*