

Military Housing Oversight and Service Member Protection Act

Purpose: To give the Secretary of Defense statutory responsibility and appropriate authorities to ensure that privatized military housing providers are meeting the terms of their contracts; to give military family tenants greater rights to ensure their homes are safe, clean and meet all appropriate standards of habitability; to ensure that military families who developed medical conditions as a result of unsafe housing receive compensation and medical care; and to provide greater transparency of the 50-year housing contracts each company signs with the Department of Defense (DOD).

Increases Oversight

- Requires the Secretary of Defense to establish formal written guidance for entering into and renewing all housing contracts and further requires the Secretary to withhold funds if the housing provider is found to be in material breach of the contract and rescind the contract if the provider does not take steps to correct the breach.
- Requires the Secretary of Defense to standardize all lease agreements across the Department for privatized housing residents.
- Requires each base or installation to have a housing office staffed by employees of the military department, some of whom must be independent housing inspectors; and that this housing office should establish a regular inspection regime to ensure that all houses are safe, clean, and adequate and meet all Federal, State, and local laws and standards of habitability.
- Requires the Secretary of Defense to consult with stakeholders to develop and standardize resident satisfaction survey across the military departments.
- Requires the base housing office to have access to that base's housing provider(s) maintenance work order system.

Establishes Tenant Protections

- Allows residents to and establishes a procedure for servicemembers to withhold their Basic Allowance for Housing if the provider hasn't met established guidelines or if the house is uninhabitable according to State and local law. This provision also establishes a procedure for the service member to appeal a decision, and requires the military department to provide to Congress an annual report of all denied appeals.
- Requires that all new tenants are notified in writing of their rights and procedures for filing claims against the landlord, and that each lease contain an addendum that lay out the procedures for filing a claim as laid out in this section.
- Requires the landlord to cover all costs associated with a tenant who must move due to renovation and/or maintenance, and allows tenants to relocate off base without penalty.
- Landlords may not close maintenance requests in the work order system until the resident has approved the work and the work has been completed to satisfaction.
- Requires the Secretary to include in any contract with a landlord that the landlord pay for all associated medical costs if the landlord has not maintained the standards of habitability.
- Codifies that all Federal, State, and local housing protections that apply to those who live in the communities that surround the base or installation regarding habitability and eviction also apply to service members in privatized on base housing.

Provides Transparency

- Requires the Secretary of Defense to establish a public complaint database accessible by all tenants, and further requires the Secretary to include a provision in contracts with housing providers that they respond to all such complaints.
- Requires the annual publication of financial details of each housing contract the Department signs detailing all of the fees the providers have received under the contract for the preceding year.
- Requires housing providers to publish an annual financial statement (equivalent to a 10-K) for the entire company and for each contract the provider has with the Department.
- Requires DOD to publish an annual report on all privatized housing units broken out by base or installation.

Ensures Medical Care

- Directs DOD to establish a health registry for all service members and families to screen and track for medical conditions acquired as a result of unsafe housing.
- Directs DOD to establish guidance in consultation with appropriate scientific agencies for all Military Treatment Facilities to begin screening for environmentally-caused medical conditions.
- Establishes a presumption of service-connected disability for all servicemembers and provides for lifetime healthcare coverage for all dependents who develop environmentally-caused medical conditions.

Strengthens Ethics

- Prohibits all DOD officials at or above the rank of Senior Executive Service or O-6 from owning any investments in an entity owned or controlled by a privatized housing provider (mutual funds excluded).
- Prohibits any Member of the House or Senate Armed Services Committees from owning any investments in an entity owned or controlled by a privatized housing provider (mutual funds excluded).