

FISH AND WILDLIFE SERVICE
FACILITY MANAGEMENT

TABLE OF CONTENTS

| Topics | Sections |
|--|--|
| Overview | 5.1 What is the purpose of this chapter? 5.2 What is the scope of this chapter? 5.3 What is the overall policy? 5.4 What are the authorities for this chapter? 5.5 Who is responsible for the requirements in this policy? |
| Establishing Rent Amounts | 5.6 How does the Service explain to tenants how it established a rent amount, and what does a tenant do if he/she thinks the data on which the rent is based is incorrect? |
| When Rent Amounts May Be Significantly Higher than Comparables | 5.7 What can an employee tenant do if a rate significantly exceeds comparable local rents? 5.8 What can a non-employee tenant do if a rate significantly exceeds comparable local rents? |

OVERVIEW

5.1 What is the purpose of this chapter? This chapter explains how U.S. Fish and Wildlife Service (Service) employees who live in Government-furnished quarters may request a reconsideration or appeal of their rental rates.

5.2 What is the scope of this chapter? This chapter applies to all employees involved in the management of quarters that the Service owns, leases, or manages through other means (e.g., service level agreements).

5.3 What is the overall policy? A tenant may request a reconsideration of rental rates when he/she believes that:

- A. The Project Leader/supervisor has reported incorrect inventory data on quarters, or
- B. The Regional Quarters Officer (RQO) established rental rates that do not meet Department of the Interior (Department) guidelines or those in the Office of Management and Budget (OMB) Circular A-45, Rental and Construction of Government Quarters.

5.4 What are the authorities for this chapter? See 371 FW 1 for a list of authorities for all the chapters in Part 371.

5.5 Who is responsible for the requirements in this policy? See 371 FW 1 for a list of roles and responsibilities for all the chapters in Part 371.

ESTABLISHING RENT AMOUNTS

5.6 How does the Service explain to tenants how it established a rent amount, and what does a tenant do if he/she thinks the data on which the rent is based is incorrect?

A. The Service:

- (1) Notifies the tenant of his/her initial rent and any subsequent rent changes by providing a package

of forms that includes a printout of the quarters inventory data. The printout shows itemized rent adjustments based on inventory data from an established area; and

(2) Provides a Rent Computation Schedule, Form DI-1880 to the tenant that includes itemized administrative adjustments and appliance, furniture, and utility charges and credits.

B. If a tenant believes that any of the inventory data affecting the rent or adjustments, charges, and credits are incorrect, he/she may ask the Project Leader/supervisor to correct the matter. The Project Leader/supervisor must send corrections to the RQO. The RQO determines if the rent is accurate using the floor plans available in the Regional Realty or Engineering files.

(1) If the RQO confirms an inaccuracy in the rent, the RQO must recompute the rent based on the revised inventory data.

(2) If the error is because the floor plans are not current or available, the RQO must obtain floor plans from the station and recompute the rent.

(3) If the recomputation results in a lower rental rate, the RQO ensures that the employee is issued a refund reflecting the difference. The difference is calculated by going back to the last rent change notice that included inventory data. If the recomputation results in a higher rental rate, the RQO (or Tenant Manager) will print new rental rate documents from the iQMIS and provide the documents to the tenant. The higher rate will go into effect after the 30-day rental rate notification period.

WHEN RENT AMOUNTS MAY BE SIGNIFICANTLY HIGHER THAN COMPARABLES

5.7 What can an employee tenant do if a rate significantly exceeds comparable local rents? If a tenant believes that the rental rates in the survey area are significantly higher (10 percent or more) than the local rates of housing, he/she may file a written Request for Reconsideration. This request must be accompanied by [Private Rental Survey Form, OS-2000](#) (for houses, apartments, and mobile homes) and OS-2001 (for trailer spaces), if applicable, that list at least three comparable rental units from the nearest established community. The tenant or his/her Project Leader/supervisor sends the written request and the form(s) to the RQO.

A. The RQO computes the Regional survey rent for the comparable housing. If the Regional survey rental rates are significantly higher (10 percent or more) than the comparables the tenant submits, the RQO must reverify the comparables the tenant submitted and collect other private comparables from the nearest established community.

B. The RQO should ask Regional Realty personnel, contract real estate agents, or professional appraisers to independently collect comparables.

C. The RQO computes the new comparables for the Regional survey rent and compares them to the actual rent.

(1) If these comparables confirm that the rents in the nearest established community are significantly lower than the Regional survey rents, the RQO must send Private Rental Survey Form OS-2000 and OS-2001 (if applicable) and the analysis of comparables to the National Quarters Officer (NQO).

(2) If the NQO concurs with the RQO's conclusion, the NQO sends the comparables and analysis to

FISH AND WILDLIFE SERVICE
FACILITY MANAGEMENT

Facility Management

Part 371 Quarters Management

Chapter 5 Challenging Quarters Rental Rates

371 FW 5

the Departmental Quarters Manager with a recommendation that the rates for that particular established community be lowered.

(a) If the Departmental Quarters Managers agrees that the rents should be lowered, he/she informs the Service of the adjustment.

(b) If the Departmental Quarters Manager disagrees, he/she tells the NQO about the decision and the employee's right to appeal.

(c) The NQO ensures that the employee receives written notice about the decision, his/her appeal rights, and the procedures for initiating such an appeal.

(3) Employees must send written appeals within 30 days of the receipt of a decision to:

The Office of Hearings and Appeals
801 N. Quincy Street, MS 300-QC
Arlington, VA 22203

D. See the Department's *Housing Management Handbook* for more information about the appeal of rental rates.

5.8 What can a non-employee tenant do if a rate significantly exceeds comparable local rents?

According to section 5.4 of the Department's *Housing Management Handbook*, only employees may request reconsideration of rental rate determinations. Non-Federal tenants cannot seek reconsideration or appeal.

/sgd/ James W. Kurth
DEPUTY DIRECTOR

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