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IN REPLY REFER TO
OPNAVINST 11101.41
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OPNAV INSTRUCTION 11101.41

From: Chief of Naval Operations

Subj: Navy family housing domestic leasing program

Ref: (a) OPNAVINST 11101.37

1. Purpose. To prescribe policy and criteria and assign responsibilities for Navy domestic in-leasing of family housing.

2. Applicability. This instruction applies to the leasing of family housing for Navy personnel in the United States, Puerto Rico and Guam, herein referred to as "domestic" leasing. It also applies to housing in these areas leased by the Navy for personnel of other military services and Federal agencies. It excludes housing leased for bachelors, personnel on temporary additional duty and housing leased in foreign countries.

3. Policy and Criteria

a. Family housing may be leased only when such leasing meets the criteria and cost limitations established by law and in accordance with Department of Defense policy and instructions prescribed in enclosure (1) of reference (a).

b. Lease housing will be resorted to only when other appropriate Government quarters of the Navy or other military service are not available in the area to meet the requirement and when suitable rental housing is not available to the prospective assignee within the Maximum Allowable Housing Cost (MAHC).

c. When available locally, the services of a Military Housing Referral Office will be utilized in locating appropriate housing to meet the requirement prior to initiating a lease request.

d. Every reasonable effort will be made to minimize the cost to the Government by providing only lease housing that is appropriate as to type, size, location and amenities for assignment to the pay grade and family composition of the proposed occupant.

OPNAVINST 11101. 41

22 AUG 1978

e. Lease housing justified and approved for one purpose will not be used for another purpose.

f. Lease housing will be administered consistent with the lease agreement and according to policies and procedures applicable to public quarters, and occupants shall forfeit basic allowance for quarters (BAQ).

4. Responsibilities. Responsibilities for Navy domestic lease housing are retained by CNO or assigned as follows:

a. Chief of Naval Operations:

(1) Obtain OSD approval of Department of Navy annual leasing allocation, with the concurrence of the Commandant of the Marine Corps for Marine Corps activities.

(2) Validate leasing "deficits", hereafter referred to as leasing "requirements". Inform Naval District Commandants and Area Coordinators of approved lease requirements for the fiscal year, including those of the Marine Corps.

(3) Approve changes to lease requirements during the fiscal year for Navy activities, except requirements of the Navy Recruiting Command which shall be authorized as delegated by paragraph 4d(3) below.

b. Commander, Naval Facilities Engineering Command, under the Chief of Naval Material, will:

(1) Implement and administer Navy domestic leasing as required to ensure effective, efficient and economical execution of the lease program consistent with the provisions of this instruction and other directives from higher authority.

(2) Establish necessary procedures, controls and reports for the domestic lease program, with concurrence of the Commandant of the Marine Corps when applicable to Marine Corps activities.

(3) Require a statement of Certification of Appropriateness and Comparability signed by the officer initiating a lease request to accompany each proposed new lease or lease renewal to be executed by the Navy, including leases for Marine Corps activities.

22 AUG 1978

(4) Budget for and fund domestic leases, with the concurrence of the Commandant of Marine Corps for Marine Corps activities.

(5) Within the OSD-approved fiscal year lease requirement, allocate lease points for which leases can be executed, with the concurrence of the Commandant of the Marine Corps for Marine Corps activities.

(6) Execute all leases, including leases for Marine Corps activities when requested by a designated Marine Corps authority.

c. Naval District Commandants and Area Coordinators, for their respective areas of jurisdiction, will:

(1) Recommend to CNO Navy fiscal year lease requirements by activity or geographic location based on a determination of a programmable housing deficit in accordance with the provisions of reference (a), including requirements of the Navy Recruiting Command.

(2) Ensure distribution of this instruction and any supplementation considered necessary to officers and activities involved in the subject program.

d. Commander, Navy Recruiting Command will:

(1) Provide Naval District Commandants and Area Coordinators annually by 31 December with projected leasing needs (by location) for the fiscal year starting 1 October thereafter to facilitate accomplishment of 4c(1) above. Leasing Requirements Data (NAVFAC 11101/23) will be separately provided in accordance with instructions governing the Annual Family Housing Requirements Survey conducted as of 31 January.

(2) Designate officers of the Navy Recruiting Command who are authorized to initiate domestic housing lease requests and locally administer lease housing transactions.

(3) Authorize geographic changes within total CNO-assigned fiscal year requirements when necessary to meet recruiting goal changes.

OPNAVINST 11101.41

22 AUG 1978

(4) Ensure that officers of the Navy Recruiting Command who initiate lease requests and administer Navy lease housing transactions comply with instructions, procedures, controls and reports applicable to such housing.

e. Commanding Officers and Officers-in-Charge will:

(1) Initiate lease requests and administer lease transactions in compliance with this instruction and implementation actions taken pursuant thereto.

(2) Assign and terminate the occupancy of lease housing.

(3) Ensure that change-of-occupant assignments during the term of a lease comply with the provisions of paragraph 3d above regarding the appropriateness of the lease dwelling unit for assignment to the proposed new assignee.

(4) Counsel the prospective assignee as to his/her entitlements, responsibilities and obligations as an occupant of the particular Government lease public quarters assigned.

5. Concurrence. The Commandant of the Marine Corps concurs with the contents of this instruction where applicable to the Marine Corps.



R. F. JORTBERG
By direction

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