

Installation
FORT HOOD DEPOSIT WAIVER PROGRAM

History. This regulation supersedes III Corps and Fort Hood Regulation 210-50 dated 1 September 1992.

Summary. This regulation establishes policy and procedures for the Fort Hood Deposit Waiver Program.

Applicability. This regulation applies to soldiers assigned to Fort Hood, the soldier's chain of command, utility companies and landlords participating in the program, and III Corps and Fort Hood staff responsible for administering the program. In the event of full mobilization, the requirements of this regulation remain in effect.

Supplementation. Supplementation of this regulation is prohibited without prior approval of the Directorate of Public Works (DPW).

Changes. Changes to this regulation are not official unless authenticated by the Directorate of Information Management (DOIM).

Suggested improvements. The proponent of this regulation is the DPW. Users are invited to send comments and suggested improvements to the Commander, III Corps and Fort Hood, ATTN: AFZF-PW, Fort Hood, Texas 76544-5057.

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IAW FHT FORM 1853: S

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OVERVIEW

1

Purpose

To help reduce relocation costs associated with the rent and utility deposits for soldiers assigned to Fort Hood.

This regulation establishes policy and procedure for:

- Program responsibilities.
- Participation in the program.
- Processing of delinquent payments or damage claims.
- Out-processing soldiers through the Housing Office (waivers).

1a

References**Section I. Required references**

AR 600-15 (cited in para 2b, 3d, 3e, 3h)
Indebtedness of Military Personnel

AR 600-37 (cited in para 4)
Unfavorable Information

AR 600-8-19 (cited in para 2b, 3d, 3e, 3h, 4)
Enlisted Promotions and Reductions

AR 380-67 (cited in para 4)
Personnel Security Program

Section II. Related references
This section not used

Section III. Referenced Forms

FH Form 210-X12 (cited in para 3c, 3i, and 3j)
Fort Hood Deposit Waiver Program

DA Form 137-3-R (cited in para 3c)
Installation Clearance Record

FHT Form 1853
Distribution Scheme

1b

**Abbreviations
And Terms**

The glossary explains abbreviations and terms.

1c

**Summary of
Changes**

Changes the proponent agency to Directorate of Public Works, Housing Division.

1d

Command Involvement The Deposit Waiver Program is a command program that requires extensive and continual chain of command involvement. 1e

Eligibility Active duty soldiers may participate in the deposit waiver program if they are assigned to Fort Hood and:

- Are in-processing.
- Are authorized to live off post.
- Are entitled to basic allowance for housing (BAH).
- Do not have a poor credit rating.
- Spouses of soldiers may receive waivers if the soldier is within 60 days (from reporting date of orders) of arriving to Fort Hood. Spouse must have a power of attorney and a copy of soldier's PCS (Permanent Change of Station) orders to apply for waivers

1f

POLICY 2

Soldiers Soldiers must:

- Manage their personal affairs satisfactorily.
- Pay their debts promptly.
- Agree to arbitration in all cases of disputed rental debt or damage charges.
- Waive limited personal privacy rights for the purpose of collecting unpaid debts in exchange for a waiver.

Failure to comply with the requirements of this paragraph in a timely manner may result in

- Uniform Code of Military Justice (UCMJ) action.
- Adverse administrative action.
- Adverse impact on the soldier's credit rating.
- Loss of the deposit waiver privileges.
- Loss of security clearance.
- Administrative reduction in rank.

2a

Commanders

Commanders must:

- Take an active interest in the financial responsibility of their soldiers.
- Promptly investigate any reports of failure to pay just debts.
- Assist in resolving disputes between soldiers and their creditors.
- When indicated, counsel or take appropriate disciplinary action per AR 600-15 (Indebtedness of Military Personnel).
- Process utility delinquencies through the Housing Office as having met the notification and fairness requirements of AR 600-15, Chapter 4 and AR 600-8-19, para 6-6b(4) (Enlisted Promotions and Reductions) .

2b

RESPONSIBILITIES

3

**Director,
Public
Works
(DPW)**

The DPW will:

- Serve as staff and functional proponent for the Deposit Waiver Program.
- Advertise the program and recruit utility companies and landlords as participants.
- Develop fact sheets and other literature to inform soldiers of The Program's existence and enrollment procedure.
- Maintain a database on soldiers participating in the program.
- Issue waiver forms to eligible soldiers who desire them.
- Process utility company and landlord complaints by providing monthly delinquency lists to MSC (Major Subordinate Command) Commanders.
- Review files on out-processing soldiers to ensure that waivers, if any, have been properly cleared.
- Provide military and civilian forwarding address to utilities or landlords of soldiers who owe past due utility bills, rent or damage charges.
- Maintain listing of utilities and landlords in the Deposit Waiver Program.
- Provide program information to in-processing soldiers.
- In-process soldiers prior to their obtaining their waivers.
- Require soldiers to out-process DWO (Deposit Waiver Office) prior to clearing housing.

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**Director
Public
Works
(DPW)
(continued)**

Note: Release of information will be granted if the soldier gives consent at the time of enrollment in the program.

3a

**Staff Judge
Advocate
(SJA)**

The SJA will:

- Provide a housing arbitration officer to resolve disputes concerning rent or damage to rental units.
- Arbitrate disputes between soldiers and landlords.
 - For soldiers participating in the rental Deposit Waiver Program.
 - Per approved Fort Hood arbitration procedures.
 - After the chain of command has investigated and attempted to resolve the matter.
 - When the claim is disputed.

3b

**Adjutant
General**

The Adjutant General will include the Deposit Waiver/Housing Office as an item to be cleared on the DD Form 137-3-R (Installation Clearance Record) for out-processing soldiers.

3c

**Unit
Commanders**

Unit commanders will:

- Become familiar with AR 600-15.
- Counsel soldiers who are participating in the Deposit Waiver Program and are delinquent in payment of rent, utility bills, or damage charges.
- Follow up to ensure that soldiers have paid their bills.
- Provide feedback through the chain of command to Housing on completion of corrective action.
- Periodically visit the soldier's living conditions, with soldier's consent, especially if there are indications of problems, such as landlord or soldier complaints, or reported delinquencies from the Housing Office.
- Consider flagging after the second delinquency notice and barring delinquent soldiers after the third delinquency notice.
- Report disputed claims to the Housing Office and SJA arbitrator.

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**Unit
Commanders
(continued)**

- Consider temporary suspension or permanent revocation of security clearances of delinquent soldiers.
- Assist DWO in out-processing soldiers who owe debts.
- Refer all delinquent soldiers to the Battalion Command Financial Specialist and develop a budget for all delinquent soldiers.
- For soldiers reported third time delinquent and not entered into a re-payment plan, consider administrative reduction in rank for inefficiency, according to AR 600-8-19, paragraph 6-5, and paragraph 6-6.
- Conduct remedial financial training.
- Respond to the deposit waiver office within 48 hours when notified of a rental delinquency.

3d

**Major
Subordinate
Command
(MSC)**

MSC commander will:

- For delinquent soldiers who have PCSd, send a memorandum to the gaining command notifying them of the soldier's indebtedness.
- Establish a central point of contact to coordinate with Housing on deposit waiver issues.
- Ensure that unit commanders take corrective action on delinquent debts.
- Provide response to the Housing Office within specified time in the notification of delinquent debts.
- Include the Deposit Waiver Program in the MSC's Command Inspection Program.
- The Texas Public Utility Commission (PUC) requires utility companies to notify delinquent customers in writing by law.
 - Accept the DWO utility delinquency lists as sufficient proof of compliance with AR 600-15, para 4-3 and AR 600-8-19, para 6-6b (4).

3e

**Individual
Soldier**

The individual soldier applying to participate in the Deposit Waiver Program will:

- Report to the Housing Office for in-processing prior to obtaining a deposit waiver.
- Provide credit information when requested.
- Pay just debts in a timely manner.

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Individual Soldier (continued)

- Participate in arbitration in all disputed debts involving his or her landlord.
- Clear the Housing Office .
- Sign a deposit waiver application form, FH Form 210-XI2 (Deposit Waiver Form)

3f

Utility Company

The utility companies participating in the deposit waiver program will:

- Honor FH Form 210-X12 in lieu of a deposit.
- Return the waiver with the appropriate entries when soldier terminates utility service.

In the event that a soldier fails to pay utility bills, the utility company will:

- Contact the soldier directly concerning the delinquency first.
- Notify Fort Hood Housing Office, if reasonable collection efforts fail, so that the commander can take appropriate action.

3g

Landlords

The landlord participating in the deposit waiver program program will:

- Accept FH Form 210-X12 in lieu of a deposit.
- Participate in binding arbitration conducted by a Fort Hood Housing arbitration officer in cases of disputed debt.
- Allow soldier to initially occupy the leased premises without payment of deposit while the soldier completes application for a waiver.
- Return the waiver with the appropriate entries when the soldier's lease expires.
- In the event of unpaid debts (rent or damage) the landlord will:
 - First contact the soldier directly concerning the debt.
 - Notify Fort Hood housing office if reasonable collection efforts fail, so that the commander can take appropriate action per AR 600-15 or AR 600-8-19.

1

ADMINISTRATIVE AND DISCIPLINARY ACTIONS

4a

Commander

Commanders may consider taking the actions listed in block 4b for soldiers who fail to pay just debts.

4a

**Choice of
Action****Commanders may:**

- Develop a personal financial budget with the assistance of the Command Financial Specialist, make appropriate comments on noncommissioned evaluation reports (NCOER) or officer evaluation reports (OER).
- According to AR 600-37, write and file a letter of admonition or reprimand in the individual's local unit file or Official Military Personnel File (OMPF).
- Bar the soldier from reenlistment.
- Process the soldier for administrative separation from service.
- Take disciplinary action under the UCMJ.
- Temporarily suspend or permanently revoke the soldier's security clearance according to AR 380-67 para 2-101.
- Flag soldiers from receiving favorable actions, such as promotions, Good Conduct Medals, induction in Sergeant Audie Murphy Club, and so forth.
- The unit commander or his or her staff representative will visit a chronically delinquent soldier's quarters or apartment to make an assessment of the living environment of the soldier.
- Administrative reduction in rank for inefficiency, according to AR 600-8-19, paragraph 6-5, and remedial financial training.

Note: Schedule visits in advance and enter the home only if the commander or his or her representative receives the voluntary consent of the occupant.

4b

Glossary

Section I. Abbreviations

BAH

Basic allowance for housing

DOIM

Directorate of Information Management

DPW

Directorate of Public Works

IAW

In accordance with

LTC

Lieutenance Colonel

MSC

Major subordinate command

OER

Officer Evaluation Report

OMPF

Official Military Personnel File

OSJA

Office of the Staff Judge Advocate

PCS

Permanent Change of Station

PUC

Public Utility Commission

SC

Signal Corps

UCMJ

Uniform Code of Military Justice

Section II. Terms

Housing

Responsible for administration of the Deposit Waiver Program Office.

Deposit

FH Form 210-X12 (see appendix A) is accepted by participating utility companies and waiver landlord in lieu of a deposit. Represents an agreement by the soldier to abide by the conditions of the program and release information normally protected by the Privacy Act.

Landlord

The owner or manager of an off-post dwelling available for lease to Fort Hood soldiers.

Pet deposit

An additional payment paid by tenants who have pets. The pet deposit is used to reimburse the landlord for the cost of cleaning and repair necessitated by the presence of a pet on the rental premises. Pet deposits are not covered under the deposit waiver program.

Security deposit

Any payment of money, other than an advance payment of rent, that is intended primarily to secure performance under a lease of a dwelling. A security deposit normally is refunded if there is no damage to the dwelling, the account is current, and the tenant vacates the quarters in accordance with the terms of the lease agreement.

Tenant

A Fort Hood soldier living off-post in leased quarters.

Utility

A utility company participating in the program. Includes electrical, water, gas, and telephone service.

Utility deposit

A payment paid to a utility company to secure payment of a bill against a customer and to ensure the proper care, use, and return to the utility company, upon demand, of its appliances or other property placed on the customer's premises.