

**UNITED TRIBES TECHNICAL COLLEGE  
HOUSING POLICIES**

The UTTC Housing Policies are in accordance with North Dakota State Laws.

**I. ELIGIBILITY REQUIREMENTS – STUDENT FAMILY HOUSING**

The eligibility requirements for Student Family Housing are as follows:

1. The primary reason for residing in United Tribes Technical College housing must be to enroll at UTTC and to obtain an academic degree or certificate.
2. The Applicant for Student Family Housing must be enrolled full time. Full time is defined as a minimum of twelve (12) credits for fall and spring semesters. Full time for summer session is defined as a minimum of six (6) credits.
3. A Tenant enrolled full time in the spring semester and pre-registered full time for the following fall semester will not need to enroll for the summer session to continue to live in UTTC housing during the summer. Each Tenant will be responsible for rent during the summer months.
4. The Applicant Tenant must meet one of the following criteria:
  - a. A family, with one or more dependents, provided one individual is enrolled full time at UTTC.
  - b. A family with no children, provided one individual is enrolled at UTTC;
  - c. Single parent enrolled full time at UTTC with custody of one or more dependents;
  - d. Legal guardian enrolled full time at UTTC with dependent(s);
  - e. Single adult enrolled full time at UTTC who has an identified and declared disability is eligible to reside in family housing, provided there are units available and accommodations are reasonable.
7. Priority in assignment of all units is given to adults enrolled full time at UTTC with dependents
8. Occupancy standards for UTTC Family Housing are:
  - a. Efficiency unit- A minimum of 2 and a maximum of 3 individuals
  - b. One bedroom- A minimum of 2 and a maximum of 3
  - c. Two bedroom- A minimum of 2 and a maximum of 5
  - d. Three bedroom- A minimum of 3 and a maximum of 9
9. Student housing is limited. Eligibility for housing does not guarantee that an Applicant will obtain the housing sought.

**II. APPLYING FOR STUDENT HOUSING**

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The process for applying for student housing is set out below. Failure to follow this process may lead to a denial of student housing.

1. An application will be considered complete only when all application materials are verified as being received by The Housing Department. A completed application includes the following:
  - a. Completed housing application included in the admissions packet, or as provided on-line.
  - b. Payment of the nonrefundable \$25 application fee. This amount is applied to the student account.
  - c. Submission of all legal documents regarding to custody of children, and/or guardianship as applicable.

*Please note: The Housing Department will not process the family housing application until the above items are complete. Housing is based on a first come, first serve basis.*

2. Any changes in the application must be made as soon as possible prior to assignment of the unit to the Applicant. Assignment of each unit is made not less than 30 days prior to the start date of school.
3. The Applicant is responsible for providing the Housing Department with updated phone numbers and address changes in writing to [residencelife@uttc.edu](mailto:residencelife@uttc.edu) or by calling 701-221-1325 prior to the assignment of the unit.

**TYPE OF HOUSING**

**TYPE OF APPLICATION**

Family Housing (On-campus)

Family Housing Application

- a) Family houses - 1, 2 or 3 bedroom
- b) Duplexes for one family per unit
- c) Solo dormitories
- d). August Little Soldier (ALS)

Tax Credit Application Low Income qualification required

**III. ASSIGNMENT OF UNITS POLICY**

GENERAL ASSIGNMENT OF UNITS INFORMATION IS AS FOLLOWS:

1. Assignment of an available unit is made to the first eligible Applicant on the waiting list with a paid application fee and complete application.

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2. Applicants are assigned to the first available unit as determined by family size listed on the application.
3. Acceptance of the assignment of the unit may be made by telephone, fax or other electronic communication as long as the Applicant receives an assignment to a unit from the Housing Department.
4. At the time of acceptance of the assigned unit by the Applicant, the Applicant will be asked to set up a date and time to move into the unit.
5. Acceptance or cancellations must be postmarked, (if in writing) or received by the Housing Department within 14 days of the date on the assignment letter.
6. Acknowledgement by the Housing Department of the acceptance by the Applicant of the housing unit assigned may be made verbally, or by electronic communication. After the Applicant's acceptance is received by the Housing Department, and The Housing Department has made an assignment of a unit to thee Applicant, for the purpose of these policies, the Applicant is known as the Tenant.
7. Failure to accept or cancel an assignment in writing, by phone, or by any other electronic communication within the 14 day period or any acceptance received after the 14-day period may result in the loss of an assignment and cancellation of the application.
8. AFTER ACCEPTANCE, TO CANCEL A UNIT, THE TENANT MUST PROVIDE WRITTEN NOTICE TO THE HOUSING DEPARTMENT AT LEAST THIRTY (30) DAYS PRIOR TO THE DATE THE TENANT INTENDS TO LEAVE. THE TENANT WILL OWE A MINIMUM OF ONE MONTH RENT AND RENT FOR THE BALANCE OF THE TIME THE TENANT STAYED IN THE UNIT. RENT CHARGES WILL BE PRO-RATED ACCORDINGLY.
9. All assignments are made without regard to race, religion, age, gender, sexual orientation or national origin.
10. A limited number of units for Applicants with a verified disability are available. An Applicant must meet criteria established through the Disabilities Support Services office at UTTC, 701 221 1516. If these units are not filled at the time assignments of housing are made, they will be provided to other Applicants.
11. Availability of all units is limited. After initial assignments are made, further assignments will be made to eligible Applicants only after the units are vacated.

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12. Providing false information in support of any application, including on the application itself, may result in the removal of the application from the waiting list. If false information is provided, a referral may also be made to the appropriate campus or other authorities.

**IV. KEY ISSUANCE POLICY AND PROCEDURE**

1. One key is provided for each adult person listed on the lease.
2. Keys cannot be duplicated by Tenants and any attempt to make copies could result in termination of housing and eviction. UTTC will duplicate keys when necessary.
3. All keys remain the property of UTTC and must be returned to the Housing Department at the time of the exit interview. A \$50 charge will be made to any Tenant who fails to return all keys issued when the lease is either terminated or Tenant has gone through the exit process.
4. If the Tenant or a member of the Tenant's household wants to get into a unit and does not have a key, security may unlock any Tenant's door, with proper identification. If a tenant requests the Housing Department or the Security Department to open the door to their unit, the first time will be free of charge and any time after that there will be a \$25 opening fee.
5. In the event that a key is lost, Tenant may apply for additional keys. The charge for any additional key is \$10 per key, which will be paid at the finance office. If a tenant loses their key, there will be a \$25 replacement fee. The Tenant assumes all responsibility for any damages or other consequences resulting from the use and loss of keys issued to them.

**V. USE OF PREMISES POLICY**

The apartment/house is rented as student housing and may not be used for any commercial purpose whatsoever.

**VI. CONDITION OF PREMISES POLICIES**

1. The Tenant accepts the indicated apartment/unit in its present condition and agrees to keep the premises, including UTTC furniture and furnishings, in clean and habitable condition.
2. No alterations, additions, or deletions to the premises will be made without prior written approval from the Housing Department.

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3. The Tenant is responsible for the payment of all repair and cleaning charges made necessary by negligence or carelessness of the Tenant(s), members of their household, and guests.
4. If the tenant is a student, repair and cleaning charges due to negligence or carelessness are billed to the Tenants student account. If the tenant is a non-student, an invoice for repair and cleaning charges will be sent to tenant at tenant's last known address.
5. UTTC furniture and fixtures shall not be removed from the leased premises without a furniture transfer form.

**VII. CHECK-IN POLICY**

The Applicant and all adult members in the household must sign the lease and complete the appropriate information at the time of check-in. Keys will be issued only to the Applicant and other adults in the unit. The Applicant is responsible for compliance with all terms of the lease, and is also responsible for maintaining compliance by all other members of his/her household. All other adults in the household are responsible for acknowledging the terms of the lease by signing the Lease. Actions of other adult members of the household could result in the lease being terminated. The procedure for check-in is as follows:

1. The Tenant and all other adults must sign the lease, which shall list all occupants of the unit, at the Housing Department offices which are located in the Jack Barden Center. Appointments are required to sign the lease. The Housing Department offices are open Monday-Friday, 8:00 a.m.-5:00 p.m.
2. The following eligibility verification for students with dependents is required at the time of check-in:
  - a. Birth certificate(s) for each child living in the unit.
3. The key(s) will be issued to the Tenant as per the Key Issuance Policy.
4. An Inventory and Move-in inspection form for the assigned unit will be completed by the Housing Department in the presence of the Tenant, who will be required to sign the form acknowledging receipt.
5. The Tenant will be provided with a copy of the Lease and the Inventory and Move-in inspection form.
7. The Tenant is advised to secure his/her own rental insurance against personal liability or loss or damages to his/her personal belongings. UTTC assumes no liability for damage to personal property of the Tenant or of anyone else residing in the Tenant's household,

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or for any damage to any personal property of a visitor, except as otherwise provided by law.

**VIII. TRANSFER POLICY**

A Tenant may transfer to another unit, provided space is available, and provided that the following conditions are met:

1. Household composition has increased or decreased, or there is a medical condition for one or more members of the household for which a different unit, such as a handicapped accessible unit, is required.
2. A Transfer Application has been completed and the non-refundable application fee of \$25 has been paid to the Housing Department for the new unit.
3. A transfer request will be considered only after the Transfer Application and the application fee have been paid
4. The Tenant is in good standing as a UTTC student and as a Tenant, including rent, and has no serious violations as a UTTC student or as a Tenant.
5. The Tenant has satisfied a transfer inspection of the Tenant's current unit. To pass inspection, the Tenant's current unit must be move-in ready.
6. Assignment of a transfer unit will be made prior to assignment of units to Applicants on the waiting list, except during the time periods specified below. The specified time periods below are when significant numbers of new students arrive on the UTTC campus:

May 1st - June 15th

August 1st - September 30<sup>th</sup>

December 1st - January 31st

7. The Tenant who has been approved for a transfer to a new unit will have five (5) days from the date the Tenant signs the lease for the new unit to move out of the current unit.

**IX. ABANDONMENT OF UNIT POLICY**

UTTC Housing Department continuously monitors the use of family housing at UTTC. To determine if a unit has been abandoned, The Housing Department does the following:

1. Enter the unit to determine if there is outdated food in the kitchen, garbage has piled up; personal belongings have been removed, or there are other similar signs of abandonment; and

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2. Check whether the Tenant is still enrolled at UTTC. Housing periodically receives a list of students who have withdrawn or been terminated, or who have graduated. Housing will then follow up to determine if the student has left the unit voluntarily, needs to stay in the unit for a short period of time, or if the student has in fact abandoned the unit altogether.

**X. PAYMENT AND COLLECTION POLICY**

UTTC reserves the right to revise the rent for any unit or the terms and conditions for any portion of the term remaining, or both, subject to a 60 day written notice to the Tenant as provided in Section XVIII below.

The following information applies to charges and payments assessed through the Housing Department:

1. All charges are billed to the Tenant's student account and payable at Student Accounts.
2. Rent is for the period specified in the lease.
3. Charges for damages, cleaning, and/or miscellaneous bills will be reflected on the Tenant's student account. Some charges may appear on a Tenant's account even before the Tenant moves out.
4. Tenant will not be mailed a paper statement. A Tenant's account is available through the My.Uttc.edu website. Tenants are responsible for reviewing their account on the website to determine the current account balance.
5. The Tenant must ensure that regular monthly rent payments are made on or before the date they are due, even if the Tenant is receiving financial aid from UTTC. Payments can be made in person at the finance office or through the student accounts office.
6. Failure to make regular monthly payments as required by the lease may result in the immediate termination of the lease agreement, followed by eviction proceedings after which the Tenant will be required to vacate the Unit.
7. If payment is not received by the 10<sup>th</sup> of the month; a notice of delinquency will be issued and Tenant will be given the opportunity to pay by the last day of the month.
8. If there is no response to the notice of delinquency, the Tenant will be issued a Notice of Intent to Evict according to state law.

**XI. RIGHT OF ENTRY POLICY**

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UTTC's housing is private property. The authorized representatives of UTTC include security, maintenance, and The Housing Department, may enter any housing unit in the following situations:

1. **Emergency.** When a suspected emergency exists, including a domestic disturbance, fire, flooding from a broken pipe, or other emergency that threatens the health or safety of persons in the unit or threatens substantial damage to property.
2. **Service.** Including, but not limited to, completion of necessary or requested repairs, maintenance, inventory checks, and pesticide spraying. Maintenance workers may enter the unit without prior notice upon receipt of a work order requested by the Tenant. Every effort will be made to schedule a time and date with the Tenant before a maintenance worker comes to the Unit. The Tenant is encouraged to work with the maintenance and Housing to ensure a mutually convenient time for repairs to be made.
3. **Safety.** To conduct safety inspections.
4. **Violations.** When there is reasonable cause to believe that a violation of the lease or UTTC policies has occurred.
5. **Housing Inspections.** A schedule is provided during orientation.

Whenever possible, UTTC Housing Department will attempt to give the Tenant 24 hours prior notice before any of the above stated reasons for entry. Maintenance workers, The Housing Department and security staff are expected to be courteous to the Tenant, the Tenant's guests and all who live within the family Unit in carrying out their work.

**XII. GENERAL POLICIES FOR ALL UNITS**

Each Tenant agrees to respect the rights of other residents, and to act in a manner that will result in a peaceful living environment. Domestic abuse against a spouse, child, or guest will not be tolerated. Termination of the housing lease will be considered if a Tenant cannot or will not respect the rights of other Tenants, or to fulfill the Tenant's responsibilities under this Lease.

**1. Guest Policies and Procedures**

Overnight guests are allowed in family units. Each overnight guest must be registered with the Housing Department or with Security. An overnight guest is unauthorized if he or she is present in the household after visiting hours and has not signed in with the Housing Department or security. An overnight guest includes relatives or friends of the Tenant or relatives of any other person listed on the Lease, such as mother, father, aunt, uncle, grandparents, cousins or family friends. Persons that are listed on the lease or are part of the household composition are not considered overnight guests. The number of



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visitors and occupants may not exceed the occupancy standard for the unit as listed above in Section I, Paragraph 8.

Visiting hours on the UTTC campus for all guests are Monday through Friday 8am to 12pm, and Friday and Saturday 8am to 1am. During these times a guest does not need to be registered. At any time after these hours, a Tenant's guest(s) must be signed in with the Housing Department or with security. UTTC registers guests for three (3) principal reasons: 1) To know who is in the family Units in the event of an emergency, such as a tornado or fire; 2) to prevent overcrowding and excessive use of the Units which adds to wear and tear on the units and violates health and safety codes; and 3) to prevent persons from staying in the Units without paying rent.

**All approved guests will only be allowed three (3) consecutive days at a time and nine (9) total per month.**

Tenants must sign in all overnight guest(s) by completing a **visitor's request form** with the Security Department, located in building 61. The office hours are Monday thru Friday 8am to 5pm. If guests arrive after hours, please contact the Security Department to complete a visitor's request form at 701-221-1700 to avoid an unauthorized guest violation.

**2. Zero Tolerance Policy: Drug/Alcohol Use and Possession Prohibited:**

Tenant is required to adhere to UTTC's Zero Tolerance Policy that prohibits the use and possession of alcoholic beverages in all UTTC controlled housing and the possession, use, sale or distribution of any illegal drug, also called a "controlled substance." The Zero Tolerance Policy means that any time a Tenant violates the Policy, the Tenant is subject to discipline. Zero Tolerance includes a prohibition against possession of any alcoholic beverage or controlled substance, including any criminal activity involving a controlled substance, and includes a prohibition against being under the influence of alcohol or a controlled substance. The term "controlled substance" includes, but is not limited to, all prescription drugs, marijuana and its derivatives, all narcotics, any synthetic or designer drug, amphetamines or other hallucinogenic drug or any other drug that is subject to control by the federal or state government.

A Tenant, or a member of a Tenant's household, or a guest, may use a prescription drug that has been prescribed for that particular Tenant, member of the household or guest.

The prescription drug must be kept in its original packaging as provided by the pharmacy that dispensed the drug and must clearly show the name of the person who is permitted to use the drug and the amount of the drug that may be used at any one time.

If Tenant or guest is found to have violated the Zero Tolerance Policy, the Tenant is subject to loss of housing privileges at UTTC, and is subject to any applicable local, state, or federal criminal laws. It is the responsibility of the Tenant to screen any guest or other

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visitor who may be under the influence of alcohol or controlled substance and to inform the guest or visitor of the Zero Tolerance Policy.

**3. PET POLICY**

No pets, including but not limited to cats, dogs, mice, gerbils, guinea pigs, ferrets, newts, turtles and reptiles, are permitted within UTTC apartment/units, or on the grounds. No visiting pets are allowed. This prohibition includes pets brought on the premises by a resident's guests and pets to be cared for by a resident on a temporary basis. Residents are responsible for ensuring that their guests are aware of and follow this policy. The Pet Policy does not apply to service animal or emotional support animal needed by a Tenant with a disability.

**4. TOBACCO FREE CAMPUS POLICY**

UTTC is a tobacco-free campus. Use of tobacco is prohibited anywhere on campus. Tobacco use includes use of any product containing or manufactured from tobacco, or containing nicotine. It also prohibits the use of e-cigarettes.

Traditional or sacred use of tobacco is exempted from the above policy. A request for use of tobacco for traditional or sacred purposes must be made in advance. United Tribes will continue to be a "tobacco honoring" campus for Native American spiritual and cultural ceremonies.

**5. REPAIR & MAINTENANCE POLICY**

UTTC agrees to maintain all Family Housing units in a safe and habitable condition. Routine maintenance and repairs will be completed during normal business hours. Emergency repairs as determined by Maintenance or Housing personnel will be completed as soon as possible. A Tenant may make a request to The Housing Department for maintenance as may be needed. Each Tenant should notify the Housing Department of necessary repairs to the property. It is the Tenant's responsibility to replace all burned out light bulbs in the unit, excluding those which are part of UTTC owned appliances such as stove, refrigerator and range hood.

Tenants are not permitted to make additions or alterations to the structure, either inside or outside the building. This includes adding hooks or nails to the exterior.

In addition to ordinary maintenance of the unit, the following maintenance and repair policies are applicable to all units:

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- a. **LAWN** – It is the Tenant’s responsibility to maintain his or her yard by picking up garbage around the Unit. The maintenance department will maintain lawns by cutting the grass in all areas.
- b. **SNOW REMOVAL** - UTTC will remove snow from all streets and sidewalks.
- c. **DAMAGE REPAIR CHARGES** – Extraordinary repairs that are the result negligence or carelessness on the part of the Tenant, the Tenant’s family, or guests, will be billed to the Tenant/student account. Such extraordinary repairs include things like holes in the walls, broken doors, broken appliances, broken light fixtures, broken windows, and other similar damage to the Unit not caused by ordinary wear and tear. When Tenants leave, they should compare damage in the unit to the inspection report made when the Tenant moved into the Unit.
- d. **UTILITY USAGE** - UTTC provides the following utilities at no additional charge: heat, water, electricity, sewer, garbage removal and basic cable television services. Tenants agree to respect the use of all utilities and agree not to use any utilities in an excessive manner. If a Tenant is found to have used utilities in an excessive manner, the Tenant will be charged accordingly.
- f. Tenants are expected to report any obvious safety or health hazards that exist in and around the unit.
- g. **Mold/Mildew:** Mold occurs naturally in the environment and there currently exists no federal or state standards for permissible levels of mold, Tenants are required to take steps to control the growth of mold and mildew by keeping the premises clean and well ventilated, do not cover windows with blankets, also particularly when showering, bathing, or washing dishes or clothes. Residents are required to notify the Housing Department promptly within 24 hours about the existence of water leakage or overflow in or about the premises.

**6. INSECTICIDE SPRAYING**

Any Tenant who has a problem with excessive insects inside or outside the unit should note the problem. The Tenant should then contact the Housing Department who will contact pest control. Please include the type of insect and the location of the problem.

**Mandatory:**

Mandatory spraying in a building or house, or area may be necessary on occasion when a particular problem with insects exists. When a problem exists with such pests, it may be necessary to spray every apartment in the area or the pest may migrate to the un-sprayed apartment. The Housing Department will give 24-hour notice to residents when

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mandatory spraying is necessary. Mandatory spraying requires that each Tenant remove all belongings as indicated below:

- a. Remove all items from the kitchen cupboards.
- b. Remove all items from under counters.
- c. Remove all items from under the kitchen and bathroom sinks.
- d. Remove all clothing from closets (upon request only).

**7. BUILDING EXTERIOR/OUTDOOR POLICIES**

- a. Tenants are not permitted to make additions or alterations to the structure. This includes adding hooks or nails to the exterior.
- b. Tenants are responsible for the upkeep and condition of the area directly adjacent to their unit. All porches, patios, landings, hallways, and grounds are to be cleared, kept clean and orderly. Appliances, indoor furniture, food, cardboard boxes, carpet, mattresses, hazardous chemicals, trash, recyclables, and tools cannot be stored in these areas. Children are not permitted to play in hallways and laundry rooms.
- c. Recognizing that it is impossible to outline in complete detail what is permissible to be placed outside the unit, UTTC Housing retains complete discretion in this regard.
- d. Family housing unit grounds are maintained by UTTC maintenance department. In order to maintain pleasant surroundings in the family housing areas, appreciation for the trees, lawns, and shrubbery is important. Please ask your children not to climb the trees or play in planted areas. Charges will be assessed to Tenant who damage or destroy shrubbery, trees, grass or garden areas, etc. Due to the difficulties with ground upkeep (i.e. mowing, spraying for dandelions and weeds, etc.) residents are not permitted to plant flowers or vegetables around their apartments. Self-contained planters are permitted if placed near your apartment, but must be easily movable in the event ground crew personnel need to move it to mow, remove snow, etc.
- e. Motorized vehicles are not allowed on the grass or sidewalk areas on any of the family housing units. Recreational vehicles i.e., campers, trailers, and boats must be stored off UTTC property.
- f. Cable television is provided in family housing units. Tenants must receive prior authorization before installing satellite television. If approved, only small satellite dishes will be allowed, and said dishes shall be placed only on a 4X4 treated pole on the lawn, and cannot be attached or installed to the façade or roof of the housing unit

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or in common areas. The Tenant is liable for damage incurred by the installation of dishes.

- g. During the UTTC Pow-wow, rummage or yard sales are **not** permitted in or around UTTC housing units or apartments. Tenants are not permitted to sell food in or around their Unit at any time.

**8. SAFETY & SECURITY POLICIES**

UTTC assumes no liability for damages to Tenant's property, the property of any person living with Tenant in the Unit, or for any property belonging to Tenant's guests, and assumes no liability for injury to Tenant and other residents of Tenant's Unit, and for any guest of the Tenant, except as specifically provided by law. Tenants are encouraged to secure their own insurance against personal liability, loss or damages to their personal belongings, i.e., laptops, bicycles, etc. or for injury caused by the Tenant's negligence or for injury caused by any person living in Tenant's Unit.

UTTC family housing has the safety of Tenants as an ongoing concern and has developed the following rules and policies with safety and security in mind.

**a. Guidelines for supervision of children:**

The ultimate responsibility for the safety, care, well-being, and behavior of dependent children remains with the parent or caregiver, whether or not they are present to personally supervise them. The age of the child is not the only factor that parents should consider when determining if children may be left alone. Other factors include the maturity of the child, emotional health factors, the child's physical or mental limitations, length of time left alone, time of day or night, other children present to be supervised, location and environmental conditions, frequency of being left alone, and the accessibility of a parent or other responsible adult.

North Dakota does not have a law that provides an age in which children can be left alone. However, guidelines have been developed by the North Dakota Department of Human Services and are used by county social service agencies in North Dakota, which we at UTTC also adopt herein:

- i. For children 0 - 4 years of age:

The child should be in view of the caregiver at all times inside and outside of the home. The caregiver must be able to respond to the child's immediate need for protection from harm.

Children must not be left in vehicles unless they are in proper restraints (unable to put the vehicle in gear) and in direct view of the caretaker at all times.

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Inside the home, a caregiver should be available to respond to the child to provide immediate care and protection from harm.

ii. For children 4 - 17 years of age:

Children eight (8) years of age or under should be supervised at all times with a caregiver available. An eight year old should not be left in charge of other children.

Children nine (9) years of age should not be left unsupervised for periods greater than two (2) hours during the daytime. At this age, children should not be unsupervised at night and should not supervise other children.

Children who are 10 and 11 years old may be left alone for longer periods of time during the daytime. Children this age should not be responsible for younger children.

Children who are twelve (12) years and older may be permitted to act as babysitters but not overnight. It is recommended that they successfully complete an approved childcare training course.

Caution is advised on the number of children left in care, length of time for caregiving responsibility, factors regarding special needs of children left in care, and resources available to the child providing care.

Children under 15 years of age should not be left unattended overnight. Caution should be taken in leaving 15-17 year olds alone overnight. Extended absences of caregivers (such as over a weekend) are not recommended.

Caution should be taken in leaving 15 - 17 year olds alone overnight. Extended absences of caregivers (such as over a weekend) are not recommended.

All children left home alone must be able to demonstrate knowledge of emergency procedures, where parents or other responsible adults are, how to reach them, and length of time of absence. Children should also know emergency procedures and arrangements for emergency situations.

- A. Children under the age of 18 playing or otherwise outside of the Unit shall be supervised and be the sole responsibility of the parent or parents living in the family Unit. See the section on parental supervision for general guidelines
- B. Walkways, hallways, stairs, sidewalks, and other common areas in and around apartments/units or buildings must be kept free of bicycles, toys, rugs, garbage, and other objects. Bicycles and other similar items must be stored

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appropriately. See section on Outside Storage below. Items stored improperly will be removed at Tenant's expense.

C. Children are not permitted to play in public hallways or common areas.

**b. Fire safety**

- i. Tenants shall make every effort to minimize the risk of fire loss and agree to comply with the rules and orders of the Bismarck Fire Department.
- ii. UTTC assumes no responsibility for losses due to fire.
- iii. UTTC agrees to install and maintain smoke detectors in family housing. The Tenants responsible to check the smoke detector periodically to ensure the smoke detector is functioning. The UTTC will test all smoke detectors when performing monthly inspections. Removing smoke detectors and or batteries is a health and safety violation.
- iv. When the fire alarm sounds, Tenants are expected to evacuate the building.

**c. Chemical/Hazardous Material Safety – Lead Paint**

- i. According to the Centers for Disease Control, lead poisoning is the leading environmental health risk. Lead accumulation in a person's system may lead to fatigue, sudden behavioral change, abdominal pain, anorexia, chronic headaches, joint aches, depression, anemia, impotence, and severe fetal damage in unborn infants.
- ii. Buildings, primarily those that were constructed or painted prior to the early 1980's, may contain lead-based paint. Because common sources of lead exposure include ingestion (lead paint) or inhalation (lead-containing dust), it is important to identify all areas that contain lead paint. Lead paint must be encapsulated or removed by qualified persons.
- iii. The following places should also be inspected for lead paint:
  - A. Areas where young children or pregnant women are present.
  - B. Areas of flaking or deteriorating paint.
  - C. Areas that were built or painted prior to the early 1980's. (Lead testing is particularly important before beginning renovation on older buildings.)
- iv. Lead-based paint issues at the UTTC are normally handled by the Facilities Management Department.

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- v. UTTC Family Housing units: Under Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, all UTTC Housing Tenants in pre-1978 housing must be warned of lead-based paint and lead-based paint hazards.

**Exceptions:**

- A. Renewal of leases where all information has been disclosed previously and where UTTC has acquired no new information.
  - B. Lease of units which have been inspected and found to be free of lead-based paint and lead-based paint hazards.
- vi. Before a Tenant becomes obligated under any lease, the UTTC must disclose certain information to the Tenant. The following information is provided to each Tenant of a UTTC Family housing that falls under the requirements of the Lead-Based Paint Hazard Reduction Act:
    - A. An EPA-approved information pamphlet on identifying and controlling lead-based paint hazards.
    - B. Any known information concerning lead-based paint or lead-based paint hazards. The UTTC must disclose information such as the location of lead-based paint and/or lead-based paint hazards, and the condition of the painted surfaces.
    - C. Any records and reports on lead-based paint specific to the leased unit, which are available to UTTC.
    - D. An attachment to the lease, which includes a Lead Warning Statement and confirms that the UTTC has complied with all notification requirements for landlords. A UTTC Housing representative and the Tenant must sign and date the attachment.
  - vii. UTTC maintains copies of all disclosure forms signed by the Tenants.

**d. GENERAL POLICIES ON STORAGE – STORAGE OF CERTAIN ITEMS PROHIBITED**

- i. Used motor oil, antifreeze, turpentine or oil base paint may not be disposed of on the ground or in UTTC dumpsters.
- ii. Household cleaning supply containers should be emptied and disposed of with other trash in a UTTC dumpster.



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- iii. Do not dispose of any prescription drugs in UTTC dumpsters. Unused prescriptions should be crushed, diluted, and flushed down the toilet. Medical waste - needles, syringes, or lancets need to be placed in a strong plastic container with a screw-on cap.
- iv. Storage of the following is not allowed:
  - A. Explosives or blasting agents.
  - B. Flammable or combustible liquids.
  - C. Flammable or combustible chemicals.
  - D. Flammable liquid or combustible material powered equipment.
  - E. Containers which once contained flammable liquids unless certified free of explosive vapors by the Safety Department
  - F. Contraband, illegal substances, or any other item that would contravene any laws.
  - G. No combustible materials can be stored in equipment rooms, attic areas, or similar spaces.
  - H. No items that are determined by the Safety Department to be of a danger to life and property.
  - I. Garbage is to be promptly disposed of in the appropriate dumpster and may not be stored in or around a UTTC apartment or units.
- v. Storage in units shall be orderly, shall be more than 2 feet from the ceiling, and shall be so located as not to endanger exiting from the storage room.

**e. WEAPONS**

The possession, storage or use of weapons i.e. shotguns, rifles, pistols, paint ball guns, explosives, switchblade knives, or fixed blade knives with a blade length of five inches or greater, or any other such offensive weapons, are prohibited on the property of the United Tribes Technical College. This policy shall apply to all faculty, staff and students of UTTC and to all visitors and/or residents of the campus, on property of UTTC. Thus, the possession of weapons, or the unreported knowledge of such items, on the UTTC's premises or during UTTC programs, on or off campus, is considered a serious offense subject to disciplinary actions. UTTC policy does not apply to authorized law enforcement officials.. Temporary exemption may be granted with advance written permission, by the UTTC Director of Safety and Security or

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authorized designee for job related, educational or demonstration purposes. Concealed weapons permits are not valid on the property of UTTC or at sanctioned events.

No firearms, bb-guns, fireworks or other similar weapons or toys. Tenant, household members and guest shall not be allowed to possess or discharge firearms, b-b guns, air-soft guns, paint guns, fireworks, stun guns, slingshots or any other type of weapon or toy that may jeopardize the safety and structure of campus premises or individuals on campus.

**f. SEX OFFENDER INFORMATION**

North Dakota has a sex offender registration law that requires persons convicted of sex crimes register with local police departments. You can access this information at the following website: <http://www.sexoffender.nd.gov/>. United Tribes Technical College does not allow any registered sex offenders to reside in UTTC Housing Units.

**g. FIREWORKS**

Fireworks are prohibited on UTTC campus.

**h. SUMMER SAFETY POLICIES**

**i. AIR CONDITIONER INSTALLATION**

UTTC does not provide air conditioners for the Family Units. The use of private air conditioners is strongly discouraged due to the need for energy conservation and to prevent power outages. Should a Tenant wish to install a room air conditioner, the following procedure must be followed:

- A. Permission to install the air conditioner must be requested in writing to the Housing Department.
- B. If permission is granted, the Tenant is responsible for installation of the air conditioner, as UTTC personnel will not install air conditioners.
- C. All appropriate safety and installation requirements for the particular air conditioner being installed must be followed.
- D. No electrical or window alterations will be permitted. The air conditioner must operate with 110 amp power.
- E. Any filler must be painted cream or to compliment the color of the unit.

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- F. Prior to initial operation, any air conditioner installation must be inspected by Housing Department staff. Inspections can be arranged by contacting the Housing Department.
- G. Tenants will be responsible for any personal or property damage resulting from air conditioner installation or use.

The use of tin foil on windows to prevent the sun's rays from entering a unit is prohibited. There is a potential that this could lead to broken glass. Instead, it is suggested that Tenants use a light darkening shade or curtain to block the sun's rays.

**ii. SWIMMING POOLS**

The use of personally owned swimming pools is not allowed.

**iii. PLAYGROUNDS**

Long warm summer days bring about an increase in the number of children playing outdoors, and that means a greater responsibility for the parents of these children. Consequences for not abiding by these policies may include the temporary loss of playground privileges or being billed for broken or damaged equipment or items belonging to other people.

- A. An adult must supervise children at all times.
- B. Encourage children to share playground equipment by "taking turns."
- C. Be aware of the "toys" your children may bring into the play area. Sticks, matches, glass, knives, or other weapons are not allowed.
- D. Do not allow children to climb on trees, roofs, dumpsters, etc.
- E. Report damaged equipment to the Housing Department.
- F. Threatening actions, fighting, name-calling, or inappropriate language is not acceptable playground behavior.
- G. Teach your children that dumpsters, autos, roadways, and parking lots are "OFF LIMITS" as play areas.
- H. Be aware of the noise levels that your children or his/her playgroup are producing. Remember that others are trying to relax, study, or sleep.
- I. Rocks, mud balls, clay balls, or sand should not be thrown.

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- J. Ensure your children are not wearing loose clothing such as hooded sweaters while playing on the playground, as such clothing can lead to serious injury when children are using the equipment.

**iv. BARBEQUE GRILLS**

The use of barbecue or hibachi grills inside an apartment or Family housing Unit is strictly prohibited. Such grills must only be used outside of the Unit. Use of a grill requires special precautions. Using a grill safely can prevent a happy cookout from turning into a disaster. A few precautions can prevent a happy cookout from turning into a disaster.

- A. All barbecue grills must be attended by an adult at all times when there are hot coals.
- B. As a courtesy to others, please take note of where the smoke from your grill is going and shift positions as needed.
- C. Always barbecue a safe distance away from any building or vehicle.
- D. When you are done cooking, you should douse the coals with water completely so there are no coals left burning. **DO NOT THROW HOT COALS ON THE GROUND OR IN A GARBAGE DUMPSTER.**
- E. **NEVER** leave lighter fluid unattended where children can reach it. Use only those lighter fluids specifically designed for barbecues.
- F. Gas grills may not be stored indoors or alongside your unit as this is health and safety concern. Place your grill at least five (5) feet away from your unit.

**XIII. COMPLAINT POLICY**

The Tenant is responsible for excessive noise or disturbances that interfere with the rights, comforts, or convenience of other persons whether caused by Tenants, their spouse, children, guests, or roommates. The Tenant is also responsible for all other policy or lease violations that occur. Anyone may submit a complaint concerning alleged lease or policy violations. Complaints, lease and policy violations are handled by Housing Department staff members. The Housing Department encourage residents to deal directly with one another on complaints whenever possible. In the event that this communication is not effective, one of the following may be implemented:

- 1. The Housing Department may be asked to assist with the problem. All parties will be contacted or brought together to voice concerns. A workable compromise is sought. The Student Code of Conduct Committee is required to deal with obvious violations.

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2. A written complaint may be submitted to the Housing Department. Such a complaint should include specifics about the problem (date, time, persons, and problem) and must be signed by the complainant. Upon receipt of the complaint, the Housing Department will determine the action to be taken. The following options will be considered:
  - a. The complaint may be resolved through conversation, referral, or mediation.
  - b. Both parties may be called together to discuss the complaint.
  - c. Anonymous complaints will be investigated when a violation of either UTTC or housing policies is believed to exist. If the nature of the complaint leaves reason to suspect a safety or security problem, this complaint may also be investigated. If a violation does not exist, no action will be taken.

**XIV. POLICY REVISION PROCEDURES**

When any UTTC Housing Department Policy changes the terms of the Lease between Tenants and UTTC, and, these procedures shall be followed:

1. The new policy must be delivered to all current Tenants and all waiting list Applicants 30 days prior to the effective date of change. The written notice will be mailed to each Tenant.
2. A copy of the new policy shall be distributed to all Tenants.

**XV. ENFORCEMENT PROCESS**

UTTC provides housing to eligible students as it is available. There is no guarantee that a student can keep any unit of housing that they occupy under the Lease. UTTC uses the following process for enforcement of the provisions of this Lease:

**1. DISCIPLINARY PROCESS**

**a. LEASE VIOLATION DISCIPLINARY SYSTEM**

Tenants and their guests must act as responsible members of the community. They must respect the rights, privileges, and dignity of others, and refrain from actions that interfere with the welfare or educational opportunities of others in the UTTC Student Housing and campus community. All Tenants, household members, and/or guests are subject to the Lease Violation Disciplinary System (“Disciplinary System”).

The Disciplinary System is similar to a strike system, with the number of strikes depending on the severity (“level”) of the infraction. Instructions for improvement or other disciplinary measures are referred to as “Sanctions.” Sanctions and the outcome of meetings are the decision of the Housing Director.

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This Disciplinary System is designed to provide Tenants opportunity to grow and learn in a community environment while also holding them responsible for repeated or serious violations of community standards.

Tenants who have received disciplinary action under an older conduct system will inherit existing warnings, final warnings, sanctions, bans from campus, and other instructions or expectations resulting from previous conduct.

**b. CONDUCT FORGIVENESS**

Tenants who maintain good conduct for one (1) calendar year following a Level 1 or Level 2 sanction will have their sanction documented, but it will no longer count towards their number of allowed sanctions.

Note, however, that repeated violations of the same rule, even if a calendar year has passed between incidents, may result in higher levels of disciplinary action.

**c. CONDUCT HEARINGS**

If a Tenant is required to meet with the Housing Director (Level 2), the Housing Director will investigate the incident. The Housing Director will:

- Determine the facts of the incident based upon available evidence, camera footage, security reports, interviews, previous conduct documentation, the tenant's own statements, and other information which may be available.
- Make an impartial judgement as to whether or not any violations occurred, and, if so, whether the Tenant is responsible for the violation(s)
- Inform the tenant of the findings of the investigation
- Inform the tenant of the Housing Policies
- Provide instructions and resources to the tenant for preventing further infractions

Tenants found to be Responsible for conduct violations will be required to follow through with instructions for improvement from the Housing Department. Instructions may be given in an additional meeting, which will not count towards a tenant's total. Tenants found to be Responsible for conduct violations, or other Lease Violations, shall be subject to disciplinary measures, up to and including eviction.

If the tenant is found Not Responsible, the meeting will be documented, but will not count as a sanction and will not contribute to the number of allowed sanctions for the tenant.

**d. DISCIPLINARY COMMUNICATION**

UTTC Housing Department will contact Tenants via phone call, e-mail, in-person and/or paper notices throughout the disciplinary process. It is the responsibility of the Tenant to respond to communications from the Housing Department. Failure to respond to reasonable attempts at contact may result in further disciplinary measures, up to and including eviction.

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Tenants will have three (3) business days to respond to Housing disciplinary communication, with exceptions made on a case-by-case basis.

**e. DOCUMENTATION**

When conduct and sanctions are documented after a calendar year, they generally will not be held against a Tenant and will not impact Housing eligibility or count towards the number of sanctions a tenant is allowed to earn in a year. However, should criminal, violent, threatening or other serious conduct which impacted the safety and security of others only be discovered to have occurred after a calendar year of said conduct, then UTTC may impose disciplinary action, including and up to eviction, for said conduct upon discovery.

However, documented sanctions will be referenced whenever a Tenant earns another sanction in order to make sure that the tenant is not violating the same rules and regulations multiple times, as well as to inform decisions regarding responsibility.

**f. GUIDELINES FOR CONDUCT SEVERITY**

The following table provides a few examples of what are considered low-level, serious, and critical policy violations. Ultimately, the severity of a particular infractions the decision of the Housing Director, based on the tenant’s previous history, needs, and circumstances.

This list does not cover every type of infraction and is provided as a non-binding guide and such shall not be construed to limit UTTC’s discretion in interpreting the severity of violations and imposing disciplinary measures in response to said violations.

Low-Level (Level 1)	Serious (Level 2)	Critical (Level 3)
<ul style="list-style-type: none"> <li>● Guest policy violation</li> <li>● Multiple failed inspections</li> <li>● Parking policy violation</li> <li>● Possession of candles or incense</li> <li>● Noise complaints</li> <li>● Failure to get approval for satellite dish or air conditioner</li> </ul>	<ul style="list-style-type: none"> <li>● Failure to pay rent</li> <li>● Pet policy violation</li> <li>● Disorderly or disruptive conduct</li> <li>● Subletting</li> <li>● Excessive mess in unit (eg rotten food, pests)</li> <li>● Unattended children</li> <li>● Smoking</li> </ul>	<ul style="list-style-type: none"> <li>● Tampering with, covering, blocking, or disabling smoke alarms</li> <li>● Unauthorized key duplication</li> <li>● Domestic and other Violence or threatening behavior</li> <li>● Fireworks</li> <li>● Alcohol/Drug violation</li> <li>● Unauthorized Lock/Door Knob Change</li> <li>* Destruction of property of UTTC or others</li> </ul>

**g. LEVELS OF DISCIPLINARY ACTION**

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### **Level 1: Warning**

Warnings are issued by Housing staff and may be written or verbal with a written follow-up to the Tenant's e-mail ("Notice of Concern"). Tenants may receive warnings for low-level infractions. Tenants are allowed two (2) warnings per type of infraction, or three (3) warnings total, per calendar year before the level increases. If tenants do not receive a higher-level sanction for the same type of infraction and/or do not exceed three warnings for a full calendar year, their previous warnings are documented but will no longer count towards their warning count.

### **Level 2: Meeting**

A meeting with the Housing Director is NOT automatically an indication of guilt. The purpose of meeting with the Housing Director is to understand why the tenant has received multiple warnings or has been associated with a serious policy violation, and to discuss options for avoiding future conduct concerns.

Tenants will be notified of a meeting and asked to schedule with the Housing Director via phone call first, and e-mail second. Final notices will be given with physical paper posted on tenant's door. Failure to schedule within 3 business days of the final notice will result in further disciplinary action, up to and including eviction.

Tenants are allowed one (1) meeting per type of infraction, or two (2) meetings total, per calendar year before the level increases.

Tenants for whom the following apply are expected to report to the Housing Director for a conduct meeting:

- Two (2) warnings for the same type of infraction in a calendar year
- Three (3) warnings in a calendar year
- Violating a policy involving the respect, health, or safety of others

Please note that meetings with the Housing Director are only considered as a sanction if the Housing Director finds the Tenant responsible for the alleged conduct. Meetings will be documented with e-mail follow up. Similar to warnings, if a Tenant does not receive any more sanctions for infractions of the same type for a calendar year, the meeting is documented but no longer counts towards the number of allowed sanctions. However, if a tenant is found Responsible twice for the same type of infraction, even if it has been more than a calendar year since the previous infraction, the level of sanction may increase.

### **Level 3: Behavior Improvement Plan**

Tenants will be notified of a meeting to draft a Behavior Improvement Plan and asked to schedule with the Housing Director via phone call first, and e-mail second. Final notices will be given with physical paper posted on tenant's door. Failure to schedule within 3 business days of the final notice will result in further disciplinary action, up to eviction. Tenants for whom the following apply are expected to report to the Housing Director to draft a behavior improvement plan:



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- Earning a second meeting for the same type of infraction
- Earning three (3) meetings in a calendar year
- Violating multiple policies involving the respect, health, or safety of others
- Violating a critical policy

Behavior Improvement Plans remain active even after a year has passed. They do not expire. Violating the terms of a Behavior Improvement Plan are grounds for loss of housing privileges. Level 3 sanctions are not necessarily a “last strike” where any future infractions mean automatic loss of housing privileges. Tenants may continue to receive Notices of Concern or conduct meetings for other conduct concerns as normal, provided they are Level 1 and Level 2 violations and that they do not violate the expectations of their Behavior Improvement Plan.

**Level 4: Automatic Loss of Housing Privileges**

Tenants will have their leases terminated and will be required to leave Housing if they meet the following conditions:

- A Behavior Improvement Plan has been agreed upon and the tenant earns another Behavior Improvement Plan
- The tenant violates the terms of a Behavior Improvement Plan OR if the Tenant is found responsible for any of the reasons for loss of housing privileges as listed in the Termination of the Lease section of the Lease Agreement or if the Tenant otherwise breaches a material term of their Lease Agreement

**1. TENANT APPEAL PROCEDURE**

**a. SUBMITTING AN APPEAL**

Tenants subject to loss of housing privileges have the right to file an appeal. The tenant must put the request for appeal in writing and submit it to the Housing Director within three (3) business days of the incident. Appeals not in writing will not be heard. The appeal should consist of:

- A written account of the incident
  - The reason for the appeal (include the specific complaint or grievance and the desired outcome)
  - A statement discussing the effect of misconduct on the tenant
  - A copy of the tenant’s current class schedule to aid in scheduling a meeting time
- Whenever charges against a Tenant are pending, the Tenant, unless temporarily suspended or evicted, continues to have the same rights and privileges as other Tenants.

\* Nothing stated herein shall limit UTTC’s right commence eviction proceedings against a Tenant for violation of material terms of the Tenant’s lease agreement, including but not limited, eviction based upon Tenant’s failure to pay rent in accordance with the Lease Agreement.

**b. HOUSING ADVISORY COUNCIL**

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The Housing Advisory Council meets on an as-needed basis to serve as an advisory board concerned with student housing and to consider appeals of Tenants that lose housing privileges. The committee consists of one administrative, one staff, and one faculty. Each committee member shall have a vote in the decisions made during committee meetings. The UTTC Housing Department staff will also attend meetings but do not have a vote in the decisions made. If a member of the Housing Advisory Council is closely associated personally or professionally with the Tenant appealing, that member may not hear the case and is expected to disclose the association and to voluntarily disqualify themselves from the Housing Advisory Council on said issue. Upon the occurrence of such, a replacement Housing Advisory Council member shall be selected by the other existing Housing Advisory Council members.

**c. APPEAL MEETING PROCEDURE**

1. Upon receiving a written appeal letter, the Housing Director will schedule an appeal meeting with the members of the Housing Advisory Council. The Housing Director shall give notice of the time, date, and location of the meeting to the tenant and the committee members. The tenant shall be contacted by phone and e-mail. The Housing Director will also submit all reports, documentation, and tenant appeal documents to the Housing Advisory Council for review. All three (3) members of the committee must be present in order to hold an appeal meeting. If there are not three members present, the meeting must be rescheduled. The tenant will appear in person, or remotely if the meeting is held via Zoom, to speak on behalf of their appeal. The tenant appearing before the committee may be accompanied by a supporting individual. The Housing Advisory Council will take into consideration the present attitude and past disciplinary record of the tenant, reliability of the evidence against the tenant, as well as the nature of the offense and the severity of any damage, injury, or harm resulting from it. The committee will then make an impartial determination as to whether the original findings are upheld, overturned, or modified. The committee renders a decision by a majority vote of committee members present during the appeal meeting. The decision shall be put in writing and delivered to the tenant. The decision of the UTTC Housing Advisory Council is final.

**XVI. REINSTATEMENT**

If a Tenant is evicted from on campus housing due to a violation or violations of this Lease, or for reasons of ineligibility to occupy student housing for other reasons, including academic reasons, the Tenant or student may again apply for student housing after one year from the date of eviction. If the violation is due to Domestic Violence, Possession of Drugs or the Distribution of Drugs, the tenant or student may again apply for student housing three years from the date of eviction. The Housing Department will review any request for reinstatement of housing privileges and will forward its recommendation to the Housing Advisory Council for further action. Any reinstatement of housing privileges is subject to the availability of student housing.