CHAPTER 36-10 DEFINITIONS

36-10.1	AGENCY	(36-10) 1
36-10.2	AIRCONDITIONING	(36-10) 1
36-10.3	AMENITIES	(36-10) 1
36-10.4	APPRAISALS	(36-10) 2
36-10.5	APPRAISER, DESIGNATED	(36-10) 2
36-10.6	BASE RENTAL RATE	(36-10) 2
36-10.7	BASIC ALLOWANCE FOR QUARTERS (BAQ)	(36-10) 2
36-10.8	COMPARABLE HOUSING	(36-10) 2
36-10.9	DELEGATED OFFICIAL/HOUSING OFFICER	(36-10) 3
36-10.10	ESTABLISHED COMMUNITY	(36-10) 3
36-10.11	FURNISHINGS	(36-10) 3
36-10.12	HOUSEHOLD EFFECTS	(36-10) 3
36-10.13	IMMEDIATE FAMILY	(36-10) 4
36-10.14	MAINTENANCE AND REPAIR	(36-10) 4
36-10.15	NET AREA	(36-10) 4
36-10.16	QUARTERS	(36-10) 4
36-10.17	REASONABLE VALUE	(36-10) 6
36-10.18	RELATED FACILITIES	(36-10) 6
36-10.19	ROOM	(36-10) 6
36-10.20	UTILITIES	(36-10) 6

36-10.1 AGENCY

As defined in Public Law 88-459, 78 Stat. 557 (1964), the term "agency" means (1) each executive department of the Government; (2) each agency or independent establishment in the Executive Branch of the Government; (3) each corporation owned or controlled by the Government, except the Tennessee Valley Authority; and (4) the General Accounting Office.

More specifically, agency may also refer to a subdivision of an executive agency, such as the Indian Health Service (IHS), an operating division (OPDIV) of the Department of Health and Human Services (DHHS).

36-10.2 AIRCONDITIONING

The process of cooling air either through evaporation of water (evaporative cooling) or refrigeration (mechanical or absorption), and the distribution of such air.

36-10.3 AMENITIES

Site amenities Living conditions at the locations of some Government

housing are not always the same as those found in, or immediately adjacent to, the survey or appraisal communities. In such communities, the amenities are generally, but not always, present and their contributory value included in the base rent. The unavailability of any of these items at the quarters location represents a generally less desirable condition which should be reflected as a negative percentage adjustment to the base rental rate, see Office of Management and Budget (OMB) Circular A-45. Similarly, an upwards percentage adjustment should be made in base rental rate for quarters possessing site amenities which are not present in the survey or appraisal communities used to establish the base rent.

36-10.4 APPRAISALS

OMB Circular A-45 allows the "appraisal" method of determining base rental rates. An appraisal embodies an impartial study of comparable private rental housing and directly compares Government housing.

36-10.5 APPRAISER, DESIGNATED

The designated appraiser, as used in this Handbook, is a non-Government professional fee appraiser whose real property appraisal services are procured by the Government through a contract. Real property appraisal services may be procured by negotiation under applicable authorities contained in 41 Code of Federal Regulations (CFR) Subpart 14-4.52.

36-10.6 BASE RENTAL RATE

The base rental rate is the rental value of the quarters, established in accordance with the provisions of OMB Circular A-45, before applying any administrative adjustments or charges for related facilities.

36-10.7 BASIC ALLOWANCE FOR QUARTERS (BAQ)

The basic statutory and regulatory authority for payment of quarters allowances are: 37 U.S.C. 403, 1009; Executive Order 11157; and the Commissioned Corps Personnel Manual, Subchapter CC22.4, Instruction 1 ("Quarters and Subsistence Allowance Administration"), and Subchapter CC42.4, Instruction 1 ("Determinations of Status of Dependent Parents for Purposes of Basic Allowance for Quarters").

36-10.8 COMPARABLE HOUSING

Comparable housing is housing in the private sector that is generally equivalent in size to the rental quarters, with the same number of bedrooms, and with generally equivalent amenities and related facilities. Such housing is housing available on a landlord-tenant basis, with rental rates reflecting the fair market value of the accommodations. This is distinguished from housing rented on an "employer-employee" basis or between friends and relatives, for which other considerations may have influenced the rental rates. In addition, other Government rental housing (Federal, State or local) and housing provided by churches or religious societies are excluded from this definition of comparable housing.

36-10.9 DELEGATED OFFICIAL/HOUSING OFFICER

The Delegated Official (DO) or Housing Officer (HO) is that person with delegated authority to manage Government quarters within an agency, bureau, division, Area, or at an installation.

36-10.10 ESTABLISHED COMMUNITY

An established community is ordinarily the nearest population center (Metropolitan Statistical Area or an incorporated or unincorporated city or town) having a year-round population of 1,500 or more (5,000 or more in Alaska), provided that it has minimum essential medical facilities (i.e., at least one physician and one dentist) available to all occupants of Government quarters on a nonemergency basis and a private rental market with housing available to the general public. Population determinations will be based upon the most recently published decennial census of the United States.

36-10.11 FURNISHINGS

As used in this chapter, the word "furnishings" carries the same definition as "household effects."

36-10.12 HOUSEHOLD EFFECTS

As used in this Handbook, "household effects" shall include such items as:

A. furniture - (e.g., movable articles such as tables, chairs, beds, desks, cabinets, etc.); and

B. major appliances - (i.e., washer, dryer, refrigerator, cook stove, freezer, vacuum, floor polisher, and ironers); and

C. other - (linens, bedding, draperies and portieres, slipcovers, carpets and pads, dinnerware, and cooking utensils).

36-10.13 IMMEDIATE FAMILY

Any of the following named members of the employee's household:

A. spouse;

B. dependent children of the employee or employee's spouse; and

C. legal dependents (as defined by the Internal Revenue Service, Title 37 U.S.C. and Commissioned Corps Personnel Manual).

36-10.14 MAINTENANCE AND REPAIR

Work on a scheduled or emergency basis required to keep housing units and related utilities in such condition that they can be continuously used for their intended purpose. In this Handbook, "maintenance" is a generic term encompassing day-to-day scheduled work, change of occupancy rehabilitations and other maintenance, such as periodically scheduled painting, caulking, etc.

36-10.15 NET AREA

For purposes of construction of quarters, the net area of a dwelling is the space inside exterior or party walls, excluding only attic, garage, and basement (or service and storage space in lieu of basement).

36-10.16 QUARTERS

As used in this chapter, the general term "quarters" may identify any of several types of Government-controlled housing facilities which are or can be assigned to personnel employed at facilities of the IHS. Quarters can be more specifically categorized as one of the following:

A. Adequate Quarters - Quarters which meet an employee's housing needs as outlined in OMB Circular A-45.

B. Bachelor Quarters - Nonhousekeeping room accommodations usually occupied on an individual basis, although two or more persons may share accommodations.

C. Family Quarters - Multi-room housekeeping units designed for

occupancy by personnel with dependents.

D. Furnished Quarters - Quarters equipped in whole or in part with Government-owned or leased furniture and other household effects in addition to those Government-owned items (e.g., appliances) commonly found in both furnished and unfurnished quarters.

E. Housekeeping Quarters - Quarters provided with kitchen facilities suitable for preparation of meals and often with other housekeeping appliances such as a clothes washer and dryer.

F. Inadequate Quarters - Quarters that do not meet an employee's housing needs as outlined in OMB Circular A-45. This must be determined on an individual assignment basis.

G. Nonhousekeeping Quarters Dwelling units without kitchens.

H. Public Quarters - Housing constructed or designated as Public Quarters which may be assigned to commissioned personnel pursuant to law and occupied without charge.

I. Rental Quarters - Except as specifically excluded herein or by statute, the term "rental quarters" includes all furnished and unfurnished quarters supplied under specific Government authority to Government employees, contractors, contractors' employees, and all other persons to whom housing is provided as an incidental service in support of Government programs. This includes, but is not limited to, Government-owned or leased dwellings, apartments, bunkhouses, dormitories, trailer pads, cabins, mobile homes, house trailers, permanent and semi-permanent tents, and housekeeping as well as nonhousekeeping units.

The term excludes tents, containers, housing which due to extreme deterioration is unsuitable for occupancy except in exigent circumstances, and "public quarters" designated for occupancy by members of the uniformed services with loss of allowances, but it includes quarters occupied by such personnel on a rental basis under 37 U.S.C. § 403(e), 42 U.S.C. §§ 1594a(f) and 1594b, and other authorities.

J. Substandard Quarters - Quarters which do not meet IHS Quarters Standards.

K. Transient Quarters - Housing which is officially designated as transient quarters and used primarily for accommodation of official visitors, guests, or employees in transit for a period

of 90 days or less. (See OMB Circular A-45)

L. Unfurnished Quarters - Quarters for which the Government provides no furniture or other household effects beyond those items (e.g., appliances) common to both furnished and unfurnished quarters.

36-10.17 REASONABLE VALUE

Reasonable value for rental quarters is to be measured by the test of equivalence, i.e., what the employee would pay for comparable housing in the open market. Rental rates, including charges for related facilities when appropriate, will be based upon prevailing rates for comparable private housing located in the same general area, after taking into account those factors that reduce or increase the value of the housing to the tenant.

36-10.18 RELATED FACILITIES

Related facilities are equipment, supplies and services made available in connection with the occupancy of quarters including, but not limited to, household furniture and equipment, garage space, utilities, subsistence, and trash and laundry services.

36-10.19 ROOM

A room is a living space such as a living room, bedroom, kitchen, finished attic or basement, or other suitable living space. A half room is a small space used for living purposes, such as a dinette, breakfast nook, dressing room, or reception room. No count is made of bathrooms, strip or pullman kitchens, halls or foyers, alcoves, pantries, laundries, storage or utility rooms, or unfinished attics and basements.

36-10.20 UTILITIES

The term includes refuse service, electricity, water, sewer, and fuel, etc., associated with quarters.