

Exhibit 6-1 Absence from the Unit

Alaska Statute (34.03.150)

Unless otherwise agreed, the tenant shall occupy the dwelling unit only as a dwelling unit. The rental agreement shall require that the tenant notify the landlord of an anticipated extended absence from the premises in excess of seven days; however, the notice shall be given as soon as reasonably possible after the tenant knows the absence will exceed seven days.

Alaska Statute (34.03.230)

- (a) When the rental agreement requires the tenant to give notice to the landlord of an anticipated extended absence in excess of seven days as required in AS 34.03.150 and the tenant wilfully fails to do so, the landlord may recover an amount not to exceed one and one-half times the actual damages.
- (b) During an absence of the tenant in excess of seven days, the landlord may enter the dwelling unit at times reasonably necessary as provided in AS 34.03.140. The landlord may reenter the dwelling unit and, if there is evidence that the tenant has abandoned the dwelling unit, unless the landlord and tenant have made a specific agreement to the contrary, the landlord may terminate the rental agreement.

AHFC Policy

A tenant is expected to reside continuously in the dwelling unit and may only be absent for brief periods. Absence means that no member of the family is residing in the unit. Absence from the unit without prior approval from AHFC shall constitute a serious violation of the lease.

AHFC may verify tenant occupancy in the unit, or absence from the unit, by such techniques as home visits or calls or letters to the participant, staff, or neighbors, etc.

1. Tenant-Responsibilities

A tenant must notify AHFC in writing if an absence will exceed seven (7) consecutive days. The tenant must also provide AHFC any reasonable information requested concerning the purpose of a tenant absence.

2. Absence Types

The following policy explains the reporting requirements and time that a tenant may be absent while continuing to remain eligible for assistance. A twelve (12) month period is defined as "twelve months from the date of an initial request to be absent". A tenant

may not combine these unique circumstances to exceed the time limit of any one of them.

2.A General Absences

General absences from the dwelling unit such as tenant visits or vacations are limited to thirty (30) days total in any twelve (12) month period.

2.B Medical Absences

1. Absence from the dwelling unit is limited to a maximum period of sixty (60) days in any twelve-month period due to medical treatment, hospitalization, or rehabilitation; or to provide care for a spouse, child, or parent experiencing a serious health condition.
2. AHFC may grant an extension for up to 30 additional days at the family's request.

2.C Employment

1. Absence from the dwelling unit is limited to sixty (60) days in any twelve (12) month period resulting from temporary relocation due to employment.
2. AHFC may grant an extension for up to 30 additional days at the family's request.

2.D Incarceration

Absence from the dwelling unit due to incarceration for vehicular or minor crimes is limited to thirty (30) days in any twelve (12) month period. Refer to the Terminations chapter for actions to take for crimes that are more serious.

2.E Permanently Confined Family Member¹

An individual permanently confined to a nursing home or hospital may not be named as family head, spouse, or co-head, but may continue as a family member at the family's discretion. If the family elects to include the permanently confined member, the individual is listed in the household as an adult who is not the head, spouse, or co-head, even when the permanently confined family member is married to the person who is the head of the family.

¹ HUD Handbook 4350.3, Occupancy Requirements of Subsidized Multifamily Housing Programs, June 2007.

3. Tenant Disagreement with Decision

If the tenant disagrees with the evaluator's decision, the tenant may request to speak to the supervisor. The tenant may sign, date, and return the form to the evaluator.

4. Termination of Rental Assistance

If the tenant does not abide by AHFC's decision, fails to follow the absence provisions in the Lease, or exceeds the absence limit, the tenant's assistance may be terminated. See the Termination chapter for procedures.

Numbered Memo

20-03 Absences from the Unit