

## TEMPORARY ABSENCE POLICY

June 22, 2002

**PURPOSE:** To suspend the MHOA to enable Homebuyers to be temporarily absent from their mutual help home, so they can pursue education goals without losing their exclusive right to purchase the home.

**SCOPE:** Applies to Mutual Help Participants who desire a temporary absence from their MH home to pursue higher education.

### **1.0 APPLICATION**

- 1.1 Applications to temporarily suspend the mutual help obligations for a minimum of a one year period for education purposes will be considered by the NPTHA. Subsequent applications may be submitted annually but no more than a total of four applications will be approved. During the temporary absence the Mutual Help participant will continue to pay the monthly admin fee.
- 1.2 Each subsequent application must be made 90 days prior to the expiration of the existing agreement.
- 1.3 The period of absence can not exceed a total of 4 years.
- 1.4 The applicant must demonstrate that the pursuit of higher education necessitates relocation and a temporary suspension of the MHOA obligations.
- 1.5 Complete applications for temporary absence must be submitted at least 90 days prior to the homebuyer's date of departure.
- 1.6 The Executive Director will not consider requests for temporary absence if the homebuyer is in arrears or has not satisfactorily met the obligations of the MHOA.
- 1.7 Documentation to support the request for a temporary absence will be required by the NPTHA.
- 1.8 NPTHA will consider rental applicants recommended by the homebuyer; however, applicants must meet the qualifications of the rental program and be able to pay a rent that is sufficient to cover landlord overhead and be eligible.
- 1.9 Prior to departure the NPTHA and the homebuyer will execute an agreement that identifies the terms upon which a temporary absence is approved and the grounds for termination of the agreement.
- 1.10 NPTHA will inspect the unit and apply any equity to any repairs and cleaning to make the unit available for rental.
- 1.11 The homebuyer must provide to the NPTHA a current address and phone number while the temporary absence agreement is in effect.
- 1.12 Any equity funds remaining will be applied to the cost of purchasing the home when the

homebuyer exercises the option to purchase. If homebuyer decides at any time to not exercise the option to purchase the home and relinquishes their rights under the MHOA, any remaining equity with accrued interest will be applied in accordance with the MHOA.

- 1.13 A homebuyer wishing to extend the application must do so by submitting a new application and documentation, as required by the NPTHA, 90 days prior to the expiration of the existing agreement.

## **2.0 RESPONSIBILITIES DURING APPROVED ABSENCE**

- 2.1 During the approved absence the NPTHA will do the following:
- a.a Suspend the MHOA during the temporary absence;
  - a.b Act as the landlord and rent the unit to a qualifying tenant on a month to month basis.
  - a.c Inspect and maintain the unit in accordance with the Rental Lease Agreement.
  - a.d Enforce tenant maintenance for tenant damage through the work order process.
  - a.e Obtain third party verification of ongoing enrollment in school as needed.
- 2.2 The renter will make their payment directly to the NPTHA. The absentee homebuyer will not be responsible for the rental payments.
- 2.3 The renter will be entirely responsible for qualifying for the rental program and complying with all the terms of the rental agreement.
- 2.4 The homebuyer will have no liability for the actions of the renter.
- 2.5 During the temporary absence the homebuyer will continue to remain responsible for payment of the administrative fee.

## **3.0 EXPIRATION OF TEMPORARY ABSENCE AGREEMENT**

- 3.18 Notice of return must be provided in writing at least 90 days prior to the Homebuyer's expected date of arrival.
- 3.19 Upon receipt of written notice from the homebuyer of the homebuyer's expected date of return, the NPTHA will do the following:
- 3.20
- t.a Provide the existing tenant 30 days written notice to vacate.
  - t.b The NPTHA will conduct a move-out inspection.
  - t.c The NPTHA will make arrangements to have the unit ready for occupancy by the returning homebuyer.
  - t.d The returning homebuyer must be able to meet the requirement to pay at least the administrative fee.
  - t.e Activate the mutual help amortization schedule one month after the homebuyer resumes occupancy of the home.

#### **4.0 Termination**

- 4.1 In the event the homebuyer fails to perform any of the obligations stated in the Temporary Absence Agreement or in this policy, the NPTHA will take all action necessary to terminate the MHOA.
- 4.2 Should the renter default in any of the above, it is the landlord's sole responsibility to take immediate action necessary to correct the default or to terminate the rental agreement and evict the renter/tenant.