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CH. 12 GOVERNMENT HOUSING

**CHAPTER 12**  
**GOVERNMENT HOUSING**

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**§ 12101. Government Housing.**

(a) Any housing unit leased or owned by the government of Guam and used for any purpose other than that provided for by Subsection (b) shall be managed by the Director of Administration or his designee.

(b) Whenever the Government shall have under lease housing units which are excess to its needs it may, by order of the Governor, relinquish management of such units to the Guam Housing and Urban Renewal Authority. Any housing unit relinquished to the management of Guam Housing and Urban Renewal Authority shall be utilized by the Authority in the furtherance of its powers and duties as provided for in §13903 of the Government Code. Any rent derived from the use of a unit relinquished to the Guam Housing and Urban Renewal Authority shall be used first to reimburse the Authority for any sum expended upon the unit for maintenance or administration; any remaining rent shall be paid into the Housing Revolving Fund established by § 4302. The acceptance by Guam Housing and Urban Renewal Authority of a unit for management and use within its low income housing program shall not impose upon the Authority any responsibility for the payment of any rent due from the government of Guam to the lessor of the unit.

(c) Whenever a housing unit owned by the Government becomes excess to the needs of the Government it may be conveyed by the Governor, in consideration of the payment of One Dollar (\$1.00) per unit, to the Guam Housing and Urban Renewal Authority. Any housing unit conveyed to the Guam Housing and Urban Renewal Authority shall be utilized by the Authority in the furtherance of its powers and duties as provided for by

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§13903 of the Government Code. For purposes of this Subsection housing unit means a single family detached dwelling and the lot upon which it is situated.

**SOURCE:** § 4300 GC, as Repealed and reenacted by P.L. 13-184:2

**NOTE:** § 4300.1 GC [Acquisition Bids] repealed by P.L. 13-184:2.

§ 4301 GC [Administration] was amended by P.L. 12-105 and repealed by P.L. 13-184:2.

**§ 12102. Non-Profit Organizations.**

The Director of Administration shall make unoccupied government-owned housing units available at no cost, under specified conditions to Chief Brodie School, the Department of Education, Department of Youth Affairs, Department of Vocational Rehabilitation, the Guam Advisory Council for Vocational Education and any non-profit organization engaged in the provision of such public services as crisis intervention, case work and counseling, or temporary residential care of minor children or abused spouses; provided that no such non-profit organization shall be eligible for such housing unless it shall have perfected its non-profit status with the Department of Revenue and Taxation and shall have been certified as qualifying by the Director of the Department of Public Health and Social Services.

**SOURCE:** § 4301.1 GC added by P.L. 15-72:1 and amended by P.L. 15-145:21.

**2009 NOTE:** P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. P.L. 30-050:2 (July 14, 2009) reverted the name of the Guam Public School System to the Department of Education.

**§ 12103. Duties of the Director of the Department of Public Health and Social Services.**

The Director of the Department of Public Health and Social Services shall certify after examining any non-profit organization which applies to use government-owned housing, that such applicant is engaged in providing emergency aid and crisis intervention as is specified in §§ 4301.1 and 4301.2. It is the purpose of §§ 4301.1 and 4301.2 to provide for emergency use for such individual as: abused spouses, abused children and emotionally disturbed children who are being processed through the court system. Additionally, the facilities provided in Section 1 of this Act may be used as sanctuary for runaway children. The Director of the Department of Public Health and Social Services shall be responsible for requiring maintenance, utilities and liability insurance for these facilities from the organizations

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using the same. If the Director of the Department of Public Health and Social Services finds that any tenant no longer qualifies to use government-owned housing units or fails to maintain the units in accordance with the provisions of this Section, then the Director shall revoke the certification and notify the Director of Administration who shall evict the tenant within five (5) days.

**SOURCE:** § 4301.2 GC as added by P.L. 15-72:2

**§ 12104. Housing Revolving Fund.**

**[Repealed].**

**SOURCE:** § 4302 GC as added by P.L. 10-103. Amended by P.L. 10-154; repealed and reenacted by P.L. 13-184:3; Repealed by P.L. 28-068:II:2:8 (Sept. 30, 2005).

**§ 12105. Statement of Findings.**

The Legislature finds that much of the housing owned by the government of Guam is not being put to maximum effective use, many of the units standing empty on practically a year-round basis; that no return is being earned on the considerable investment made by the Government in these housing units; that many of the elderly residents of Guam as well as those receiving welfare payments from the Government are without safe, sanitary and decent housing; that much of the limited income available to such persons is spent on inadequate and overpriced housing; and that, therefore, if these elderly, indigent and other persons that are temporarily wards of the Government such as those requiring emergency housing following catastrophic destruction of their own housing were to be housed in these underused government units, even at less than the fair market value of such units, the people of Guam would benefit since wards of the Government requiring safe, sanitary and decent housing would receive the same and the Government would receive at least a minimum return on its presently underutilized housing.

**SOURCE:** § 4305 GC as added by P.L. 14-134:1.

**§ 12106. Director of Administration to Make Housing Available to Elderly, Indigents and Those Requiring Emergency Housing.**

The Director of Administration shall make available under or unutilized government housing to elderly persons, welfare recipients or persons requiring emergency housing at a rent less than the fair market value and at rates calculated to be within the means of those offered such housing. Only those persons certified by the Department of Public Health

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and Social Services to be eligible for such housing shall be offered such available units by the Director of Administration.

**SOURCE:** § 4306 GC, as added by P.L. 14-134:2.

**§ 12107. Rules and Regulations.**

The Director of Administration and the Department of Public Health and Social Services shall issue joint rules and regulations, pursuant to the provisions of the Administrative Adjudication Act, governing the procedures whereby the elderly, the indigent and those requiring emergency housing receive housing under this Chapter at less than fair market value, such rules to include eligibility requirements, rent to be charged and the other terms of such tenancies.

**SOURCE:** § 4307 GC, as added by P.L. 14-134:3.

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