

○ **Hiroshima University Regulations for Employee Housing**

Regulation No. 114 of April 1, 2004

Hiroshima University Regulations for Employee Housing

Table of Contents

- Chapter I General Provisions (Articles 1 to 4)
- Chapter II Persons Responsible for Establishment, Maintenance and Management of Housing (Articles 5 and 6)
- Chapter III Establishment, etc. of Housing (Articles 7 to 9)
- Chapter IV Maintenance and Management of Housing (Articles 10 to 16)
- Chapter V Miscellaneous Provisions (Articles 17 and 18)
- Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 These Regulations prescribe the matters necessary for the establishment, maintenance and management of housing rented to the officers and employees of Hiroshima University (hereinafter referred to as the “University”) in accordance with the provisions of Article 28 of the Hiroshima University Policies and Regulations (Regulation No. 1 of April 1, 2004).

(Delegation of Authority)

Article 2 The President may delegate part of his/her authority under these Regulations to other officers or employees.

(Definitions)

Article 3 (1) The term “housing” as used in these Regulations shall mean a residential building or a residential part of a building, and any structure and/or other type of facility incidental to such residential building or residential part, which are established by the University for the residing of persons eligible for tenancy and those who are principally dependent on the income of such eligible persons, and which include the land used for such residential building, residential part, structure and/or facility.

(2) The term “person eligible for tenancy” as used in these Regulations shall mean a person falling under one of the following items:

- (i) Officer;
- (ii) Employee to whom the Hiroshima University Work Regulations for Employees (Regulation No. 78 of April 1, 2004) or the Hiroshima University Work Regulations for Mariners (Regulation No. 79 of April 1, 2004) apply;
- (iii) Among employees to whom the Hiroshima University Work Regulations for Contract Employees (Regulation No. 101 of April 1, 2004) apply (limited to those whose prescribed

Regulations for Employee Housing

- working hours are at the same level as such hours of the employees under the preceding item), person whose employment term is expected to extend to multiple fiscal years;
- (iv) Person who is scheduled, due to personnel exchange, to be permanently reassigned to another organization or loaned to another organization with his/her affiliation with the present organization remaining unchanged (limited to a person who is actually renting housing), and wishes to continue to rent the housing even after the reassignment or being loaned; or
 - (v) Employee to whom the Hiroshima University Work Regulations for Re-Employed Employees (Regulation No. 80 of April 1, 2004) are scheduled to be applied (limited to an employee who is actually renting housing), and who wishes to continue to rent the housing even after said regulations start to apply.

(Types of Housing)

Article 4 The available types of housing shall be free housing and paid-for housing.

Chapter II Persons Responsible for Establishment, Maintenance and Management of Housing

(Establishment)

Article 5 The establishment of housing shall be implemented by the President or persons to whom authority has been delegated pursuant to Article 2 (hereinafter referred to as an “administrator”).

(Maintenance and Management)

Article 6 Administrators shall maintain and manage housing.

Chapter III Establishment, etc. of Housing

(Method of Establishment)

Article 7 The establishment of housing shall be implemented by such means as constructing, purchasing, exchanging, receiving as a donation, or renting.

(Free Housing)

Article 8 (1) Among the following persons eligible for tenancy, free housing shall be established for and rented out without any fee to those whom the administrator permits, within the limits of the budget:

- (i) Person who is required to reside on the premises of his/her department, etc. or in an area adjacent to such premises in order to engage in emergency work related to the safeguarding of life or property or related to communication facilities, or other work of similar nature thereto, which accompanies the person’s original work and is carried out outside his/her normal working hours;

- (ii) Person who works at research or experiment facilities and is required to reside on the premises of such facilities or in an area adjacent to such facilities in order to directly engage in certain research or experiments that require continuous operation;
 - (iii) Person who works in a department, etc. in a remote area or a specially segregated department, etc.; or
 - (iv) Manager of a department, etc. who is required to reside on the premises of the University or in an area adjacent to such premises in order to execute his/her duties as such.
- (2) Free housing is rented out as part of the salaries of persons eligible for tenancy for their work.
(Paid-for Housing)

Article 9 In the following cases, paid-for housing may be established within the limits of the budget and rented out for a fee to persons eligible for tenancy other than those to whom free housing is rented out:

- (i) Where it is considered necessary for the operation of the University's business, in connection with the duties of persons eligible for tenancy; and
- (ii) Where a shortage of housing at the work locations of persons eligible for tenancy is found to potentially cause an obstacle to the operation of the University's business.

Chapter IV Maintenance and Management of Housing

(Supervision of Tenants)

Article 10 Administrators shall conduct supervision to observe whether tenants (meaning those to whom housing has been rented and cohabiters to whom the provisions of Article 16 (1) apply (hereinafter referred to as a "cohabiter")) comply with the obligations set forth in these Regulations, and constantly strive to properly maintain and manage housing in their charge.

(Selection of Persons to Rent Free Housing)

Article 11 In cases where there are two or more employees to whom specific free housing should be rented, its administrator shall rent the housing to, among them, the employee who is regarded as most in need of such housing in terms of the nature of his/her duties.

(Selection of Persons to Rent Paid-for Housing)

Article 12 Administrators shall select persons to whom paid-for housing is to be rented in a fair manner as separately prescribed, on the basis of necessity for facilitating smooth operation of the University's business.

(Rent for Paid-for Housing)

Article 13 (1) Each rent for paid-for housing (including the fee for a vehicle parking space; hereinafter referred to as "housing rent") shall be a monthly amount that is based on an amount equivalent to the written-off amount of its construction cost, repair costs, the land rent, and the fire insurance premium at a standard level for such housing. Furthermore, the administrator of each housing facility shall determine its rent by using the separately established calculation

Regulations for Employee Housing

method with the residential conditions prescribed in Article 16 (1) and other circumstances taken into consideration.

- (2) The housing rent for the month during which housing is newly rented or vacated shall be an amount calculated on a per diem basis.
- (3) A person who rents paid-for housing shall pay housing rent to the University each month by the due date designated by the administrator.
- (4) In the case where a person who rents paid-for housing comes to fall under the provisions of Article 16 (1) (i) or (ii), this person and his/her cohabiter(s) shall pay the University the housing rent for the period from the day on which the person fell under the above provisions to the due date of vacating under the provisions of the same paragraph or Article 16 (2), by the end of each relevant month.
- (5) With regard to any obligation associated with housing rents that a cohabiter is supposed to pay for his/her housing pursuant to the provisions of the preceding paragraph, all cohabiters shall be jointly and severally liable to fulfill such obligation.

(Obligation Concerning Use of Housing)

Article 14 (1) Each tenant shall use the housing rented to him/her with the due care of a prudent manager.

- (2) Each tenant shall not sublease the housing that he/she rents to any third party in part or in whole, use the housing for any purpose other than residing, or carry out any alteration, remodeling or other construction work of the housing without the authorization of its administrator.
- (3) In the case of any loss, damage or contamination caused to the housing rented to a tenant due to a reason attributable to that tenant, he/she shall promptly restore the housing to its original state or make compensation for the damage, unless such loss, damage or contamination is caused by fire not attributable to any intentional action or gross negligence.
- (4) The provisions of paragraph (5) of the preceding Article shall apply mutatis mutandis to any obligation attributable to a breach of the provisions of paragraph (1) or (2) on the part of tenants (limited to cohabiters), and any obligation associated with restoration or compensation for damage under the provisions of the preceding paragraph.

(Repair Cost, etc. of Housing)

Article 15 In the case of any damage or contamination caused to free housing or paid-for housing due to natural disasters, time passage or any other reason not attributable to a tenant of such housing, the University shall bear costs incurred for necessary repair, unless such damage or contamination is minor in its nature.

(Vacating Housing, etc.)

Article 16 (1) In the case where a person to whom housing is rented comes to fall under any of the following items, he/she (if this person falls under the provisions of item (ii), any cohabiter residing with that person at the time of his/her falling under the item) shall vacate the housing

within 20 days of the day on which he/she falls under the applicable item; provided, however, that where there are reasonable grounds, he/she may, upon obtaining the authorization of the administrator, continue to use the housing for up to two months in the case of free housing, or for up to six months in the case of paid-for housing, from the day on which he/she falls under the applicable item:

- (i) Where the person has ceased to be a person eligible for tenancy;
 - (ii) Where the person has died;
 - (iii) Where the person is no longer required to reside in the housing due to reassignment, workplace relocation or other similar reasons;
 - (iv) Where the person is required to vacate the housing with the emergence of another person holding a higher rank in the order of priority for the housing on the basis of necessity for operation of the University's business; or
 - (v) Where the person is required to vacate the housing since it has become necessary to abolish the housing.
- (2) In the case where the administrator of paid-for housing finds a tenant's breach of the provisions of Article 14 to be a risk potentially causing a serious obstacle to the maintenance or management of the housing, and consequently requires the tenant to make corrections by a time limit set, the tenant shall immediately vacate the housing if he/she fails to fulfill such requirement by said time limit.
- (3) In the case where a tenant has failed to vacate his/her housing in breach of the provisions of the preceding two paragraphs, he/she shall, as separately prescribed, pay damages according to the period from the day following the due date of vacating under the applicable provisions to the day of actual vacating. In such case, the amount of such damages may not exceed an amount equivalent to the threefold amount of the rent for the relevant housing during the relevant period (in the case where the relevant housing is free housing, an amount equivalent to the threefold amount of the rent calculated with the housing deemed to be paid-for housing and with the calculation method prescribed in Article 13 (1)).
- (4) The provisions of Article 13 (5) shall apply mutatis mutandis to any obligation associated with damages to be paid by tenants (limited to cohabiters) in accordance with the provisions of the preceding paragraph.

Chapter V Miscellaneous Provisions

(Record Concerning Current Situation of Housing)

Article 17 Administrators shall prepare records of the current conditions of the housing that they maintain and manage, thereby making the conditions clear at all times.

(Miscellaneous Provisions)

Article 18 When reference to these Regulations is difficult due to special circumstances, or when

Regulations for Employee Housing

the President deems it significantly inappropriate to refer to these Regulations, exceptional handling may be accepted.

Supplementary Provisions

1. These Regulations shall come into force on April 1, 2004.
2. Among the housing for national government officials actually used, as at the founding of Hiroshima University National University Corporation, as the housing of officials of the national government and officials of incorporated administrative agencies to which the National Public Officers' Housing Act (Act No. 117 of 1949) applies (hereinafter referred to as the "national government, etc."), the University may, as separately prescribed, permit the national government to use, without any fee, that housing that received the University's financial contributions, for the purpose of making them available for use by the national government, etc.
3. Tenants who received approval for tenancy in accordance with the provisions of the National Public Officers' Housing Act prior to the date of enforcement of these Regulations (hereinafter referred to as the "enforcement date") shall be deemed to have received approval for tenancy under these Regulations.
4. When the University and another national university corporation (including the Institute of National Colleges of Technology and the National Youth House) are to share their housing, such housing shall be arranged for use without any charge by mutual agreement for the time being.

Supplementary Provisions (Regulation No. 81 of March 29, 2007)

These Regulations shall come into force on April 1, 2007.

Supplementary Provisions (Regulation No. 71 of March 28, 2008)

These Regulations shall come into force on April 1, 2008.

(Up to 1500)