

other suitable housing units made available by the purchaser or lessee.

(e) **INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.**—The conveyance or lease of property or facilities under this section shall not be subject to the following provisions of law:

(1) Section 2667 of this title.

(2) Subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41.

(3) Section 1302 of title 40.

(4) Section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411).

(f) **NOTICE OF LEASE EXTENSIONS.**—(1) The Secretary concerned shall provide to the congressional defense committees notice in writing and a briefing—

(A) not later than 60 days after beginning negotiations with a lessor for the extension of the term of any ground lease of property or facilities under this section; and

(B) not later than 90 days before extending the term of any ground lease of property or facilities under this section.

(2) A notice and briefing required under paragraph (1) shall include each of the following:

(A) A description of any material differences between the extended ground lease and the original ground lease, including with respect to—

(i) the length of the term of the lease, as extended; and

(ii) any new provisions that materially affect the rights and responsibilities of the ground lessor or the ground lessee under the original ground lease.

(B) The number of housing units or facilities subject to the ground lease that, during the lease extension, are to be—

- (i) constructed;
- (ii) demolished; or
- (iii) renovated.

(C) The source of any additional financing the lessor has obtained, or intends to obtain, during the term of the ground lease extension that will be used for the development of the property or facilities subject to the ground lease.

(D) The following information, displayed annually, for the five-year period preceding the date of the notice and briefing:

(i) The debt-to-net operating income ratio for the property or facility subject to the ground lease.

(ii) The occupancy rates for the housing units subject to the ground lease.

(iii) A report on maintenance response times and completion of maintenance requests for the housing units subject to the ground lease.

(iv) The occupancy rates and debt-to-net operating income ratios of any other military privatized housing initiative projects managed by a company that controls, or that is under common control with, the ground lessee entering into the lease extension.

(E) An assessment of compliance by the lessor with the Military Housing Privatization

Initiative Tenant Bill of Rights developed under section 2890 of this title.

(Added Pub. L. 104-106, div. B, title XXVIII, §2801(a)(1), Feb. 10, 1996, 110 Stat. 547; amended Pub. L. 105-85, div. A, title X, §1073(a)(60), Nov. 18, 1997, 111 Stat. 1903; Pub. L. 106-65, div. B, title XXVIII, §2803(g), Oct. 5, 1999, 113 Stat. 849; Pub. L. 107-107, div. A, title X, §1048(d)(1), Dec. 28, 2001, 115 Stat. 1227; Pub. L. 107-217, §3(b)(23), Aug. 21, 2002, 116 Stat. 1297; Pub. L. 110-417, div. B, title XXVIII, §2805(d), Oct. 14, 2008, 122 Stat. 4723; Pub. L. 111-350, §5(b)(50), Jan. 4, 2011, 124 Stat. 3846; Pub. L. 117-263, div. B, title XXVIII, §2822, Dec. 23, 2022, 136 Stat. 3000; Pub. L. 118-31, div. A, title XVIII, §1801(a)(24), div. B, title XXVIII, §2822(a), Dec. 22, 2023, 137 Stat. 684, 751.)

### Editorial Notes

#### AMENDMENTS

2023—Subsec. (f)(2)(D)(iii). Pub. L. 118-31, §1801(a)(24), substituted “A report” for “An report”.

Subsec. (f)(2)(E). Pub. L. 118-31, §2822(a), added subpar. (E).

2022—Subsec. (f). Pub. L. 117-263 added subsec. (f).

2011—Subsec. (e)(2). Pub. L. 111-350, which directed substitution of “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” for “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” in subsec. (d)(2), was executed by making the substitution in subsec. (e)(2) to reflect the probable intent of Congress and the amendment by Pub. L. 110-417. See 2008 Amendment note below.

2008—Subsecs. (c) to (e). Pub. L. 110-417 added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

2002—Subsec. (d)(2). Pub. L. 107-217, §3(b)(23)(A), substituted “Subtitle I of title 40 and title III of the” for “The” and “(41 U.S.C. 251 et seq.)” for “(40 U.S.C. 471 et seq.)”.

Subsec. (d)(3). Pub. L. 107-217, §3(b)(23)(B), substituted “Section 1302 of title 40” for “Section 321 of the Act of June 30, 1932 (commonly known as the Economy Act) (40 U.S.C. 303b)”.

2001—Subsec. (d)(4). Pub. L. 107-107 substituted “McKinney-Vento Homeless Assistance Act” for “Stewart B. McKinney Homeless Assistance Act”.

1999—Subsec. (a). Pub. L. 106-65 substituted “eligible entities” for “private persons”.

1997—Subsec. (d)(4). Pub. L. 105-85 substituted “11411” for “11401”.

### [§ 2879. Renumbered § 2857]

### Editorial Notes

#### PRIOR PROVISIONS

A prior section 2879, added Pub. L. 104-106, div. B, title XXVIII, §2801(a)(1), Feb. 10, 1996, 110 Stat. 547, related to interim leases of completed units pending completion of a project to acquire or construct military family housing units or military unaccompanied housing units, prior to repeal by Pub. L. 107-314, div. B, title XXVIII, §2802(c)(1), Dec. 2, 2002, 116 Stat. 2703.

### § 2880. Unit size and type

(a) **CONFORMITY WITH SIMILAR HOUSING UNITS IN LOCALE.**—The Secretary concerned shall ensure that the room patterns and floor areas of military family housing units and military unaccompanied housing units acquired or constructed under this subchapter are generally comparable to the room patterns and floor areas of similar housing units in the locality concerned.