

Title IX Approved Housing

The Fair Housing Act of 1968 governs community housing to protect individuals from discrimination of gender, race, religion, national origin, familial status, or disability. The Title IX Higher Education Act of 1972 governs BYU-Idaho approved housing. It provides a general exemption to educational institutions to discriminate by gender (20 U.S.C.1681.Sex). In 1988 a religious-tenet exemption letter from Bruce Hafen, then president of Ricks College (now BYU-Idaho), was submitted and accepted which allows only BYU-Idaho admitted, matriculating students to live in University-approved housing to uphold the mission of our educational institution (34 C.F.R. 106.12(b) Exemption).

A. Single Students Must Live in Approved Housing

All single students under the age of 30 must live in approved housing unless they live at home with their parents. Students who wish to live with a relative or local family friend must submit a request for an exception and receive approval from the BYU-Idaho Housing Committee.

B. Separation of Single-Male and -Female Students

All approved-housing complexes must provide for the appropriate separation of single-male and -female students. BYU-Idaho reserves the exclusive right to determine how its policy of separating the sexes should be implemented.

Qualifications For Living In Single-Student, Approved Housing

Approved housing complexes are intended to serve BYU-Idaho single students who have been admitted to BYU-Idaho as matriculated (degree seeking and admitted to a BYU-Idaho track) students.

A. All single students are required to live in BYU-Idaho approved housing, unless otherwise specified in Sections B & C (below). Those who qualify are:

1. Students who are currently attending or who have attended within the past semester as admitted and matriculating BYU-Idaho students (degree seeking and admitted to a BYU-Idaho track).
2. Students who are off track. (Meaning: The students have been admitted, but the current semester is not included in their track.)

Note: The approved housing manager has the responsibility to be sure all tenants meet these qualifications and are committed to living the Code of Honor.

B. Students who lose eligibility to live in BYU-Idaho approved housing must immediately move home or to community housing include:

1. Students who have been dismissed for a Student Honor violation or evicted for violations of the BYU-Idaho Apartment Living Standards.
2. Students who are on Academic Suspension.

C. Individuals who are not required or do not qualify to live in BYU-Idaho approved housing are:

1. Individuals taking Continuing Education classes except when they qualify as indicated above in "A."
2. Individuals who have not been admitted as BYU-Idaho students.
3. Single students who qualify as a family (have dependent children or are legal guardians of dependent children).
4. Students whose spouse has passed away.
5. Students who are divorced.

6. Students who are married but whose spouse is away for military duty, or who are otherwise not currently living with their spouse.
7. Individuals who attend another institution not affiliated with BYU-Idaho.

D. Summer Break and Off-Track Students

Current matriculating single students who are off track and continue to live in the immediate Rexburg area are required to live in BYU-Idaho approved, single-student housing as a condition of their continued enrollment.

Minimum-Environmental Specifications for Approved Housing

All property must be in full compliance with all city, state, and federal codes, as well as all BYU-Idaho minimum-environmental specifications.

Nothing in these guidelines should be interpreted as precluding BYU-Idaho from upgrading the requirements for approval at any time.

The landlord agrees to maintain both the interior and exterior of the property and any furnishings or appliances provided in a safe and operable condition and in compliance with all minimum-environmental specifications established by BYU-Idaho. Where necessary, a written notification of needed repairs or maintenance should be given to the landlord. Serious violations of minimum specifications should be brought to the attention of the Housing Office.

A. Space and room arrangements

1. Every room occupied for sleeping purposes shall contain at least 50 square feet of floor space per student, not including closet space.
2. Not more than four tenants shall sleep in a single bedroom.
3. Each apartment shall have a commons area with reasonable space for residents and guests (not in a sleeping room).

B. Apartment furnishings include the following

1. Every dwelling unit occupied by students shall contain adequate study facilities. (It is recommended that this include one study desk or six square feet of desk or table for each two students.)
2. There shall be one straight-back, study chair for each student.
3. There shall be one reasonably-sized dresser or chest of drawers per student.
4. There shall be adequate book shelves.
5. There shall be adequate mirrors in the apartment.

C. Beds and bedding

1. A separate bed shall be provided for each tenant.
2. Beds shall be clean, sanitary, in a good state of repair, and equipped with a mattress cover.
3. Sleeping facilities for single students are not allowed to be set up in the living room areas.

D. Light and ventilation

1. Every room shall have adequate light and ventilation.
2. Each window shall have screens, and curtains or drapes, as well as an inside lock.

E. Bathroom Facilities

1. Every bathroom shall have an outside window or exhaust fan.
2. There shall be at least one toilet, wash basin, and bathtub or shower in good working condition for each six tenants.
3. All bathroom facilities shall be so located within the dwelling so as to be reasonably accessible to all persons sharing such facilities.

F. Heat and Water

1. Every dwelling shall have heating facilities and equipment that is capable of maintaining a room temperature of 70 degrees fahrenheit at a point three (3) feet above the floor in all habitable rooms.
2. Hot water shall be reasonably available at all times.

G. Closet and storage space

1. There shall be closet space at least 22 inches deep and three feet in width, or the equivalent, provided for each tenant occupying the bedroom.
2. There shall be storage space for bags and trunks belonging to the tenants.

H. Cooking and eating apartment requirements

1. The apartment shall contain a kitchen sink that is connected with hot water and cold water and is also connected to the sewer drain.
2. The apartment shall have an electric or gas stove with an oven. Both should be in good operating condition.
3. The apartment shall have a refrigerator in good operating condition for each six (6) tenants.
4. Floors and walls shall be in a good state of repair and shall be finished so that they are sanitary and can be easily kept clean.
5. There shall be adequate garbage storage and disposal facilities.

I. Safety

1. No accumulation of rubbish or combustibles shall be permitted in the building, and no combustibles shall be stored within 12 inches of the furnace.
2. All apartments shall have outside doors with a substantial lock, and a key shall be issued to each tenant occupying the apartment.
3. Landlords shall make arrangements to reasonably remove snow and ice from stairways, walkways, and parking lots.
4. There shall be no portable gas or electric heating devices.

J. Appearance of apartment

1. Rooms occupied by students shall be in a good state of maintenance with walls and ceilings preferably light in color, especially basement rooms and study room.
2. An approved student apartment shall present a neat, attractive appearance.
3. The grounds shall be reasonably maintained and free from offensive and unsightly debris.
4. The outside of the unit shall be in good repair.

K. Parking

Parking shall comply with city ordinances which require 1.0 parking spaces per student plus two for management. Additionally,

Rexburg City Ordinance 975 states: “For each agreement containing an affirmative designation of parking space, there must be a space.” Therefore, approved-housing complexes must inventory all approved parking spaces and manage those in accordance with City of Rexburg parking regulations, which requires that residents receive an “affirmative statement” of whether they have or do not have a parking space that will allow them to park overnight in a designated, on-site parking area.

L. Inspections

1. Each apartment unit will be inspected by BYU-Idaho before initial approval and periodically thereafter to assure compliance with all minimum-environmental specifications.
2. The City of Rexburg will conduct an initial inspection prior to approval, as well as yearly inspections for health, safety, and to determine if city, state, and federal codes are being met. A copy of these inspections need to be provided to the BYU-Idaho Housing Office.

M. Hotels; Motels; Studio Apartments; Trailers; Condominiums; or Individually-owned, Multiple-unit complexes; and Commercial Property

1. Hotels; motels; studio apartments; trailers; condominiums; or individually-owned, multiple-unit complexes are not approved housing for single students (Also see Section 3.c).
2. Apartments housed in the same building as commercial property are not approved housing for single students.

N. Postal Services

All apartment complexes must either have postal-approved receptacles or have mail bulk delivered. With approved secured receptacles, the postal service will distribute the mail to the boxes and assume the responsibility of forwarding first-class mail.

By not installing acceptable mail receptacles, the apartment management will have to assume the responsibility for mail distribution into secured receptacles and the forwarding of first-class mail.

Those units that choose to install postal-approved receptacles will need to post an alphabetized list of residents in an accessible place next to the mailboxes. Also, a list of names for each box corresponding to each apartment should to be taped onto each box.

All questions regarding approved mailboxes and their placement should be directed to the postmaster or the mail carrier. The postal service has a publication, “Apartment House Mail Receptacles,” that gives regulations and manufacturing standards. This is available at the post office.