

FHA Public Housing Balcony Policy

1. **Applicability:** (i) This policy concerns the tenants' use of balconies in units that have balconies. This policy does not cover the FHA's single-family home (scattered-site) program. Balconies are physical outdoor platform extending outward from a building façade. It is private (or at times shared with another resident) associated with an individual dwelling unit. (ii) This notice applies to all units with balconies, porches, decks and terraces in the FHA's multi-unit apartment complexes. (iii) Unless otherwise indicated this policy does not override any current FHA policies and procedures including its Condition of Occupancy rules.

2. **General Balcony Policy:** The FHA encourages the residents to make their private or shared patio/balcony an enjoyable exterior living space that is safe and well maintained. Not all apartments have a private patio or balcony. No alterations to the buildings (including use of fasteners e.g., nails, screws) or grounds are permitted. All items must be confined to the actual patio/balcony area and may not overflow onto public/common areas. Residents must also refrain from making or creating loud noise or noises on their balcony area which unreasonably disturb, or is likely to unreasonably disturb other residents' quiet enjoyment of the premises. Smoking of any kind is not permitted on the balconies per the FHA Smoking Policy.

3. **Balconies are Amenities:** Balconies are not required for the full functioning of the dwelling area. Therefore, they are secondary to the principal land use – affordable housing. Because their use is optional, the negative effects of noise exposure, misuse of the space, and safety hazards, the FHA reserves the right to limit or stop the use of such space by the resident.

4. **Balcony Specific Rules:** The following are the rules concerning the use of balconies.
 - A. **Storage:** Balconies and patio areas cannot be used for storage except for bicycles if such use is limited to 25% of the total patio/balcony area. Patio chairs and tables are not considered storage but under no circumstances can items in the balcony patio area make up more than 50% of the space and/or obstruct passage and movement in the area.

 - B. **Suitable Items in Balcony Area:** Items used in these areas must be suitable for outdoor use and safely used/stored in the space per manufacturer's instructions and FHA guidelines. Items that would not be suitable include, but are not limited to, the following: televisions, sofas, kitchen tables, lamps, clothing, or food.

 - C. **Items Not Suitable for Balcony Area:** Items that cannot be placed in the balcony area or can be with proper use include, but is not limited to the following: rugs, cardboard boxes, laundry, flags, food or drinks. While flower pots and planters can be placed in the balcony area they cannot be placed ON railings or immediately next to railings for this creates a safety hazard and may cause damage to balconies from failing or water seepage.

- D. **Hanging Items in Balcony Area:** Do not hang any items including brooms, mops, laundry, or other unsightly items on your patio. Repair costs associated with plant/water damage will be assessed to the resident. Periodic inspections will be performed.
- E. **Grills & Combustible Items:** No combustible items including propane, gasoline, oil products or grills can be located in the balcony area.
- F. **Safe Passage:** Nothing in these rules will prohibit the FHA from making a determination that the resident's use of the balcony is preventing safe passage.

The FHA reserves the right to have the resident clear off all items in their balcony due to either safety concerns and/or construction projects.

5. Noise Levels & Behavior on Balconies

- A. **Noise Levels:** Noise levels from the balcony will be considered if complaints are made about the quiet enjoyment of a resident's use of their apartment. Noise levels are a marketable factor for the leasing and continued occupancy of the FHA properties and therefore will be controlled.
- B. **Balcony Behaviors:** Inappropriate use of the balcony such as smoking, yelling, throwing objects from the balcony, or causing a disturbance is a violation of this policy as well as other possible Lease and Conditions of Occupancy violations.
- C. **Feeding of Animals & Birds:** Bird feeders or other items to feed wild animals are not allowed nor is throwing food items from the balconies.

6. Violations of Balcony Policy Fines & Possible Eviction

- A. Failure to comply with this policy regarding the specific rules of the balconies can result in a fine of \$50.00.
- B. Repeated failure to come into compliance with this policy will result in additional fines per incident and may result in termination of tenancy. Failure to comply with noise levels and behavior guidelines may result in termination of tenancy.
- C. If residents do not clear off items on the balconies due to either construction projects, safety concerns or violations of this policy they can be charged a fine, face eviction and pay for the removal of such items.

Nothing in this policy will prevent the FHA from imposing additional fees and fines or implement eviction action based upon violations of the lease and/or the Conditions of Occupancy policy.