

# MODEL LEASE CLAUSE

## Use Clause to Implement Extended Absence/ Abandonment Policy

It's reasonable that a family may be absent from their LIHTC unit for brief periods. But your site may need a policy on how long a family may be absent from the unit. Absence in this context means that no member of the family is residing in the unit. The following lease clause says that a household must notify you if it plans to be away for longer than 14 consecutive days. Be sure to talk to your attorney about including a provision like this one in your lease or site rules.

### ABANDONMENT/NOTICE OF EXTENDED ABSENCE

Resident shall not vacate or abandon the Premises at any time during the term of this Agreement. During any absence of Resident in excess of 30 days, Management may enter the dwelling unit at times reasonably necessary.

Resident agrees to inform Management of an anticipated extended absence from the Premises of more than fourteen (14) days no later than the first day of such absence. If Resident fails to provide Management with proper notice of absence, abandonment shall be conclusively presumed in the event that Resident is more than fourteen (14) days in default for nonpayment of rent and he/she has removed a substantial portion of his/her belongings from the dwelling unit.

If Resident shall abandon, vacate, or surrender said Premises, then Management shall have the right to take immediate possession of and re-enter said Premises. Upon re-entry, Management may consider any and all remaining personal property belonging to Resident and left on the Premises to be abandoned and may remove and dispose of all such personal property in accordance with applicable state and local law.