



**ORDINANCE No. 53
OF THE RECTOR OF THE UNIVERSITY OF WARSAW**

of 19 December 2013

**on introducing the Rules and Regulations for the use of the Academic
Staff Hall of Residence of the University of Warsaw**

Pursuant to Article 66, section 2, point 2 of the Act of 17 July 2005 – the Law on Higher Education and Science (Journals of Law of 2012, item 572, as amended), it is ordered as follows:

§ 1

On introducing the Rules and Regulations for the use of the Academic Staff Hall of Residence of the University of Warsaw, hereinafter referred to as the “Rules and Regulations”, which are annexed to the Ordinance, are hereby adopted.

§ 2

1. Subject to sections 2 and 3, the hitherto regulations shall apply to rent agreements concluded before the date of entry into force of the present Ordinance, but no longer than until the end of the period for which they were concluded.

2. The extension of the rent agreement, as well as the rent agreement after the extension, shall be subject to the provisions of the Rules and Regulations, which will be confirmed by a relevant annex.

3. The provisions of the Rules and Regulations shall be applicable to the consequences of events related to accommodation at the Academic Staff Hall of Residence, which will occur after entry of this Ordinance into force.

4. As of the effective date of the present Ordinance, the fee rates for non-contractual use of premises in the Academic Staff Hall of Residence referred to in Chapter 1, section 13 of the Rules and Regulations shall apply.

§ 3

The Ordinance enters into force on the day it is signed.

Rector of the University of Warsaw

dr hab. Marcin Pałys, prof. UW

RULES AND REGULATIONS FOR THE USE OF THE ACADEMIC STAFF HALL OF RESIDENCE

Chapter 1

Criteria for allocation of places and accommodation

1. The Academic Staff Hall of Residence, hereinafter referred to as "ASHR" is intended for the temporary accommodation of research and teaching staff, teaching staff and research staff employed on at least a part-time basis as well as doctoral students of the full-time studies conducted by the University permanently residing at a distance that would make daily commuting impossible. Subject to items 7 and 8, the accommodation shall be provided for the period of work or studies at the University of Warsaw. The right to apply for a place at the ASHR shall arise upon taking the oath (doctoral student) or signing an employment contract (employee).

2. A place in the ASHR shall be allocated by the Rector of the University of Warsaw at the request of the Committee for the ASHR Accommodation appointed by him. The Committee is composed of the Chairperson and members who are representatives of the organisational units of the University of Warsaw and the Trade Unions.

3. The Committee shall apply for a place on the basis of an application approved by the organisational unit of the University of Warsaw in which the applicant is employed. During this process, both the University's staffing needs and the family and housing situation of the applicant are considered.

4. Priority in accommodation shall be given to doctoral students and academic staff employed in research and teaching positions, teaching positions and research positions.

5. In special cases, accommodation at ASHR may be granted to non-academic staff, provided they:

- have been employed at the UW for at least two years,
- have no legal title to any housing unit.

6. Persons listed in items 4 and 5 must submit an annual statement on their current housing and family situation. The Committee may request additional documents from the applicants.

7. In cases not covered by the Rules and Regulations, the Rector shall make individual decisions on accommodation and the fee amount at the request of the Committee for the ASHR Accommodation. In particular, the above-mentioned individual decisions may apply to the following cases:

- 1) the applicant is awaiting the conclusion or extension of their employment contract at the University of Warsaw (confirmation by the authorities of the applicant's employing unit is required) - full rent + VAT;

- 2) the applicant is employed on a less than a part-time basis – double rent +VAT;
- 3) the applicant's period of doctoral studies has expired, but he/she is awaiting the date of thesis defence (confirmation of the date of thesis defence by the Faculty authorities is required):
 - no longer than 6 months from the date of studies completion;
 - double rent + VAT;

Accommodation shall be granted for the period of one academic year but no longer than the period of the applicant's formal relationship with the University.

8. The maximum total period of residence in the ASHR may not exceed 6 years for doctoral students and no more than 6 years for employees, starting from the date on which the first rent agreement was concluded. A doctoral student who has completed their doctoral studies and has been employed at the University may have their period of residence extended for further years but for no more than six consecutive years. The Committee may, on reasonable grounds, request an extension of the accommodation, provided that in each subsequent year of the accommodation period, the rent rate shall be increased by 25% over the approved fee rate in effect for a given year. The rent rate cannot exceed 300% of the base rent fee + VAT. The first such rent increase shall take place in the academic year 2014/2015.

9. A person to whom the Rector, upon consultation with the Committee for the ASHR Accommodation, has granted the right to be accommodated in the ASHR, should confirm his/her intention to be accommodated within 30 days from the date of allocation of a place in the ASHR. Failure to respect this deadline shall result in the loss of the allocated place. The loss of the allocated place does not exclude the right to reacquire accommodation in the ASHR on a general basis. The responsibility for obtaining news about the allocation of a place in the ASHR lies with the person concerned.

10. Persons whose internship abroad or other justified circumstances make it impossible to accommodate on the date indicated in item 7 must inform the ASHR administrative employee in writing (by fax or email) about this, stating the planned date of moving in into the allocated accommodation. In such a case, the employee shall pay the fee for the period during which the place in the ASHR was reserved for them.

11. If the employee fails to accommodate in the allocated place and to submit a written notice, the Office for Personnel Social Benefits shall add this place to the pool of ASHR places designated for reallocation.

12. The use of the place in the ASHR in violation of the current Rules and Regulations (e.g., subrent of an allocated housing unit), shall result in deprivation of the right to occupy the premises.

13. Individuals who have not had their ASHR accommodation extended for the next academic year shall be obliged to vacate the premises in accordance with the agreed accommodation date. For the entire period of unlawful use of the premises, the above-mentioned persons shall be obliged to pay a fee for unlawful use in the amount of 300% of the basic rent fee plus VAT.

14. Simultaneously with concluding the rent agreement, the lessee shall submit to the ASHR administration a statement of having read the Rules and Regulations for the use of the Academic Staff Hall of Residence of the University of Warsaw in the version in force on the date of conclusion of the agreement.

15. In addition, a lessee who is an employee of the University of Warsaw shall submit to the ASHR a statement granting consent to deduct the rent under the rent agreement from his/her remuneration paid by the University of Warsaw. The statement must meet the conditions under Article 91 of the Labour Code. The statement granting consent to the rent deduction shall be immediately forwarded by the ASHR administration to the Office for Personnel Social Benefits and the Bursar's Office.

Chapter 2

Fees

1. Accommodation fees cover the ASHR maintenance costs. The amount of fees shall be based on a cost calculation and is approved by the University authorities.

2. The accommodation fee also covers fees for the renovation fund. The rate of fees for the renovation fund shall be approved by the University authorities upon consultation with the Council of Residents and shall be based on the renovation and modernisation needs of the facility.

3. The rent agreement shall specify the dates and method of payment of fees for the occupied premises, electricity consumed, and the interest for late payment.

Chapter 3

Council of Residents

1. The Council of Residents is a consultative body and represents the ASHR residents as a whole.

2. The composition of the Council of Residents shall be approved by the Rector upon presentation of the minutes of the elections with the list of voters. The Council of Residents shall be obliged to submit the document approved by the Rector to the Head of the ASHR.

3. The Chairperson of the Council of Residents shall announce the date of the Council of Residents' meeting to all the residents in the form of a written announcement three days before the scheduled Council meeting.

4. The Council of Residents, within the scope of its powers, may:

- 1) participate in meetings of the Committee for the ASHR Accommodation;
- 2) give their opinion on the amount of accommodation fees after reviewing the cost of living calculation prepared by the Head of the ASHR.
- 3) submit requests to the Head of the ASHR on matters relating to improving the operation of the facilities.

5. At the first ASHR residents' meeting dedicated to the elections, the outgoing Residents' Council shall present a report on its activities.

6. The scope of the Council's activities shall be determined by the Rules and Regulations of the Council of Residents.

Chapter 4

Rules and Regulations of the Council of Residents of the Academic Staff Hall of Residence of the University of Warsaw

1. The Council of Residents represents the interests of all ASHR residents.
2. The General Meeting of Residents comprises all ASHR residents who are the primary lessees of the housing units.
3. The Council of Residents shall be elected (and dismissed) by the General Meeting of Residents of the Academic Staff Hall of Residence for a period of two years by a simple majority in the presence of at least half of the members of the General Meeting. In the absence of the required quorum, the Council of Residents shall hold a supplementary election within two weeks (re-vote on the dismissal). In the event of a repeated absence of a quorum, an election by a simple majority (dismissal by a simple majority) shall be allowed.
4. The Council of Residents consists of a Chairperson and three members.
5. The Chairperson of the Council of Residents shall be elected by the Council of Residents from among its members.
6. Meetings of the Council of Residents are public.
7. The Council of Residents must keep the ASHR residents informed of its activities.
8. The Council of Residents shall have the right to submit proposals to the Rector concerning the financial burden of residents.

Chapter 5

General Provisions

1. The Rector, upon consultation with the Committee for the ASHR Accommodation, shall revoke the decision to allocate a place if:
 - 1) the lessee's employment has been terminated, the period of the lessee's doctoral studies has expired or the lessee has been removed from the list of doctoral students;
 - 2) the lessee or his/her spouse has a legal title to another housing unit in the city where the University seat is located;
 - 3) the lessee has seriously violated the House Rules;
 - 4) the lessee is in arrears with rent payments for more than two months;
 - 5) the lessee has subrented or sublet their housing unit to a third party without the University's consent.
2. A person who has lost the right to accommodation in the ASHR shall be obliged to vacate the occupied premises within 14 days without the right to be provided with substitute premises.
3. The manner of use of the ASHR is described in the House Rules approved by the Rector.