

## **FRAMEWORK REGULATION**

### **For Student dormitories of the Studierendenwerk Mainz student services organisation**

#### **§1 Student dormitory operation**

- (1) The Studierendenwerk Mainz student services organisation exclusively and directly pursues non-profit activities according to the German Fiscal Code (AO) section on tax-privileged entity due to its social, economic, health-related and cultural support services for students. Studierendenwerk Mainz fulfils the purpose of the Framework Regulation especially by establishing and administering student dormitories, the latter collectively referred to as “student dormitories” as a discrete commercial operation due to the close operational and financial interrelationships involved.
- (2) The operation of student dormitories is a special-purpose operation according to German Fiscal Code (AO). Studierendenwerk Mainz operates on a non-profit basis and pursues primarily charitable rather than commercial purposes. In particular, Studierendenwerk Mainz pursues its non-profit purpose by providing affordable student accommodation tailored to the specific requirements of training and studies in terms of time and organisation, and the provision of student-organised services in student dormitories.
- (3) Funds belonging to the operation may only be used for the purposes of the Framework Regulation. No person shall benefit from any expenditures unrelated to the purpose of the operation, nor shall any person benefit from disproportionately high remuneration.
- (4) Studierendenwerk Mainz shall administer the assets of this operation directly and exclusively for charitable non-profit purposes if the operation is wound up or closed down, or if its tax-privileged purpose ceases to apply.

#### **§2 Eligibility for accommodation, principles of admission**

- (1) Regular students are entitled to accommodation at the student dormitories operated by the Studierendenwerk Mainz student services organisation (hereinafter referred to as Studierendenwerk) as follows:
  - Students at Johannes Gutenberg University of Mainz
  - Students at Hochschule Mainz University of Applied Sciences
  - Students at Bingen Technical University of Applied SciencesStudents aged of 35 or over at commencement of the tenancy period are not eligible for accommodation. Tenancy agreements are concluded for the specific purpose of studying.

Participants from summer courses and similar programs at universities are eligible for accommodation according to a quota agreed in advance between Studierendenwerk management and the universities.

- (2) Priority shall be given to disabled students (at least 50 on the German disability grading scale) who are eligible for accommodation according to the above paragraph (1), first sentence; students particularly in need of support due to their verifiable economic, social, or personal situation; and first-semester students with parents living outside a geometric radius of 50 km from the respective university location. Students from foreign universities with exchange or scholarship programmes with Rhineland-Palatinate or the universities named in paragraph (1), first sentence, shall be given priority provided they meet the other provisions of (1), first sentence.
- (3) Studierendenwerk may conclude tenancy agreements with other persons to avoid vacancies in student dormitories where there are more dormitory places available than applicants according to (1), first sentence. The following order shall apply in allocating accommodation according to the first sentence above:
- Regular students at the universities according to §2 (1), first sentence, who have reached the age of 35 or over at commencement of tenancy or have exceeded the maximum tenancy period according to §4
  - Other regular students who have not yet reached the age of 35 at commencement of tenancy and enrolled at a higher education course recognised in the European Union
  - Other members of universities according to (1) or Studierendenwerk
  - Other persons

Non-students may only be granted accommodation in limited numbers not exceeding 10% of the respective capacity of the student dormitory. Any residents who are not regular students of the universities named in §2 (1), first sentence, but are in tenancy arrangements according to this paragraph shall also pay the social security contributions applicable in addition to regular rent for the semester.

### **§3 Application and allocation**

- (1) Applications for accommodation in the student dormitories may be submitted at any time and exclusively in digital form using the Studierendenwerk homepage.
- (2) The Student Accommodation Department processes applications and allocates accommodation centrally. Student Accommodation Management is correspondingly authorised to conclude tenancy agreements for Studierendenwerk student dormitories according to this Framework Regulation.
- (3) Any applicants who cannot initially be allocated accommodation shall be placed on a waiting list maintained by the Student Accommodation Department. Eligibility principles according to §2 shall be observed in creating and maintaining the above waiting list. The Student Accommodation Department may regularly ask applicants whether they are still interested in accommodation. The applicant shall be removed from the waiting list if no response is received within the time limit specified in the enquiry.

#### **§4 Duration of residence**

- (1) Residents of the student dormitories eligible for accommodation according to §2 (1), first sentence, shall not be permitted to reside in the student dormitories for longer than seven semesters in total including relocations between dormitories. This limitation on duration of residence may be waived for students with severe disabilities; cf. §4 (1), second sentence, at least 80 on the German disability grading scale.
- (2) Duration of residence for tenancy arrangements according to §2 (1), third sentence, shall depend on the specific agreement concluded and shall not exceed two months.
- (3) The duration of tenancy according to §2 (3) shall be limited to one semester. Tenancy periods may only be extended semester-by-semester if the accommodation is not required for persons eligible for accommodation according to §2 (1), first sentence. Student Accommodation Management or their representatives shall decide on any extension, taking prioritisation into account as set out in §2 (3). There shall be no legal entitlement to an extension.

#### **§5 Extensions**

- (1) The duration of residence may be extended by up to four semesters for residents eligible for accommodation according to §2 (1), first sentence, if any of the following conditions apply:
  1. The resident has been active as a house representative or in a working group according to §10 (5) or dormitory tutoring team, and the Student Accommodation Department has verified this commitment
  2. The resident has been active as a student representative on the Board of Administration or as a member of one of the committees of the student body as named according to the Rhineland-Palatinate University Act (LHschG), and the committee has verified this commitment

This duration of this voluntary activity must be at least two semesters with each semester giving rise to the right to one extension semester.

- (2) In addition to (1), the period of residence may be extended for students eligible for accommodation according to §2 (1), first sentence, in the following cases:
  1. A student has a documented disability of at least 50 on the German disability grading scale
  2. A student is dependent on an extension of their residence period due to the student's verifiable economic, social, or personal situation
  3. Students due to become or have become parents with custody by the time of reaching the maximum period of residence
  4. Students about to complete their studies

An extension according to 1. and 2. shall be limited to a maximum total of four semesters. An extension according to 3. shall be limited to a maximum total of two semesters. The extension according to 4. shall be limited to the examination period provided for in the respective examination and regulations in the respective study programme.

- (3) Applications for extensions to the maximum period of residence shall be submitted in good time, and at least three months before the end of the tenancy agreement. Applications shall include documentation justifying the extension and proper participation in the study programme. A certificate from the respective lecturer shall usually suffice to confirm participation in the study programme. Lecturers authorised to sign such confirmations are appointed by each faculty.

A current certificate issued by Johannes Gutenberg University of Mainz or universities confirming study and examination performance shall be accepted if securing the documentation in the above form proves impossible. An extension shall not be granted if the student is no longer properly participating in the study programme or cannot provide the required documentation.

- (4) The extensions committee (§6) shall decide on cases referred to in (2), No. 2. Student Accommodation Management shall otherwise make the decision.
- (5) The resident may appeal against a rejected application to extend the maximum residence period. The Extension Committee acting as the appeals committee shall decide on the appeal failing prior resolution. Student Accommodation Management shall decide on any appeals against decisions made by the Extension Committee according to (2), second sentence.

## **§6 Extension Committee**

- (1) Members of the Extension Committee are as follows:
  1. The President of the Dormitory Council
  2. One member of the Student Administration Council
  3. Three dormitory representatives appointed by the Dormitory Council

The head of the Student Accommodation Department or his/her appointed representative shall manage the affairs of the Extension Committee and participate in meetings in an advisory capacity. Meetings may be held by attendance in person or by video conference. Extraordinary meetings may be held in cases of particular urgency. A notice period of at least 72 hours shall be given for extraordinary meetings.

- (2) Resolutions shall be passed by a majority of members present. The Dormitory Council President's vote shall prevail in the case of a tie.

## **§7 Dormitory administration**

Studierendenwerk is authorised to agree quotas for certain resident categories such as participants in certain degree or summer course programmes at the universities from the universities named in §2 (1), first sentence, especially for promoting or supporting members and employees of the universities or individual university sites. Free vacancies in the quota shall be allocated according to the criteria set out in the respective quota agreement between Studierendenwerk and the university.

## **§8 Administration and financial management**

- (1) Studierendenwerk Mainz shall be responsible for administration and financial management of the student dormitories. Studierendenwerk shall provide rooms and facilities as required for community activities and student self-government free of charge as far as the structural conditions of the dormitory allow, and maintain and renew such facilities.
- (2) The competent bodies in student self-government shall maintain house order in the student dormitories in their own responsibility. Student self-government shall promote the peaceful coexistence of all residents by applying an inclusive approach.

An inclusive approach especially excludes sexist, racist, xenophobic, fascist, nationalist, anti-Semitic, homophobic, or transphobic content.

- (3) Controlling bodies of student self-government are:
1. The Dormitory Council
  2. The Dormitory General Meeting
  3. House Representatives

## **§9 Dormitory Council**

- (1) The Dormitory Council represents the interests of all residents of the dormitory towards Management and the Board of Administration of Studierendenwerk Mainz.  
The Council acts as a communications forum for house representatives from individual student dormitories.
- (2) The Dormitory Council shall set its own Rules of Procedure.
- (3) The Dormitory Council shall elect a President and Deputy.
- (4) The head of Studierendenwerk Mainz and the head of the Student Accommodation Department shall hold a meeting with the Dormitory Council President and brief the President on the general development of the entire dormitory situation at least once a semester at the beginning of that semester. Minutes of the semester briefing shall be taken, and the main results of the briefing recorded. The Dormitory Council President and head of the Studierendenwerk Mainz shall sign and exchange copies of the minutes.

## **§10 Dormitory General Meeting and House Representatives**

- (1) The Dormitory General Meeting comprises the residents of the respective dormitory.
- (2) The Dormitory General Meeting elects house representatives from among its members for one year and ratifies their performance each semester. The House Representative represents the interests of the residents in the respective student dormitory.
- (3) The maximum number of house representatives in each dormitory is determined as follows:
- |               |               |            |
|---------------|---------------|------------|
| Bingen        | 85 residents  | 7 members  |
| Münchfeld     | 100 residents | 7 members  |
| Oberstadt     | 294 residents | 9 members  |
| Binger Schlag | 396 residents | 13 members |
| Wallstraße    | 437 residents | 13 members |
| Hechtsheim    | 400 residents | 13 members |
| Weisenau      | 500 residents | 14 members |
| K3            | 513 residents | 14 members |
| Inter II      | 543 residents | 14 members |
| Kisselberg    | 792 residents | 18 members |
- (4) Each dormitory amongst the student dormitories of Studierendenwerk Mainz shall adopt a House Regulation including Rules of Procedure based in the Framework Regulation.

This shall regulate in detail the powers of the Dormitory General Meeting, House Representatives, and working groups; cf. (5).

- (5) Dormitories may establish working groups for specific responsibilities such as internet, dormitory bar, and similar services in consultation with the Student Accommodation Management or its appointed representative. The number of members in the working groups shall be determined according to the situation of the respective dormitory. Members of working group shall be appointed at the beginning of each semester for the entire semester.
- (6) The House Representatives and working groups shall be nominated in writing to Student Accommodation Management or its appointed representative. Members actively performing the duties associated with membership shall receive a corresponding certificate of activity from Studierendenwerk at the end of each semester.
- (7) Student Accommodation Management or its appointed representative shall meet with the House Representatives of each dormitory to brief them on general developments in the respective dormitory; §9 (4) shall apply accordingly.
- (8) Studierendenwerk shall on request provide budget and annual financial statements of the respective dormitory to the House Representatives and, if necessary, discuss these statements with the respective House Representatives. If a satisfactory resolution cannot be reached, the House Representatives may appeal to the Board of Administration on behalf of the tenants they represent. Studierendenwerk shall inform the House Representatives of the option named in the first sentence every year in July by e-mail to the e-mail addresses given to Studierendenwerk.
- (9) Circumstances permitting, the House Representatives shall be informed of any measures affecting a dormitory as a whole or a major proportion of its residents such as construction projects, redecoration, or alternative use or sale of residence areas before a final decision is reached by Management or Board of Administration. The House Representatives may also issue a statement on the matter.

## **§11 Commercial tenancy**

- (1) Rooms and areas in the individual dormitories unsuitable for residential or communal purposes may be used for commercial purposes. Management or Student Accommodation Management shall decide on this matter after a hearing with the respective House Representatives.
- (2) The matter shall be passed on to the Board of Administration for a decision if the House Representative objects to planned commercial use.
- (3) The rental income from directional antenna placement or similar shall be used in advance to offset the operating costs specifically related to or determined for the rented space by unit area in the dormitory bill. Any rental amounts exceeding this amount shall be credited to a joint contingency fund and used for necessary expenses in dormitories in need. Student Accommodation Management shall submit an annual report to the Dormitory Council President on the use of these funds.

## **§12**

### **Rules of the House and enforcement**

- (1) Student Accommodation Management shall be responsible for enforcing the Rules of the House in student dormitories. Student Accommodation Management may also delegate this responsibility to subordinate staff of Studierendenwerk.
- (2) The respective on-call service staff shall be responsible for enforcing the Rules of the House outside regular office hours.  
The House Representatives shall enforce the Rules of the House in case of imminent danger. The on-call service staff or Student Accommodation Management shall be informed immediately of any measures taken towards enforcing the Rules of the House.
- (3) Management may in consultation with the respective House Representatives take the following action in the event of a violation of the Rules of the House:
  - Written warning
  - Threat of immediate termination of the Tenancy Agreement for cause
  - Immediate termination of the Tenancy Agreement for cause

## **§13**

### **Commencement**

This Framework Regulation comes into force on 1 August 2023 and replaces the previous Framework Regulation for the student dormitories of Studierendenwerk Mainz from 7 October 2021 as well as the Administrative Regulation according to §2 (3) of the Framework Regulation for student dormitories of Studierendenwerk Mainz from 28 June 2018. This Framework Regulation is announced by publication on the homepage of Studierendenwerk and by permanent display in the dormitories.

Mainz, 10 July 2023

/Signature/  
Univ.-Prof. Dr. Roland Euler  
(Chair of the Board of Administration of Studierendenwerk Mainz)