

# **ONE STRIKE AND YOU'RE OUT POLICY SNYDER COUNTY HOUSING AUTHORITY**

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The Snyder County Housing Authority recognizes that the "One Strike and You're Out" policy for public housing residents, as referenced in HUD Notices PIH 96-16 and PIH 96-27 mandates the development and enforcement of stricter screening and eviction as part of the anti-drug and anti-crime initiatives. The basic philosophy of this Policy is **DRUG-RELATED OR VIOLENT CRIMINAL ACTIVITY WILL NOT BE TOLERATED ON OR OFF ANY SNYDER COUNTY HOUSING AUTHORITY PROPERTY.**

By Resolution 97-06, adopted February 12, 1997, the Snyder County Housing Authority expressed its commitment to eliminating drug activity in its development and to providing security to all residents. The Housing Authority is dedicated to working with residents to provide a drug-free secure living environment.

This Policy is consistent with the Department of Housing and Urban Development determination to take every reasonable step to promote safer public housing as directed in the "One Strike and You're Out" Policy announced by President Clinton on March 28, 1996.

## **I. GENERAL PRINCIPLES**

*--All individuals have the right to live in peace and be free from fear, intimidation and abuse.* Public housing residents have the same rights as all other Americans to live peacefully and decently. The elderly should not be afraid to go for walks in their own neighborhoods. Families should be able to raise their children in safe, promising communities where children can play, learn and grow without persistent threat.

*--Because of the extraordinary demand for affordable rental housing, public and assisted housing should be awarded to responsible individuals.* Some have expressed concerns about evicting criminals from public housing for fear that such individuals or their families will have no where to go. At a time when the shrinking supply of affordable housing is not keeping pace with the number of Americans who need it, it is reasonable to allocate scarce resources to those who play by the rules. There are many eligible, law-abiding families who are waiting to live in public and assisted housing and who would readily replace evicted tenants. By refusing to evict or screen out problem tenants, we are unjustly denying responsible and deserving low-income families access to housing and are jeopardizing the community and safety of existing residents who abide by the terms of their lease.

*--Applicants and current residents of public housing must be protected from discrimination and violation of their right to privacy.* It is critical to the credibility and success of the One Strike programs that PHAs comply with all civil rights, fair housing and privacy laws at both the screening and eviction stages. Tenant selection and lease enforcement must not infringe upon an individual's right to privacy and must not discriminate based on race, color, nationality, religion, sex, familial status, disability, or membership to groups or categories protected under such law.

*--Active community and governmental involvement in implementing this policy is fundamental to its success.* An effective One Strike policy is one that is tailored to local needs and circumstances and has the active support and participation of the community. Therefore, the Housing Authority seeks the cooperation of residents, law enforcement officials, and the courts in designing and carrying out their One Strike programs.

## II. ***RESIDENT INVOLVEMENT***

Residents are encouraged to report immediately to the police any illegal activity that they are aware of and to notify the Authority. Resident awareness and prompt reporting to the police of any concerns will help fight drugs at the site and help maintain security.

## III. ***ENFORCEMENT OF POLICY***

The Housing Authority is given authority to deny occupancy on the basis of illegal drug-related activities as well as alcohol abuse (when such abuse leads to behavior that threatens the health, safety or peaceful enjoyment of the premises by other residents).

All residents are informed that any illegal activity may be cause for termination of tenancy. Any criminal activity that threatens the health, safety, or right of peaceful enjoyment of the premises by other residents or any drug-related criminal activity on or off the housing site, engaged in by residents, their household members or any guest under the residents control shall be cause for termination.

The Housing Authority may evict an entire family for the conduct of one of the household members or of a guest of the household member that violates the Lease, but also in its discretion, may determine whether or not to evict based on the particular circumstances of each case. In addition, the Housing Authority may condition the tenancy of any household member who has not been evicted upon the requirement that the wrongdoers no longer reside in the unit, or the Housing Authority may also require a family member to present evidence of successful completion of a treatment program as a condition of continued tenancy.

The Housing Authority may proceed with a civil eviction for criminal activity by family members or guests regardless of whether a criminal prosecution has commenced or completed, and regardless of the state of any criminal proceeding.

**IV. DEFINITION OF TERMS**

Drug-Related Criminal Activity: The illegal manufacture, sell, distribution, use, or possession with intent to manufacture, sell, distribute, or use, of a controlled substance.

Guest: A tenant will be held responsible for the criminal activity of a guest and will be evicted. A guest is defined as a person in the unit with the consent of a household member and the tenant does not prevent the invitation or the crime.

Tenant: A tenant is defined as an adult who resides in the dwelling unit and either signed the Lease or is the remaining head of household.

**ACKNOWLEDGEMENT:**

I acknowledge the above “One Strike and You’re Out Policy” was explained to me prior to my occupancy/ at the implementation of the policy.

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Tenant Signature

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Tenant Signature

\_\_\_\_\_  
Tenant Signature

\_\_\_\_\_  
Date