

**HANNIBAL HOUSING AUTHORITY
ONE STRIKE AND YOU'RE OUT POLICY**

The provisions of this policy are applicable to all applicants and/or persons residing within housing units administered by the Hannibal Housing Authority.

1. One Strike and You're Out:

(Re: Occupancy Provisions of the Housing Opportunity Program Extension Act of 1996)
By aggressively rooting out criminals the One Strike and You're Out provisions will help to free Authority residents from daily threats, build communities that are safer and drug-free, support parents in their efforts to instill the values of hard work, personal responsibility, and good citizenship. Create an environment where young people, especially children, can live, learn, and grow up to be productive and responsible citizens. Also to ensure that residents can peruse the work and educational opportunities necessary to lift themselves out of public housing and attain self-sufficiency; and encourage business to invest in these distresses areas.

The two provisions of the "One Strike" policy include strict admissions requirements and screening procedures. Screening procedures are described in the applicable program admission policies. The second provision of the "One Strike" policy includes enforcement by eviction. These provisions include "Zero Tolerance" for specific crimes and/or violations to the lease. Especially crimes or violations involving drugs, gangs, or alcohol abuse.

Activities that threaten the health, safety, or peaceful enjoyment of the premises by other tenants include, but are not limited to:

- a. Violent criminal activity
- b. Drug or alcohol related activity
- c. Domestic Violence
- d. Vandalism
- e. Crimes against children
- f. Sex related crimes
- g. Gang related activity

The Authority will be sensitive to the needs of civilian and resident witnesses.

2. Notice of Termination:

The authority will issue a three-day notice for termination of the lease for drug-related activity on or off of the premises, which shall include a notification to the tenant of the opportunity to a due process hearing and to examine documents.

Evictions are civil and not criminal matters. In order for the Authority to evict a tenant, a criminal conviction or arrest is not necessary, and the authority need not meet the criminal standard or “proof beyond a reasonable doubt” in eviction proceedings. Criminal activity is cause for eviction even in the absence of conviction or arrest.

The authority will provide a notice and opportunity for a due process determination/hearing. Prior to a hearing the tenant(s) will be provided an opportunity to examine documents, records, or regulations related to the termination or eviction. This includes criminal conviction records that are the bases for the terminations or evictions. “One Strike” evictions are not handled through the ordinary administrative grievance procedures and are handled entirely through the state court system.

3. Prohibition Against Drug Related Criminal Activity:

Any drug related criminal activity on or off the premises, engaged in by a housing tenant, any member of the tenant’s household, or any guest or other person under the tenant’s control, shall be cause for termination of the Lease Agreement. “Drug related criminal activity” shall mean the illegal manufacture, sell, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance, as defined by 21 USC 802. In the alternative, the Authority may require that the tenant attend a mandatory lease violation meeting to develop a written plan which adequately protects other Authority tenants in the area, and their families, from exposure to drugs by the drug offender, which may include a plan requiring the offender to vacate the unit until he/she and/or significant family members secure counseling and/or treatment for controlled substance dependency. The Authority may utilize the “One Strike” provision for any drug related criminal activity.