

# Pleasanton Housing Authority

902 Palm St.  
Po Box 425  
Pleasanton Ks 66075

Ptownhudks.org



(913) 352-6289  
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## One strike Policy

Updated 2.10.2025

Res. No. 691

Same rules as the One Strike Policy in everyone's lease. It has been shortened and re-worded to make it easier to understand.

30 Day comment period beginning 3.1.2025

Effective 4.1.2025

The Pleasanton Housing Authority adopted the One Strike Policy pursuant to HUD's policy to ensure that those who engage in illegal drugs, violent crime, and/or a history of criminal activity are not allowed to live in subsidized housing and thus endanger the well-being of other residents.

### 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 neighborhoods. Families should be able to raise their children in safe communities where children can play, learn, and grow without persistent threats.
- **Because of the extraordinary demand for affordable housing, public and assisted housing should be awarded to responsible individuals.** 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. Many eligible, law-abiding families are waiting for public housing. By refusing to evict or screen out problem residents, we are unjustly denying access to housing to responsible and deserving low-income families and jeopardizing our community.

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### Applicants

PHAs will screen applicants and the applicant's household members who are 18 years of age or older for involvement in certain illegal drug-related activities, violent crimes, or a history of such crimes before the applicant is placed on a waiting list.

PHA will review police and court records, payment histories, and landlord references and check with probation/parole officers and local social service providers. PHA will work in cooperation with local, state, and federal law enforcement officials and courts to gain access to potential residents' criminal records to the full extent permitted by law.

### Ineligible for admission to Public Housing as follows:

- Criminal activity for 5 years from last arrest, conviction, or 5 years from completion of sentence or probation.
- Three years for drug-related activity from the last arrest, or conviction, or three years from completion of sentence or probation.

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## **Lifetime bans from Housing Assistance per HUD**

- Meth manufacturing, sale, distribution, use, or possession on the premises of federally assisted housing
  - Registered lifetime and less-than-lifetime sex offenders.
  - Persons convicted of other violent criminal charges, including murder and manslaughter
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## **Residents**

It is the resident's affirmative obligation to assure that neither they nor any member of their household or guests or other persons under their control will engage in prohibited criminal activities. Under the One Strike Policy, the household will be evicted if the resident, any member of the resident's household, or guest engages in prohibited criminal activity (exceptions may apply.)

Evictions and termination of housing assistance are civil, not criminal matters. Criminal activity is cause for eviction even in the absence of arrest or conviction. PHA is not required to meet the criminal standard of "proof beyond a reasonable doubt."

## **Criminal Activity**

Any criminal activity is grounds for eviction if it threatens health, safety, or the right to the peaceful enjoyment of the premises by other residents and the HA project.

Criminal activity whether it occurs on or off HUD property includes but is not limited to:

- Drug-related criminal activity occurring on or off the premises
  - Use, manufacture, sale, or distribution of an illegal drug, or
  - Possession of a drug with intent to use, manufacture, sell, or distribute [24 CFR 5.100]
- Illegal use or threat of illegal use of a firearm or another weapon
- Violent criminal activity, any criminal activity with use, attempted use, or threatened use of physical force is substantial enough to cause or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
- Criminal activity that may threaten the health, safety, or welfare of other tenants [24 CFR 960.203(c)(3)]
- Criminal activity that may threaten the health or safety of PHA staff, contractors, subcontractors, or agents.
- Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse.
- Alcohol abuse or pattern of abuse, if it interferes with the health, safety, or the rights to peaceful enjoyment of the premises by other residents and the project. PHAs may consider evidence of rehabilitation.
- Repeated violations causing police to be called to a unit. Calls include but are not limited to residents, residents' household members and residents' guests invited, or non-invited

## **Exceptions based on a case-by-case basis**

To protect the health, safety, and welfare of the public housing community, eviction of the entire household may be appropriate when a household member or guest commits a crime in violation of the One Strike Policy.

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However alternative approaches may be appropriate such as allowing a household to remain in occupancy on the condition that the offending member moves and agrees not to return. PHAs may obtain a no-trespass order to keep former residents off the premises. The remaining residents will be informed that the household can be subject to eviction if the individual comes back.

## **Eviction Due to Criminal Activity**

In the case of eviction, a notice will be given to the resident. In Kansas, PHAs need not handle criminal activity evictions through ordinary administrative grievance procedures, therefore they will be heard through the court system which provides the required elements of due process. PHA will be prepared to prove in court that a resident has violated his or her lease.

Upon written request, the resident can request to examine any relevant documents, records, or regulations directly related to the termination or eviction. This includes criminal conviction records that are the basis for termination or eviction. If the resident requests to take the file with them they will be subject to the "Request for Files" charge per the current Schedule of Charges.

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## **Resident Acknowledgement of Policy**

Unit no. \_\_\_\_\_

Resident Name \_\_\_\_\_

By signing below, you acknowledge that you understand that if you, any household member or guests, or other people under my household's control violate the One Strike Policy, the Pleasanton Housing Authority will have the right to terminate your lease and evict you and your household members.

_____	_____
Head of Household	Date
_____	_____
Household Member	Date
_____	_____
Household Member	Date
_____	_____
Household Member	Date
_____	_____
Household Member	Date
_____	_____
PHA Staff	Date