

## SAULT STE. MARIE HOUSING COMMISSION

# **RESIDENT ANTI-DRUG, ANTI-CRIME AND SECURITY POLICY**

It is the policy of the Sault Ste. Marie Housing Commission to maintain crime and drug-free sites and to support federal, state and local laws that prohibit the manufacture, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance and to maintain sites that have good lighting and security to avert future criminal activity. Riverview Terrace and Arlington Towne Apartments have security systems that prevent entry by unauthorized persons along with security camera systems.

Any resident, member of their household, guest or other person under the resident's control found engaging in criminal activity that impairs the physical or social environment of the project, including drug-related criminal activity, on or off the premises, while the resident is a tenant in public housing, shall be cause for termination of tenancy. The term "drug related activity" means the illegal manufacture, sale, distribution, use, **possession**, or possession with intent to manufacture, sell, distribute, or use a controlled substance, as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802) which includes Marijuana, medical or otherwise.

Notwithstanding any other provision of law, the Sault Ste. Marie Housing Commission establishes standards for occupancy in public housing dwelling units that:

1. **Permanently prohibits occupancy in any public housing dwelling unit by, and assistance under Section 8 for, any person who has been convicted of manufacturing, selling, distributing, possession of, or use, or otherwise producing methamphetamine on any premises in violation of any Federal or State law; and**
2. Immediately and permanently terminate the tenancy in any public housing unit of, and the assistance under Section 8 for, **any person who has been convicted of manufacturing, selling, distributing, possession of, or use, or otherwise producing methamphetamine on any premises** in violation of any Federal or State law.

Any resident, member of their household, guest or other person under the resident's control found engaging in alcohol abuse, or pattern of alcohol abuse, that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or Housing Commission employees, including contract workers, will have their tenancy terminated.

Any resident or member of their household fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor or violating a condition of probation or parole imposed under Federal or State law are grounds for tenancy termination and eviction of the household.

Sex offenders have a lifetime prohibition against receiving assistance through the public housing program if required to have ever had to registrar under a State sex offender registration program.

A tenancy can be terminated and the household evicted when the tenant, any member of the tenant's household, guest or other person under the tenant's control engages in the prohibited criminal activity, drug related criminal activity, or alcohol abuse.

Evictions are civil, not criminal matters. **To terminate a lease and evict a tenant, a criminal conviction or arrest is not necessary and the Housing Commission need not meet the criminal standard of "proof beyond a reasonable doubt" in eviction proceedings. Criminal**

**activity is cause for eviction even in the absence of conviction or arrest. The tenant is not entitled to a grievance hearing in evictions arising from criminal activity, including drug related criminal activity.**

Any drug related or criminal activity will be treated as a serious violation of the material terms of the lease. **The Sault Ste. Marie Housing Commission has a zero tolerance policy with respect to violations of lease terms regarding criminal and illegal drug activity WHICH INCLUDES MARIJUANA, MEDICAL OR OTHERWISE.**

The Sault Ste. Marie Housing Commission will work with the community, residents and agencies, including law enforcement agencies, to keep public housing crime and drug free and to develop a strategy should a drug problem occur. Part of the strategy would be to seek grants to provide education or other assistance to residents.

Prepared and amended in accordance with the Occupancy Provisions of the Housing Opportunity Program Extension Act of 1996, HUD Notice PIH 96-27(HA), H.R. 4194 and 24 CFR Parts 5, et al, effective June 25, 2001 and February 10, 2011 regarding Medical Marijuana

The Sault Ste. Marie Housing Commission will work with the community, residents and agencies, including law enforcement agencies, to keep public housing crime and drug free and to develop a strategy should a drug problem occur. Part of the strategy would be to seek grants to provide education or other assistance to residents.

\_\_\_\_\_  
Resident Signature

\_\_\_\_\_  
Resident Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Prepared and amended in accordance with the Occupancy Provisions of the Housing Opportunity Program Extension Act of 1996, HUD Notice PIH 96-27(HA), H.R. 4194 and 24 CFR Parts 5, et al, effective June 25, 2001.

Adopted at a regular meeting held December 13, 2011

**Revised February 2022**