

# **ADDENDUM 1 TO DWELLING LEASE**

## **POLICY GOVERNING ENTRANCE TO PROPERTY OF THE HOUSING AUTHORITY OF THE CITY OF HIGH POINT**

### **1. PURPOSE**

To assure a safe, secure, sanitary environment; free from disturbance, violence, and threats in compliance with 24 CFR 966.55 and all other applicable federal regulations.

### **2. RULES**

Entrance to Property of the Housing Authority of the City of High Point (PHA) is restricted to PHA residents and authorized guests. Any individual who has committed crimes or other acts, which constitute a threat to the health, safety, or general welfare of the residents of PHA communities, shall be prohibited from entering PHA property and shall be considered trespassing. All identified trespassers' names shall be placed on a PHA Trespasser List and PHA residents shall be required to take all reasonable steps to exclude the named trespassers from the residents' homes and PHA apartment complex pursuant to these rules and the parties' lease. The criteria for establishing a PHA Trespasser List shall be governed under these rules as follows:

### **3. CRITERIA**

- A. Individuals who have committed crimes or other acts which constitute a threat to the health, safety, or general welfare of the residents of the PHA communities will be identified as a Trespasser by the PHA management staff and the High Point Police Department (HPPD) Housing Authority Officers.
- B. A "No Trespass Notice" will be issued to each individual identified as a trespasser. The verbal or written notice will serve as notice to the individual not to enter or trespass on PHA property in the future.
- C. Former PHA residents who have been evicted for criminal offenses that threaten the health, safety, and peaceful enjoyment of other residents shall be issued a "No Trespass Notice" in writing by the PHA Management Staff and High Point Police Department (HPPD) Housing Authority Officers.

- D. If the individual is a juvenile, a “No Trespass Notice” will be issued to the juvenile’s parent or legal guardian.
- E. Each individual who has been issued a “No Trespass Notice” shall be placed on the Trespasser List and shall be provided with a Right to Appeal Notice.
- F. Residents must take all reasonable steps to exclude persons named as trespassers from the residents’ homes and the PHA apartment complex as required by the Policy Governing Entrance to Property of the Housing Authority of the City of High Point and the lease agreement between the resident and the PHA. Such reasonable steps require the resident to notify the PHA and/or police in the event a trespasser is seen on or about the resident’s home or the PHA property. A resident’s failure to follow these rules is grounds for termination of the lease and eviction of the tenant.

#### **4. APPEALS PROCESS**

Either the named “trespasser” or any resident can appeal from a determination that a person is a trespasser. If an individual desires to appeal the issuance of a “No Trespass Notice” or desires to be removed from the Trespasser List, an appeals application must be filed with the PHA as follows:

- A. Submit an appeals application to the Vice-President of Asset Management /Operations or his/her designee, Housing Authority of the City of High Point, 500 East Russell Avenue, High Point, NC 27260. An applicant must also provide a current criminal record check from HPPD and a report from Probation or Parole Officer, if applicable.
- B. In extenuating circumstances and for good cause shown, the Vice-President of Asset Management /Operations or his/her designee may permit a named trespasser to visit a resident under certain restrictive conditions. Such extenuating circumstances may include (but are not limited to) the following: visiting a sick parent that is a PHA resident or visiting the trespasser’s child. Conditions placed on the visitation may include (but are not limited to) the following: visiting only during business hours, checking in and out with the property manager, checking in and out with the police. Failure to abide by such restrictions subjects the trespasser to arrest and the resident to eviction. The decision to permit this restrictive visitation is in the sole discretion of PHA.
- C. An appeals panel will review each appeals application. The appeals panel will consist of three (3) individuals, a police officer, a resident council president, and another person designated by the Director of Management. The panel

will review each application and supporting documents and will make a recommendation to the PHA Chief Executive Officer. The Chief Executive Officer's decision is final.

- D. If an applicant has committed a criminal offense, he/she must wait the appropriate length of time with a clear criminal record after the probationary period, parole, or community service period has ended. A list of offenses and waiting periods are as follows:

<u>Offense</u>	<u>Waiting Period</u>
Drug Possession	3 years
Drug Possession with Intent to Sell	3 years
Violent Felonies/Felony Weapon Violation	3 years
Misdemeanor Assault	1 year
Trespassing	1 year
Other Misdemeanor (on PHA property) Or Non-Violent Felonies	1 year
Lifetime Registration Sex Offender	Lifetime
Manufacture/ production of methamphetamine on the premises of federally assisted housing	Lifetime

- E. The Vice-President of Asset Management /Operations or his/her designee will render a written decision on all appeals applications and forward the decision to each applicant. The PHA will maintain a copy of all decisions.

If an appeals decision results in a reversal, the applicant's name will be removed from the Trespasser List.