

# **RALEIGH HOUSING AUTHORITY PUBLIC HOUSING TRESPASS POLICY**

## **RHA'S MISSION**

It is the Raleigh Housing Authority's ("RHA") mission to provide safe, quality, affordable housing to low and moderate income families in the greater Raleigh community, and to promote personal responsibility and self-sufficiency of residents while maintaining the fiscal integrity of the agency.

## **INTRODUCTION OF POLICY**

Entrance to RHA's public housing property is restricted to RHA residents, household members, authorized guests, and visitors entering with resident permission, as well as RHA staff, agents, Board of Directors or other representatives carrying out business with RHA or its residents. RHA retains the right to refuse entrance or access to its property by any persons who violate the Lease agreement, engage in conduct or/and activities that threaten the well-being and the lives of its residents, staff, agents, or Board of Directors, or impede RHA from fulfilling its mission.

This trespass policy is maintained by RHA at its own discretion and in accordance with HUD regulations and guidance. Criteria for considering individuals as unauthorized is consistent with the current Admissions and Continued Occupancy policy.

## **UNAUTHORIZED PERSONS**

Residents, agents, or others should notify Management staff any time they observe an individual they suspect is not authorized to be on-site. In the event that an individual is not authorized to be on the property, RHA and/or its agents will seek to remove the individual from the property with as minimal force as possible. If an unauthorized person cooperates and leaves, no further actions will be warranted. If an unauthorized person does not immediately leave the property, they will be subject to criminal trespassing by the local police department.

Individuals that must be removed from the property may be added to the Agency's trespass list and banned from future visits to any RHA owned or managed properties according to this policy. In accordance with the Lease, residents and all household members shall not allow trespassed individuals who have been banned entry to the property.

Residents are responsible for the behavior of all visitors and guests, and are responsible to conduct themselves in accordance with their lease agreement and all applicable laws. RHA can request notification from residents that a visitor is expected or can seek resident approval of a visitor's presence at the time the visitor enters the property. If RHA is unable to confirm the approval of a visitor, the visitor may be required to leave the property.

## **RHA TRESPASS LIST**

RHA keeps a list of individuals and identifying information of those who have currently or previously been banned from entering its property. This list is updated periodically and

used for administrative functions including applicant and resident screening. Trespass status will be kept intact as deemed necessary by staff for at least the following time periods, or until the trespass is overturned through an appeal:

#### One Year

- Trespassed for disturbing resident's right peaceful enjoyment of the premises including an abuse of alcohol or illegal substances.
- Have at any time displayed abusive, harassing or violent behavior towards any RHA residents, staff, agents, or Board of Directors.

#### Five Years

- Trespassed for or convicted of destruction of resident or RHA owned property.
- Convicted of a misdemeanor for violent, drug related activity, or sexual misconduct that threaten the health, safety, or welfare of any residents, staff, agents, or Board of Directors.

#### Seven Years

- Convicted of a felony for violent, drug related activity, or sexual misconduct that threaten the health, safety, or welfare of any residents, staff, agents or Board of Directors.
- Convicted of domestic violence, dating violence, sexual assault, or stalking against any residents, staff, agents, or Board of Directors.

#### Life

- Conviction for drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing.
- Subject to a lifetime registration requirement under a state sex offender registration program.
- Convicted of voluntary manslaughter or murder.

### **TRESPASS APPEALS**

An individual may request their trespass status be appealed. In order to begin the appeal process, a request must be submitted in writing to RHA. Staff will review the request and provide its determination in writing to the requestor. Should the requestor further dispute this determination, then a formal hearing will be scheduled with RHA's Hearing Officer. The determination of the Hearing Officer will be final and no further appeals will be granted.

Factors that will be considered in appealing the ban may include, but are not limited to:

- Seriousness of the trespass offense.
- Length of time and number of violations.
- Successful completion of a supervised drug or alcohol rehabilitation program.
- Effect of the trespass on a resident family.
- Any other relevant factor as set forth by RHA and/or residents.