

# Northern Ponca Housing Authority

## Zero Tolerance

The following applies to *ALL* programs

### Criminal Activity

- A. Clients, any member of the client's household, guest or other person under the client's control, shall **NOT** engage in criminal activity, including drug-related criminal activity.

### Drug Use

- A. Clients are **NOT** allowed to use or possess illegal drugs.
- B. Clients found to be using or possessing illegal drugs, within Northern Ponca Housing Department managed dwelling units or on the grounds of NPHA managed units are subject to **IMMEDIATE** Termination of their Rental Lease/ Homebuyer (MHOA) Agreement and Eviction proceedings.
- C. It is **NOT** the policy of the NPHA to wait for Criminal Convictions related to drug use/ possession before Termination/Eviction actions are started. "**Reasonable proof**" that illegal drugs/drug paraphernalia were found in the dwelling unit or on the property is sufficient to move forward with **IMMEDIATE** Termination of the Rental Lease/Homebuyer (MHOA) Agreement and Eviction proceedings. For the purposes of this policy, **Reasonable Proof** can be established when one or more for the following can be established.
  - 1) A law enforcement agency enters a dwelling unit, because:
    - a) They received an anonymous tip about drugs being in the unit and proof of that fact was later borne out by a police search.
    - b) A referral from the NPHA staff (i.e., Maintenance) to law enforcement agency that they observed drugs in a unit and proof of that was later borne out by during the police search.
    - c) Law enforcement agencies have had an on-going surveillance operation and confirmed that the unit was being used for illegal drug activity (i.e., buying,

selling use) and Search Warrant was executed and the unit searched by police.

2). A law enforcement agency has conducted a " *field test*" on the suspected drugs, at the dwelling unit and they determined that drugs were present in the unit.

3) A search of the dwelling unit, by a law enforcement agency revealed that " *drugs*" or " *drug paraphernalia*" were discovered in the unit and that such " *drugs*" or " *drug paraphernalia*" were removed as evidence.

4) A law enforcement agency has provided the NPHA with copies of ALL Incident Report/ Arrest Records/ Drug Test Results that implicate a NPHA client/ unit.

### Termination of Lease/ Eviction Proceedings

A. **Boarding Up the Unit.** Armed with the above noted evidence or Criminal Activity and/or Drug Use, Possession, Paraphernalia, the NPHA Director has the authority to advise the *Admissions and Occupancy department* and *Maintenance department* staff to move forward with boarding up the unit. (This however shall **NOT** be done until the law enforcement agency has finished their investigation and released the unit back to the NPHA).

B. **Notification.** Once the decision to Terminate/ Evict has been made, the NPHA Director shall advise the A & O staff to draw up the necessary paperwork required to notify the client of the NPHA intentions to move forward with IMMEDIATE Termination of their Rental Lease/ Homebuyer (MHOA) Agreement and Eviction proceedings.

1) **Time Lines.** The above noted actions shall be initiated by the NPHA within twenty-four (24) hours of receipt of " *formal*" notification form Law Enforcement that such a drug related event took place and involved a NPHA client/ unit.

2) **Supporting Documentation.** Supporting documentation for Drug Use / Possession must be in place before the Housing Director can direct the staff to initiate Termination of Rental Lease / Homebuyer (MHOA) Agreement / Eviction proceedings.

C. The tenant has the option to appeal the decisions of the NPHA administration as allowable under the Section K of the Appeal Policy.