

One Strike Policy

Knox County Housing Authority
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Article I. Purpose / Scope of the Policy

Section 1.01 In accordance with The Housing Opportunities Extension Act of 1996, which requires immediate eviction from federally funded public housing of persons who engage in drug use or violence, The Knox County Housing Authority has adopted the following policy, as required by the Act.

Article II. Resident's Rights

Section 2.01 Applicants and current residents of public housing shall be protected from discrimination and violation of their right to privacy.

Section 2.02 Housing shall be leased to responsible, drug free individuals. This shall be accomplished through a strict screening and orientation process.

Section 2.03 Individuals have a right to live in peace and be free from fear, intimidation and abuse.

Article III. Screening Process

Section 3.01 According to statutes and regulations, applicants for Public Housing shall be screened for the following:

- (a) Past history of paying rent.
 - (i) Applicant shall not be admitted if they have an outstanding debt to any federally subsidized program.
 - (ii) A history of non-payment of rent shall constitute a poor landlord history, and could be subject to denial until they can provide a good landlord history for a period of one year.
- (b) Record of disturbing neighbors or harming their health, safety and welfare. This shall be determined from landlord references and can be cause for denial as stated in A-2.
- (c) Any information reasonably related to whether or not the applicant could harm the health, safety or welfare of other residents.

- (d) Record of damages to property, housekeeping standards and willingness to accept responsibility for household members.
- (e) A sign agreement that the applicant is not trying to be admitted through fraudulent means. False statements in the application for admission are grounds for denial.
- (f) Background criminal history record. This shall be necessary for each adult member of the household.
 - (i) No family will be admitted who has a member who has a history of engaging in drug-related criminal history, or violent criminal activity, as defined in the Admissions and Occupancy Policy. This activity however, must have occurred within three (3) years of the time of application.
 - (ii) Persons who have been incarcerated for crimes of violence against persons or property and/or other criminal acts which would adversely affect the health, safety or welfare of other residents will not be considered for housing until they have been able to live in society for a period of two years without further problems as evidenced by their police record.
 - (iii) A history of alcohol abuse which interferes with the quiet enjoyment of the premises by other residents will be grounds for denial. This will be evidenced by past landlord reports and arrest history.

Article IV. Eviction Policy for Drug Related Activity or Violent Criminal Activity

Section 4.01 The Knox County Housing Authority has adopted a ZERO TOLERANCE POLICY regarding drug related activity or violent criminal activity, on or off the premises.

Section 4.02 Any time a person is arrested for reasons involving drugs or violent criminal activity, a three day notice of lease termination will be issued.

Section 4.03 This notice will contain the following information:

- (a) The specific reasons for the termination.
- (b) The resident's right to examine Authority documents which are directly relevant to the lease termination. State that the resident is not entitled to a grievance hearing because of the nature of the arrest, but that their Due Process under the law will be given through the legal court system.

Section 4.04 Should the resident choose to remain in the unit beyond the three day period, the Housing Authority will immediately notify the attorney to begin court action for forcible entry and detainer.

Section 4.05 Eviction procedures for any reason other than drug related activity or violent criminal activity will be handled in accordance with the Admissions and Occupancy Policy, as they are not subject to the "One Strike and You're Out" Policy.