

Trespass Program

of the Housing Authority of the City of Hagerstown

1. The following actions may cause the initiation of No Trespass status:

- a) Criminal activity on Housing Property
- b) Drug-related activity on Housing property
- c) Registered Sex Offender Status
 - a. d) Numerous disturbances on Housing property
 - b. e) Assault on an HHA employee
 - c. f) Conduct which is determined by the HHA to be detrimental to the HHA itself or to members of its communities

Note: Before a *resident* can be issued a No Trespass letter, the eviction process must first be followed. When the eviction is final, a No Trespass letter is issued. *Non-residents* who are arrested for drug violations or serious criminal activity and *give an HHA address* are issued a No Trespass letter, even if the offense occurred *off-property*.

2. Making the case:

- a) Information on the case is obtained from the District or Circuit Court.
 - b. Resident files are reviewed and supporting documentation noted.
 - c. A computer report is generated of Security reports involving the person and/or address of the person(s) involved.
 - d. Determinations are made on a case-by-case basis

3. Procedure:

- a) Letters issued by HHA are served by HHA employees, a processing company, or an HPD officer.
- b) All letters must be personally served (not mailed). If the subject refuses receipt, this is noted for the file.
- c) A listing of all people who have received a No Trespass letter is kept. Copies are distributed to Security, HPD, and Housing. The list is updated on the addition of each new entry and January of each calendar year, when records aged five years are reviewed for potential purge.
 - d. A folder is kept for each person on the list with all documentation to be used for court or other inquiries.
 - e. In instances when the Executive Director is not immediately available to approve a No Trespass Order, the Director of Security may decide to issue the notice. The subject will be notified on the letter in writing and verbally that they have ten (10) days to submit a letter to the Executive Director to appeal against the decision.

4. **Notification to Community**

- a. The list of people barred from Hagerstown Housing Authority property is maintained by the Department of Security of the HHA. Whenever a No Trespass Order is served on a subject, the name is placed on the list within three business days of service.
- b. Within five business days of revision, the new list is distributed to the Hagerstown Police Department.
- c. A copy of the list is posted in the Hagerstown Housing Authority Main Office at 35 W. Baltimore Street, Hagerstown, MD and on the HHA website. It is the responsibility of residents to check the list to assure they are not violating their lease by hosting offenders. Reminders about the list and the No Trespass Policy are placed in the newsletters for residents once per quarter.
- d) The Department of Security will make a reasonable attempt to notify a resident who is suspected of hosting a barred person. This may be done via US mail, resident conference, or personal contact. Failure on the part of the HHA to make individual notification does not relieve the resident of responsibility. Written letters from the Director of Security will be delivered to every tenant known to be associated with the barred subject and placed in the tenant file and the Trespass file.

5. **Failure to Comply:**

- a. Non-residents who continue to come onto Housing property after being duly notified may be arrested and prosecuted.
- b. Residents who host those who have been barred from Housing property may be issued a Notice to Quit.

6. **Removal from the list:**

- a. Any person wishing to have their No Trespass status revoked must submit their appeal in writing to the Executive Director along with any supporting documentation.
- b. The Executive Director will review the case and may request additional information from the appellant. After review, the Executive Director will make their decision. The appellant will be notified, in writing, of the decision.
- c. If the decision is in favor of the appellant, the No Trespass List will be revised and distributed appropriately, with a notation that the appellant is removed from No Trespass status.
- d) In January of each calendar year, the list will be revised. Entries more than five years old will be removed as long as there has been no negative activity connected with the HHA.