

TRESPASS POLICY

The Allen Park Housing Commission is aware of the problems its' residents and staff face with the presence of persons who have no legal right to be on the property. Recognizing the seriousness of criminal activity and activity that disrupts the peace of the residents, the Allen Park Housing Commission is implementing this policy, to enhance the safety, health and quality of life for its residents, staff and property.

PURPOSE

To reduce criminal and other activity that disrupts the peace and tranquility desired by the residents of a community when engaged in by persons who are not residents, or staff of Allen Park Housing Commission or otherwise have a legal right to be on Allen Park Housing Commission property. To provide procedures for notification and other criteria for the issuance of a trespass warning to those individuals.

- A. The Allen Park Housing Commission shall cause a verbal or written warning to be issued to any non-resident who either has no legal right to be on the property of the Commission, or is not an invited, registered guest of a resident. Said warning shall state that such persons shall not come on any property belonging to or managed by the Allen Park Housing Commission, under penalty of prosecution for trespassing. Warnings may be issued for violations which include but are not limited to:
1. Engage in or has had a verbal or physical confrontation with law enforcement personnel or commission personnel on the property of the Housing Commission.
 2. Have been involved in or suspected of being involved in drug related activity on the property of the Housing Commission:
(a) buying, (b) selling, (c) possession, (d) using, (e) manufacturing a controlled substance.
 3. Have been involved in any violence or threats of violence against any person while on the property of the Housing Commission: (a) assault, (b) assault and battery, (c) robbery, (d) stalking.
 4. Have prior history of criminal activity.
 5. Have been involved in any criminal or other activity that occurred on the property of the Housing Commission which interferes with the quiet and peaceful enjoyment of the residents: (a) loud parties/music, (b) obscene conduct, (c) prowling/window peeping.
 6. Damage the property of the Housing Commission or residents.

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- B. REVIEW TEAM –The review team will study in detail all the facts and circumstances relative to the person before a written No Trespass Warning is issued. The review team will consist of the Executive Director, the Assistant Director and a representative of the Resident Council.
- C The warning shall be issued verbally or written to such persons by the Executive Director or designated employee(s) of the Allen Park Housing Commission. A copy of the warning shall be filed at the Allen Park Housing Commission office.
1. Verbal warnings will be followed by a written warning. The written notification will include the reason for the warning and the appeal process.
 2. To serve a person with a Trespass Warning, have the written notice attached hereto served on him/her by hand delivery or by certified mail, return receipt requested. The notice will have the issuing person's signature and be witnessed with the date and time of issuance on the notice. A short comment shall be included describing the reasons and circumstances surrounding the cause of the notice being issued.
 3. The person will be requested to acknowledge receipt of the notice by his or her signature on the notice. If the person refuses to sign the notice, the issuing person shall write "Refused to Sign" on the place designated for the signature. The receipt from the post office showing delivery shall be sufficient for proof of service. Should the person refuse to accept the certified mail, then the Housing Authority shall mail the notice by first class mail to the address of the person, and shall specify upon the notice the time of mailing.
 4. If possible, a picture of the person shall be made for inclusion in the file for future reference.
- D. A copy of the warning notice along with a periodic list of persons who have been issued Trespass Warnings shall be supplied to the Local Law Enforcement Agencies for their utilization.
1. Law Enforcement Officers may issue citations and remove, arrest or seek an arrest warrant for persons known to have a Trespass Warning and are found to be or are reported to be in violation by a complaining witness.

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2. Law Enforcement Officers may issue Temporary Trespass Warnings to individuals who meet the criteria in paragraph A. These orders will be effective for 72 hours.

A. The name of the person, reasons and circumstances for the temporary warning must be forwarded to the Allen Park Housing Commission as soon as possible. This will allow for a review of the situation and the issuance of a formal warning, if deemed necessary, by the Review Team.

E. APPEAL PROCESS – The person who has been served with a Trespass Warning shall be entitled to a formal hearing before the Executive Director or his designee. Any revocation of the warning will be delayed by one (1) week to allow appropriate notification of Law Enforcement Agencies.

1. Any person requesting an appeal of the Trespass Warning must sign a consent form to allow the Housing Commission to conduct a criminal background check.

F. RESPONSIBILITY OF EMPLOYEES - It shall be the responsibility of all employees to comply with this policy. Any employee who observes a person whom they know has been issued a Trespass Warning shall report the sighting to the office immediately.

RESPONSIBILITY OF RESIDENTS – It shall be the responsibility of all residents to promptly notify the office or the police department if they see anyone who has been served with a Trespass Warning on Allen Park Housing Commission property. If it is found that any resident allowed a person on the Trespass List access to their apartment, their lease will be terminated.