

Addendum S BARRED PERSON POLICY

The following policy is to govern the barring of any and all individual(s) from properties owned and/or operated by the Wichita Falls Housing Authority (WFHA); the removal of a person who is barred from WFHA properties; and the procedures and functions of the Review Committee.

A. The following reasons are used for determining whether to bar a person from WFHA property:

1. Any action/offense involving weapon(s).
2. Any action/offense involving illegal drug(s).
3. Any action/offense involving violence (assault, etc.).
4. Any offense involving a violation of the Texas Penal Code or the Texas Health & Safety Code (legal and/or illegal drugs), Texas Family Code, Texas Code of Criminal Procedure and Texas Transportation Code (except for simple traffic violations punishable by citation and/or fine only).
5. Any violation of the Lease for which the resident is evicted for, or when a resident's Lease is not renewed. The barring will take place after the eviction and/or move-out.
6. Any person known to have a criminal past involving misdemeanors and/or felonies.
7. Any person known to be a gang member.
8. Any person known as a gang member associate.
9. Any person living on property owned/operated by WFHA and is not authorized to be there.
10. Any person involved in suspicious activity.
11. Any person who is loitering on WFHA property.
12. Any person showing disrespect to law enforcement officer(s) or to WFHA employees.
13. Any person's action(s)/involvement lacking good judgment or moral turpitude.

B. APPEAL HEARING PROCEDURE

This section is to govern the appeal process and to help the barred person by giving information on how the appeal process works so the individual can have his/her name removed from the WFHA Barred Person List after a person has been barred.

1. Any person being barred from WFHA is allowed to file an appeal with the WFHA committee to have their name removed from the barred list by following these procedures:
 - a. Criteria for being removed from the WFHA Barred List:
 - 1) The only person allowed to request his/her name be removed from the barred person list is the person that was actually barred.
 - 2) Your request to be removed from the WFHA barred list must be sent to: WFHA Barred Person Review Committee, Wichita Falls Housing Authority, P.O. Box 544, Wichita Falls, TX. 76307, or the request may be hand delivered to: 501 Webster St., Wichita Falls, TX at least thirty (30) days prior to the Review Committee's quarterly meeting. The quarterly meetings are held in the months of **March, June, September, and December.**
 - 4) Your name must remain on the barred list for two (2) years.
 - 5) You must have maintained a job or be enrolled in school for at least one (1) year prior to removal request date.
 - 6) If you are disabled and cannot work or attend school you must have medical documents showing same.
 - 7) You must provide written verification of said employment, schooling or disability.
 - 8) You must not have participated in any adverse or criminal activity (this excludes traffic tickets) for two (2) years prior to the request date.
 - 9) You must not be on any gang list or be a gang member associate.
 - 10) You are requested to be at the quarterly Review Committee meeting. It is suggested that you make all possible arrangements to attend this meeting so your appeal can be heard at its fullest extent.
 - 11) If you are unable to attend the quarterly Review Committee meeting, you have the right to be represented by another person you designate (the hearing is very informal and there

is not a need for an attorney to represent you, although you can have one if you desire and the attorney will be at your own expense).

- 12) If you do not provide the requested supporting documentation (as stated in #7 and #14), you must then start the entire appeal process over, and wait for the next quarterly Review Committee meeting.
- 13) If you are unable to read and/or write for any reason, you have the right to choose a person to obtain/complete the necessary paperwork needed for your appeal and to present your case to the Review Committee;
- 14) If you have been held in any corrections facility (local/state jail, state prison, federal prison or community corrections facility) you must be legally released and have re-entered the community with no adverse police, supervised, probation or parole actions for one (1) year prior to filing appeal for name removal. **You must provide a written recommendation from your supervisor, probation officer or parole officer.**
- 15) All correspondence from WFHA will be addressed and mailed to the barred person at his/her last known address. It is the barred person's responsibility to keep the Resident Services Coordinator informed of any address changes.
- 16) After the Review Committee has heard your appeal, you will be excused. The Review Committee will vote at the end of all appeal hearing(s) for that quarterly meeting. The vote will be recorded on a voting form. The decision of the Review Committee will be mailed to you on an Appellant Disposition Form within fifteen (15) calendar days.
- 17) After the Review Committee has voted, their ruling on the appeal is final. If you do not agree with the decision you may make a subsequent request to be removed from the WFHA Barred List. You must however, follow the appeal hearing procedures.

C. The Review Committee

1. The Review Committee is comprised of the following persons: Two (2) WFPD police officers, two (2) WFHA employees, and one (1) WFHA resident.

2. The Review Committee is responsible for:
 - a. Assembling to meet and hold hearing(s) on date and time posted by the Resident Services Coordinator.
 - b. Determining if written appeal was accepted in a timely manner.
 - c. Hearing all appeal(s) involving name removal from the WFHA barred persons' list;
 - d. Voting to determine if appellant's name shall be removed from the WFHA barred persons' list.
 - e. Determining the date and time the appellant's name will be removed from the WFHA barred persons' list.
3. ***No person can have his/her name removed from the barred person list without the consent of the Review Committee.***
4. The Review Committee meeting(s):
 - a. Meetings are held quarterly in the months of **March, June, September and December.**
 - b. The meeting date, time and location for each quarter will be posted at least fifteen (15) calendar days in advance in the main office at 501 Webster Street.
 - c. The meeting date, time and/or location can be revised as long as the new revision is posted for no less than fifteen (15) calendar days at 501 Webster Street. Each posted article showing the meeting date, time and location shall also show the date and time it was posted.

D. The Resident Services Coordinator

1. The Resident Services Coordinator is responsible for:
 - a. Scheduling the meeting date, time, and location of the quarterly meeting(s).
 - b. Posting quarterly meeting(s) and/or revision(s) at least fifteen (15) calendar days in advance of the meeting(s).
 - c. Confirming each new or revised posting shows date and time it was posted.
 - d. Receiving written appeal(s)/request(s).

- e. Ensuring each appeal/request is stamped with the date, time and who received the appeal/request.
- f. Assuring Review Committee has all necessary documents and forms necessary to conduct the hearing for each appellant.
- g. Providing and mailing (last known address) to appellant an appellant response form showing the date and time his/her appeal was received by WFHA, and notification of time, date and location of the Review Committee's scheduled quarterly meeting.
- h. Providing and mailing (last known address) to appellant an appellant disposition form indicating whether or not the appellant's name will be removed from the WFHA barred persons list, and (if name is being removed) what date appellant is able to return to properties owned/operated by WFHA.
- i. Notifying WFPD of name and date of person removed from WFHA barred persons list (info needed is case number, date, name and d.o.b. of person to be removed).
- j. Maintaining appellant's file.
- k. Providing all form(s) necessary to complete the appeal hearing process.
 - a. These forms may be revised without notice any time the Review Committee, Resident Services Coordinator, Executive Director or Board of Directors feels it is necessary to better serve the appellant and/or the WFHA.

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