

Brunswick Housing Authority Barring Policy

Mission Statement: To promote adequate and affordable housing, economic opportunity, and a suitable living environment free from discrimination. Brunswick Housing Authority is obligated to take every action to insure a “safe”, decent, and sanitary environment in which families may live.

Crime in public housing could be 50% to 60% less if the PHA could keep persons who have not been processed through the tenant selection process from living in its developments. As public corporations, housing authorities have a right to control what occurs on their property as any other corporation. As managers of housing, they are obligated to take every action to insure a safe, decent, and sanitary environment in which families may live. Part of that responsibility and right includes the right to request that people not congregate on public and semi-public parts of the development which are under the PHA’s control. In addition, housing authorities have the right to refuse entrance to their property to persons engaged in activities not approved by the housing authority or which threaten the lives and well-being of its residents.

Barring: Residents/Non-Residents who violate any of the prohibited acts of Municipal, State, and Federal laws or policies of the Brunswick Housing Authority while on Brunswick Housing Authority property or in its vicinity are subject to being barred. The bar levied is indefinite. After one (1) calendar year, the offender may request, in writing, a determination hearing to remove said offender from the BHA barring list. If it is determined by the BHA Hearing Officer that said offender will not be removed from the BHA Barring List – the offender may continue to request re-determination hearings on an annual basis, in writing. If the offender has been sufficiently identified and an address is available, a CAPAC officer will serve in person. However, the efforts of the Housing Authority to provide written notice shall not invalidate an oral notice, which shall have the same force and effect as a written notice.

Barring List: A list of persons barred will be available at the reception desk at the main office at 1126 Albany St. Brunswick, GA 31520 and at each Site Office located within the communities, as well as on the Brunswick Housing Authority website (BrunswickPHA.org).

Grounds for Barring:

1. Criminal or other activity by a resident, member of the household, or guest that threatens the health or safety of other public housing residents or persons residing in the immediate vicinity of the premises.
2. Any activity by a resident, member of the household, or guest that threatens the health or safety of PHA (Public Housing Authority) management, staff, or residents.
3. Drug related criminal act by any resident, member of the household, or guest on or off the PHA property, including cases where:

- a. A resident, member of the household, or guest has engaged in drug trafficking.
 - b. A resident, member of the household, or guest has engaged in illegal drug use (including cases where the PHA determines that illegal drug use or a pattern of illegal drug use by a resident, member of the household, or guest may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents). For purposes of this policy, drug related criminal activity means the illegal possession, manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use, of a controlled substance as defined in Section 102 of the Controlled Substances Act.
4. If a resident, member of the household, or guest is:
 - a. Fleeing to avoid prosecution, custody, or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, on or off PHA property.
 - b. Violating a condition of probation or parole imposed under Federal or State law.
5. Illegal weapons seized in a PHA unit by a law enforcement officer
6. Illegal drugs seized in a PHA unit by a law enforcement officer
7. Any fire on PHA premises caused by the resident, member of the household or guest's neglect.
8. A resident, member of the household, or guest that does not act in a cooperative manner with neighbors and PHA staff and to refrain from and cause members of resident's household, including guests, to refrain from acting or speaking in an abusive or threatening manner toward neighbors and the PHA staff.
9. A resident, member of the household, or guest will not discharge or threaten to discharge a firearm of any type, whether operable or inoperable, including "BB" and pellet guns on PHA property.
10. A resident, member of the household, or guest agree not to use or threaten to use, a knife, club, or any other weapon against any person on PHA property.
11. A resident, member of the household, or guest will not act in a manner that will:
 - a. Disturb other residents' peaceful enjoyment of their accommodations.
 - b. Disturb maintaining all PHA communities in a decent, safe, and sanitary condition.
12. A resident, member of the household, or guest engage in any activity that threatens the health, safety, or right to peaceful enjoyment of the PHA property by other residents (including PHA management staff residing on the premises), or by the persons residing in the immediate vicinity of the premises.
13. A resident, member of the household, or guest that engages in abuse or pattern of abuse of alcohol that affects the health, safety, or right to peaceful enjoyment of the premises by other residents.

14. A resident, member of the household, or guest that exhibits a record of disturbing health, safety, or welfare of the residents of the PHA
15. A resident, member of the household, or guest that has a history of violent, criminal, or disturbing behavior that would endanger the health, safety, or welfare of the residents of the PHA.
16. Any information reasonably related to whether or not the individual could disturb the health, safety, or welfare of the residents of the PHA.
17. Any resident found to have a barred individual in their unit will be evicted forthwith; the BHA shall immediately begin all dispossessory actions legally available.

** for purposes of this barring policy only, the BHA defines vicinity “as dictated by professional common sense, not to exceed 250 ft from BHA curbing”.

CAPAC Officer’s Responsibilities:

The special housing law enforcement unit referred to as “CAPAC” is responsible for the following.

1. Be familiar with the BHA (Brunswick Housing Authority) leasing and barring policies including but not limited to drugs, drug related and violent crime, criminal activity, evictions, parking, visitors, barring, criminal trespassing, any lease violation consistent and pertaining to law enforcement. BHA is the final authority in all barring procedures.
2. Complete and submit daily activity reports and resident complaint forms
3. Participate in one (1) resident orientation and one (1) lease review session a year.
4. Patrol the developments on foot, bicycle, and patrol car.
5. Review crime data and concentrate patrols in areas with the greatest problems.
6. Enforce all applicable criminal and traffic laws
7. Assist the BHA with lease enforcement concerning barred individuals, loitering, curfew violations, parking and other criminal activity as appropriate to a police function.
8. Work with BHA staff and resident groups to initiate and maintain crime prevention effort through presentations on personal safety, home security, emergency and non-emergency crime reporting, etc.
9. Make referrals to social services and other agencies
10. When necessary, appear as a witness at administrative grievance procedures, civil dispossessor hearing, or other civil proceedings where the issue involved is criminal or lease violation conduct in or near the BHA neighborhoods involving any tenant or household, any member of a tenant’s household, or any tenant or household member’s guest.
11. Conduct community assessments of safety and security to determine crime problems, conditions that contribute to them and to develop recommendation to alleviate them.
12. Work with youth of targeted developments on projects that discourage them from engaging in illegal activities

13. Attend resident association meetings.
14. Serve as an agent of the BHA, to enforce rules, policies, and agreements thereof.

Supplemental Private Security Service Responsibilities:

Any Private Security force employed by the BHA is responsible for the following:

1. Be familiar with the BHA (Brunswick Housing Authority) leasing and barring policies including but not limited to drugs, drug related and violent crime, criminal activity, evictions, parking, visitors, barring, criminal trespassing, any lease violation consistent and pertaining to law enforcement. BHA is the final authority in all barring procedures.
2. Complete and submit daily activity reports and resident complaint forms
3. Participate in one (1) resident orientation and one (1) lease review session a year.
4. Patrol the developments on foot, bicycle, and patrol car.
5. Assist the BHA with lease enforcement concerning barred individuals, loitering, curfew violations, parking and other criminal activity as appropriate to a police function.
6. Work with BHA staff and resident groups to initiate and maintain crime prevention effort through presentations on personal safety, home security, emergency and non-emergency crime reporting, etc.
7. Make referrals to social services and other agencies
8. When necessary, appear as a witness at administrative grievance procedures, civil dispossessor hearing, or other civil proceedings where the issue involved is criminal or lease violation conduct in or near the BHA neighborhoods involving any tenant or household, any member of a tenant's household, or any tenant or household member's guest.
9. Conduct community assessments of safety and security to determine crime problems, conditions that contribute to them and to develop recommendation to alleviate them.
10. Work with youth of targeted developments on projects that discourage them from engaging in illegal activities
11. Attend resident association meetings.
12. Serve as an agent of the BHA, to enforce rules, policies, and agreements thereof.
13. Work closely with and show full cooperation to the City of Brunswick Police Department and the BHA CAPAC officer(s) assigned to duty.

Barring Procedure:

1. Identify individual/s to be barred.
2. Cite reasons for barring.
3. Complete barring notice paperwork. Deliver to person or mail notice to said person.
4. Explain reasons for barring, area/areas of PHA (Public Housing Authority) individual are barred from.
5. Explain violation of criminal laws if individual does not adhere to bar.
6. Explain procedure for an appeal conference.
7. Explain procedure for re-determination hearing(s).

Appeal Conference: Individuals who are barred from the Brunswick Housing Authority properties will be provided an opportunity for an appeal conference to discuss the measures taken against the individual. Any request for an appeal conference must be filed in writing at the Brunswick Housing Authority Center Officer at 1126 Albany St. Brunswick, GA 31520 within 10 days of the barring date. Barred person cannot go into the BHA without a pre-approved appointment. If the individual is 10 minutes late or fails to attend their scheduled appointment a second (2nd) may be made if mitigating circumstances are present. If the individual is late or fails to make the appointment the bar will stay in place for its duration. If for any reason you fail to cooperate with the conditions stated you can be barred permanently.

Re-Determination Hearing:

Individuals who have been barred from the Brunswick Housing Authority property may apply in person, a full calendar year (365 days) after the date of offense, in writing at Brunswick Housing Authority Central Office at 1126 Albany St. Brunswick, GA 31520 to schedule a hearing with the CAPAC officer, Hearing Officer, Site Manager and other BHA representatives before he/she will be allowed to re-enter the property, which he/she has been barred. If for any reason you fail to cooperate with the conditions stated you can be barred permanently and future rights for annual re-determination hearings will be rescinded.