Exhibit 2-4
Meet Screening Criteria

AHFC screens in compliance with all applicable civil rights requirements described in Chapter 1 of this Admissions and Occupancy Policy. Screening is also conducted in accordance with the following:

- State of Alaska law
- Alaska Housing Finance Corporation policies

HUD Regulation - 24 CFR 982.552(a)

1. Action or inaction by family. A PHA may deny assistance for an applicant or terminate assistance for a participant under the programs because of the family's action or failure to act as described in this section or §982.553. The provisions of this section do not affect denial or termination of assistance for grounds other than action or failure to act by the family.
2. Denial of assistance for an applicant may include any or all of the following: denying listing on the PHA waiting list, denying or withdrawing a voucher, refusing to enter into a HAP contract or approve a lease, and refusing to process or provide assistance under portability procedures.

HUD Regulation - 24 CFR 982.552(e)

The PHA may at any time deny program assistance for an applicant in accordance with the PHA policy, as stated in the PHA administrative plan, on screening of applicants for family behavior or suitability for tenancy.

AHFC Policy

AHFC will conduct screening on all applicants, new additions to the household after initial occupancy, and live-in aides prior to admission or eligibility for participation. If any adult member of the applicant family has not lived in Alaska for the previous 36 months, AHFC may check police department and court records in the localities where the applicant previously resided. An appropriate applicant release is necessary if the records check is other than a public access database.

1. Requirement to Deny Admission

1.A Social Security Number and Consent Forms

HUD Regulation - 24 CFR 982.552(b)(3)

The PHA must deny admission to the program for an applicant, or terminate program assistance for a participant, if any member of the family fails to sign and submit consent forms for obtaining information in accordance with part 5, subparts B (Social Security Number disclosure) and F (family income) of this title.

HUD Regulation - 24 CFR 5.210(a)

Purpose. This subpart B requires applicants for and participants in covered HUD programs to disclose, and submit documentation to verify, their Social Security Numbers (SSNs).

HUD Regulation - 24 CFR 5.230(a)

Required consent by assistance applicants and participants. Each member of the family of an assistance applicant or participant who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms. The assistance applicant shall submit the signed consent forms to the processing entity when eligibility under a covered program is being determined.

HUD Regulation - 24 CFR 5.232(a)

Denial or termination of benefits. In accordance with the provisions governing the program involved, if the assistance applicant or participant, or any member of the assistance applicant's or participant's family, does not sign and submit the consent form as required in §5.230, then:

(1) The processing entity shall deny assistance to and admission of an assistance applicant;

(2) Assistance to, and the tenancy of, a participant may be terminated.

AHFC Policy

See the Social Security Number Requirement exhibit for guidelines.

1. An applicant who fails to submit necessary consent forms shall be ineligible for admission.
2. A participant who fails to submit necessary consent forms will be terminated.

1.B Citizenship or Eligible Immigration Status

HUD Regulation - 24 CFR 982.552(b)(4)

The family must submit required evidence of citizenship or eligible immigration status.

HUD Regulation - 24 CFR 5.500(a)

Covered programs/assistance. This subpart E implements Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a). Section 214 prohibits HUD from making financial assistance available to persons who are not in eligible status with respect to citizenship or noncitizen immigration status.

AHFC Policy

See the Meet Citizenship Requirements exhibit in this policy.

1.C The Student Rule

HUD Regulation - 24 CFR 982.552(b)(5)

The PHA must deny or terminate assistance if any family member fails to meet the eligibility requirements concerning individuals enrolled at an institution of higher education as specified in 24 CFR 5.612.

AHFC Policy

See the Student Rule exhibit for guidance.

1.D Drug-Related Criminal Activity Eviction

HUD Regulation - 24 CFR 982.553(a)

Denial of admission

(1) Prohibiting admission of drug criminals.

(i) The PHA must prohibit admission to the program of an applicant for three years from the date of eviction if a household member has been evicted from federally assisted housing for drug-related criminal activity.

AHFC Policy

AHFC will deny admission to any family member for 36 months from the date of eviction if any household member was evicted from any federally assisted housing for drug-related criminal activity. See Definitions for drug-related criminal activity.

1.E Drug-Related Activities

HUD Regulation - 24 CFR 982.553(a)

Denial of admission

(1) Prohibiting admission of drug criminals.

(ii) The PHA must establish standards that prohibit admission if:

(A) The PHA determines that any household member is currently engaging in illegal use of a drug;

(B) The PHA determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents;

HUD Regulation - 24 CFR 982.553(a)(2)(ii)

(A) The PHA may prohibit admission of a household to the program if the PHA determines that any household member is currently engaged in, or has engaged in during a reasonable time before the admission: drug-related criminal activity;

Medical Marijuana Use in Public Housing and Housing Choice Voucher Programs

Letter dated February 10, 2011 from Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.

AHFC Policy

AHFC will deny admission to any family member for 36 months from the date of release from any period of incarceration for any drug-related criminal activity; or if no incarceration was ordered, no admission within 36 months from the date of the conviction or commission of any drug-related criminal activity. This includes:

1. if any household member is currently engaging in illegal use of a drug.

2. if the illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

3. if the illegal use or pattern of illegal use of a drug may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

See Definitions for drug-related activity.

1.F Methamphetamine

HUD Regulation - 24 CFR 982.553(a)

Denial of admission

(1) Prohibiting admission of drug criminals.

(ii) The PHA must establish standards that prohibit admission if:

(C) Any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

AHFC Policy

Any household member with a conviction for the manufacture or production of methamphetamine on the premises of any federally assisted housing is permanently barred from admission.

1.G Sex Offenders

HUD Regulation - 24 CFR 982.553(a)(2)

Prohibiting admission of other criminals

i) Mandatory prohibition. The PHA must establish standards that prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In this screening of applicants, the PHA must perform criminal history background checks necessary to determine whether any household member is subject to a lifetime sex offender registration requirement in the State where the housing is located and in other States where the household members are known to have resided.

HUD Regulation - 24 CFR 982.553(a)(2)

Prohibiting admission of other criminals

(ii) Permissive prohibitions.

(B) The PHA may establish a period before the admission decision during which an applicant must not have engaged in the activities specified in paragraph (a)(2)(i) of this section (''reasonable time'').

AHFC Policy

1. All household members will be checked against the Dru Sjodin National Sex Offender Public Website at www.nsopw.gov when conducting screening on all applicants, new additions to the household after initial occupancy, and live-in aides prior to admission or eligibility for participation.
2. Any person subject to a lifetime registration requirement on a state sex offender registry is ineligible for admission.

1.H Alcohol Abuse

HUD Regulation - 24 CFR 982.553(a)(3)

Prohibiting admission of alcohol abusers. The PHA must establish standards that prohibit admission to the program if the PHA determines that it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

AHFC Policy

AHFC will deny admission for 12 months from the date of occurrence if AHFC has reasonable cause to believe:

1. the abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

2. the abuse or pattern of abuse of alcohol may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

2. Grounds to Deny Admission

The following are grounds AHFC may use to deny admission to the Housing Choice Voucher Program.

HUD Regulation - 24 CFR 982.552

(a) Action or inaction by family.

(1) A PHA may deny assistance for an applicant or terminate assistance for a participant under the programs because of the family's action or failure to act as described in this section or §982.553. The provisions of this section do not affect denial or termination of assistance for grounds other than action or failure to act by the family.

(2) Denial of assistance for an applicant may include any or all of the following: denying listing on the PHA waiting list, denying or withdrawing a voucher, refusing to enter into a HAP contract or approve a lease, and refusing to process or provide assistance under portability procedures.

2.A Criminal Activity

HUD Regulation - 24 CFR 982.552(c)(1)

Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

(xi) If the family has been engaged in criminal activity or alcohol abuse as described in §982.553.

HUD Regulation - 24 CFR 982.553(a)(2)(ii)(A)

The PHA may prohibit admission of a household to the program if the PHA determines that any household member is currently engaged in, or has engaged in during a reasonable time before the admission:

(1) Drug-related criminal activity.

(2) Violent criminal activity;

(3) Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or

(4) Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

HUD Regulation - 24 CFR 982.553(a)(2)(ii)(B)

The PHA may establish a period before the admission decision during which an applicant must not have engaged in the activities specified in this section (''reasonable time'').

HUD Regulation - 24 CFR 982.553(c)

Evidence of criminal activity. The PHA may terminate assistance for criminal activity by a household member as authorized in this section if the PHA determines, based on a preponderance of the evidence, that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted for such activity.

AHFC Policy

1. AHFC shall conduct an Alaska statewide criminal record check on all adult family members.
2. AHFC will deny admission to any family member for 36 months from the date of release from any period of incarceration for any violent or drug-related criminal activity; or if no incarceration was ordered, no admission within 36 months from the date of the conviction or commission of any violent or drug-related criminal activity.
3. AHFC will deny admission for 36 months from the date of occurrence if AHFC has reasonable cause to believe involvement in criminal activity may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
4. AHFC will deny admission for 36 months from the date of occurrence if AHFC has reasonable cause to believe involvement in criminal activity may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

2.B Family Behavior

HUD Regulation - 24 CFR 982.552(c)(1)

Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

(ix) If the family has engaged in or threatened abusive or violent behavior toward PHA personnel.

(x) If a welfare-to-work (WTW) family fails, willfully and persistently, to fulfill its obligations under the welfare-to-work voucher program.

AHFC Policy

1. AHFC will deny admission to any household member who engages in or threatens abusive or violent behavior toward PHA personnel for 12 months from the date of occurrence.
2. AHFC will deny waiting list placement to a family if any household member threatens or engages in abusive or violent behavior toward AHFC personnel for 12 months from the date of occurrence.
3. AHFC will remove a family from the waiting list if any household member threatens or engages in abusive or violent behavior toward AHFC personnel.
4. AHFC does not operate a welfare-to-work voucher program.

2.C Family Self-Sufficiency Contract of Participation

HUD Regulation - 24 CFR 982.552(c)(1)

Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

(viii) If a family participating in the FSS program fails to comply, without good cause, with the family's FSS contract of participation.

AHFC Policy

AHFC will not terminate the rental assistance of or deny admission to a family that fails to complete a Jumpstart participation agreement. See the Jumpstart Action Plan.

2.D Fraud or Bribery

HUD Regulation - 24 CFR 982.552(c)(1)

Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

(iv) If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program (see also § 982.553(a)(1)).

AHFC Policy

Any household member who has committed an act of fraud or bribery, or any other corrupt or criminal act in connection with any federal housing program is permanently barred from admission.

2.E Fugitive from Justice

HUD Regulation - 24 CFR 982.310(c)(2)

(ii) Fugitive felon or parole violator. The lease must provide that the owner may terminate the tenancy if a tenant is:

(A) Fleeing to avoid prosecution, or 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, or that, in the case of the State of New Jersey, is a high misdemeanor; or

(B) Violating a condition of probation or parole imposed under Federal or State law.

AHFC Policy

Any household member that is a fugitive felon, parole or probation violator, or person fleeing to avoid prosecution, or 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 (in New Jersey a high misdemeanor is equal to a felony) is not eligible for admission.

2.F HUD Database Systems

The checks below will be conducted using the U.S. Department of Housing and Urban Development's Enterprise Income Verification (EIV) system.

HUD Regulation - 24 CFR 5.233(a)

Mandated use of HUD's Enterprise Income Verification (EIV) System.

1) The requirements of this section apply to entities administering assistance under the:
   (ii) Section 8 Housing Choice Voucher (HCV) program under 24 CFR part 982;
   (iv) Project-based Voucher program under 24 CFR part 983;
2) Processing entities must use HUD's EIV system in its entirety:
   (i) As a third party source to verify tenant employment and income information during mandatory reexaminations or recertifications of family composition and income, in accordance with §5.236, and administrative guidance issued by HUD; and
   (ii) To reduce administrative and subsidy payment errors in accordance with HUD administrative guidance.

2.F.1. EIV-Existing Tenant Search

AHFC Policy

1. All household members will be checked for existing program participation. No applicant family will be admitted if a household member is active under another housing authority's assistance program (this does not include families "porting" into AHFC).
2. For assisted households with dual custody of children, children may only be claimed as dependents in one assisted household. See Chapter 3, Shared Custody.

2.F.2. EIV-Former Tenant Search

AHFC Policy

All adult household members will be checked for prior program participation with other housing authorities. An applicant family may be denied assistance if the family was terminated for violation of program obligations within the last 12 months.

2.G Misrepresentation

Unintentional mistakes that do not confer any advantage to the applicant will not be considered misrepresentations.

HUD Regulation - 24 CFR 982.552(c)(1)

Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

(i) If the family violates any family obligations under the program (see §982.551).

HUD Regulation - 24 CFR 982.551(b)

(4) Any information supplied by the family must be true and complete.

AHFC Policy

1. An applicant found to intentionally misrepresent information related to eligibility, preference for admission, housing history, allowances, family composition, or family income will result in rejection.
2. An applicant found to intentionally misrepresent information shall remain ineligible for placement on a waiting list for 12 months from the date of occurrence.

2.H Money Owed to PHA

HUD Regulation - 24 CFR 982.552(c)(1)

Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

(v) If the family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

(vi) If the family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.

(vii) If the family breaches an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA. (The PHA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to a PHA or amounts paid to an owner by a PHA. The PHA may prescribe the terms of the agreement.)

AHFC Policy

AHFC will deny admission to any household member who has a past due balance from a current or past participation in a subsidized rental assistance program.

2.I Negative Tenancy References

Suitability for Tenancy screening does not apply to this housing program.

2.J Prior Assisted Housing Eviction

Eviction refers to those individuals evicted by a court from a federally assisted housing unit.

HUD Regulation - 24 CFR 982.552(c)(1)

Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

(ii) If any member of the family has been evicted from federally assisted housing in the last five years;

AHFC Policy

AHFC will deny admission for 12 months from the date of occurrence to any household member who has been evicted from federally assisted housing.

2.K Prior Termination of Assistance

HUD Regulation - 24 CFR 982.552(c)(1)

Grounds for denial or termination of assistance. The PHA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following grounds:

(iii) If a PHA has ever terminated assistance under the program for any member of the family.

AHFC Policy

AHFC will deny admission for 12 months from the date of occurrence to any household member who has been terminated for negative reasons from federally assisted housing.

3. Consideration of Circumstances

HUD Regulation - 24 CFR 982.552(c)(2)

Consideration of circumstances. In determining whether to deny or terminate assistance because of action or failure to act by members of the family:

(i) The PHA may consider all relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

(ii) The PHA may impose, as a condition of continued assistance for other family members, a requirement that other family members who participated in or were culpable for the action or failure will not reside in the unit. The PHA may permit the other members of a participant family to continue receiving assistance.

(iii) In determining whether to deny admission or terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the PHA may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully (42 U.S.C. 13661). For this purpose, the PHA may require the applicant or tenant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

(iv) If the family includes a person with disabilities, the PHA decision concerning such action is subject to consideration of reasonable accommodation in accordance with part 8 of this title.

HUD Regulation - 24 CFR 5.982.553(a)(2)

(ii)(C) If the PHA previously denied admission to an applicant because a member of the household engaged in criminal activity, the PHA may reconsider the applicant if the PHA has sufficient evidence that the members of the household are not currently engaged in, and have not engaged in, such criminal activity during a reasonable period, as determined by the PHA, before the admission decision.

AHFC Policy

When considering circumstances, AHFC will consider the nexus between the action or failure to act and the proposed denial of assistance. AHFC will require the applicant to submit sufficient evidence that the household member is not currently engaged in and has not engaged in such activity during the past 12 months. See the Definitions for sufficient evidence and currently engaged in. AHFC may consider the following factors:

1. The seriousness of the offending action;
2. Whether the applicant's offense bears a relationship to the safety and security of the other residents;
3. The extent of participation by the applicant in the offending action;
4. The demand for assisted housing by families who will adhere to lease responsibilities;
5. The extent to which the applicant has shown personal responsibility and taken all reasonable steps to prevent or mitigate the offending action. This includes:
    a) Length of time since the offending action
    b) Any rehabilitation efforts that the applicant has undertaken since the time of the offending action
6. The effect of the responsible entity's action on the integrity of the program.

3.A Violence Against Women Act (VAWA) Protections

HUD Regulation - 24 CFR 982.552(c)(2)

Consideration of circumstances. In determining whether to deny or terminate assistance because of action or failure to act by members of the family:

(v) Nondiscrimination limitation and protection for victims of domestic violence, dating violence, or stalking. The PHA's admission and termination actions must be consistent with fair housing and equal opportunity provisions of §5.105 of this title, and with the requirements of 24 CFR part 5, subpart L, protection for victims of domestic violence, dating violence, or stalking.

AHFC Policy

See the Violence Against Women Act (VAWA) exhibit for guidance.

3.B Due Process Rights of Applicants

AHFC Policy

If AHFC determines that an applicant's criminal record may make them ineligible for admission, AHFC will send a written notification to the applicant giving them ten (10) calendar days to dispute the record.

1. Failure to respond within the given time period will result in an AHFC Ineligibility Notice.
2. Failure to respond will not waive the applicant's right to request an informal review under the AHFC Ineligibility Notice procedures.

3.C Returning Home and Making a Home Participants

Families receiving time limited rental assistance through Returning Home and Making a Home may want to apply for an AHFC waiting list. Successful completion of rental assistance participation for a period of 12 months may be used when considering mitigating circumstances to previous criminal history.

1. AHFC will use prudent, professional judgment when evaluating a Returning Home or Making a Home family's eligibility for an AHFC waiting list.
2. If a family completes 12 months of Returning Home or Making a Home assistance in good standing, AHFC will consider that as sufficient evidence to admit the family from an AHFC waiting list.
3. If a family completes the Returning Home and Making a Home program in good standing, AHFC will consider that as sufficient evidence to admit the family onto an AHFC program.
4. If a Returning Home and Making a Home family's tenancy had issues, AHFC may collect a landlord reference from the most recent landlord to help evaluate a family's suitability for an AHFC assistance program.
5. When a Returning Home and Making a Home family reaches the top of an AHFC waiting list, AHFC may consider any activities that occur while the client is on the waiting list before deciding to admit that family.

4. Criminal Records After Offer of Admission

HUD Regulation - 24 CFR 5.901

(a) General criminal records searches. This subpart applies to criminal conviction background checks by PHAs that administer the Section 8 and public housing programs when they obtain criminal conviction records, under the authority of section 6(q) of the 1937 Act (42 U.S.C. 1437d(q)), from a law enforcement agency to prevent admission of criminals to public housing and Section 8 housing and to assist in lease enforcement and eviction.

(b) Sex offender registration records searches. This subpart applies to PHAs that administer the Section 8 and public housing programs when they obtain sex offender registration information from State and local agencies, under the authority of 42 U.S.C. 13663, to prevent admission of dangerous sex offenders to federally assisted housing.

(c) Excluded records searches. The provisions of this subpart do not apply to criminal conviction information or sex offender information searches by a PHA or others of information from law enforcement agencies or other sources other than as provided under this subpart.

HUD Regulation - 24 CFR 5.902

Law enforcement agency. The National Crime Information Center (NCIC), police departments and other law enforcement agencies that hold criminal conviction records.

HUD Regulation - 24 CFR 5.903(g)

The PHA must establish and implement a system of records management that ensures that any criminal record received by the PHA from a law enforcement agency is:

(1) Maintained confidentially;

(2) Not misused or improperly disseminated; and

(3) Destroyed, once the purpose(s) for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the PHA action without institution of a challenge or final disposition of any such litigation.

AHFC Policy

1. AHFC will retain criminal records in a family's file that are attached to an AHFC notification to the family.
2. In accordance with the Due Process Rights section of this policy, an individual will receive an AHFC written notification of a disqualifying offense or record of offenses.

3. If an offense or record of offenses does not rise to the level where it would disqualify a family member, those records will not be retained in the file.

5. Definitions

1. Alcohol abuse. The Diagnostic and Statistical Manual of Mental Disorders IV describes alcohol abusers as those who continue to drink despite recurrent social, interpersonal, and legal problems as a result of their alcohol use. Harmful use implies a person's drinking causes either physical or mental damage.

2. Covered person, for purposes of 24 CFR 5, subpart I, and parts 966 and 982, means a tenant, any member of the tenant's household, a guest or another person under the tenant's control.

3. Currently engaging (or engaged) in. Means that the individual has engaged in the behavior recently enough to justify a reasonable belief that the individual's behavior is current. For AHFC purposes, this means the activity has occurred within the last six (6) months.

4. Date of Occurrence means the date the activity occurred. If the date is unclear, it is the date that the activity was reported in a criminal record, the date the activity was identified in a public record, or the date offered by others not involved in the activity.

5. Drug means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

6. Drug Abuse means the habitual taking of addictive or illegal drugs.

7. Drug-related criminal activity means the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute, or use the drug. This includes: drug trafficking, drug distribution, drug manufacture, or growth or possession of illegal drugs.

8. Guest, only for purposes of 24 CFR part 5, subparts A and I, and parts 882, 960, 966, and 982, means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. The requirements of parts 966 and 982 apply to a guest as so defined.

9. Household, for purposes of 24 CFR part 5, subpart I, and parts, 960, 966, 882, and 982, means the family and PHA-approved live-in aide.

10. Other person under the tenant's control, for the purposes of the definition of covered person and for parts 5, 882, 966, and 982 means that the person, although not staying as a guest (as defined in this section) in the unit, is, or was at the time of the activity in question, on the premises (as premises is defined in this section) because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the tenant's control.

11. Pattern of abuse is defined as a pattern of drinking or drug-taking that results in three or more of the following situations within a 12-month period:
    - Failure to fulfill major work, school, or home responsibilities
    - Having recurring alcohol- or drug-related legal problems, such as being convicted for driving under the influence of alcohol or for physically hurting someone while drunk

12. Premises, for purposes of 24 CFR part 5, subpart I, and parts 960 and 966, means the building or complex or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.

13. Reasonable time or period, for purposes of consideration of mitigating circumstances, AHFC will consider behavior or treatment within the last 12 months.

14. Sufficient Evidence means the household member provides a certification or supporting information from such sources as a probation officer or other supervising/counseling professional, a landlord, social service agency, or public records. AHFC may verify any sufficient evidence documentation submitted by the family.

15. Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Sources

1. Medical Marijuana Use in Public Housing and Housing Choice Voucher Programs, February 10, 2011, from Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.
2. Letter, June 17, 2011, from Shaun Donovan, Secretary U.S. Department of Housing and Urban Development, and Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing.
3. Use of Marijuana in Multifamily Assisted Properties, December 29, 2014, from Benjamin T. Metcalf, Deputy Assistant Secretary for Multifamily Housing Program, HT.
4. Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions, April 4, 2016, from Helen R. Kanovsky, General Counsel.
5. Presidential Memo of April 29, 2016, Promoting Rehabilitation and Reintegration of Formerly Incarcerated Individuals, Barack Obama.
6. Executive Order 13826 of March 7, 2018. Federal Interagency Council on Crime Prevention and Improving Reentry, Donald Trump.
7. FAQs for Notice PIH 2012-28: Deny Admission During Sex Offender Registry Requirement.

Numbered Memo
26-22 Sex Offender Meet Screening Criteria Exhibit 2-4 and Regular Examination Process Exhibit 4-2