



U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, D.C. 20410-0001

THE SECRETARY

Dear Owners and Agents:

Each year, more than half a million people are released from prisons in the United States, and an additional seven million are released from jails. Research shows that ex-offenders who do not find stable housing in the community are more likely to recidivate than those who do, yet people returning to their communities from prison often face significant barriers to obtaining housing. Studies have also found that the majority of people released from prison intend to return to their families, some of whom may live in assisted housing.

The Department is asking owners of HUD-assisted properties to seek a balance between allowing ex-offenders to reunite with families that live in HUD subsidized housing, and ensuring the safety of all residents of its programs. Accordingly, the Department encourages owners of HUD-assisted properties to develop policies and procedures that allow ex-offenders to rejoin the community to the extent that this balance can be maintained. When screening family behavior and suitability for tenancy, owners may consider all relevant information, including factors that indicate a reasonable probability of favorable future conduct; for example, evidence of rehabilitation and evidence of the applicant family's participation in or willingness to participate in social services such as counseling programs. Discretion is, however, afforded to each owner.

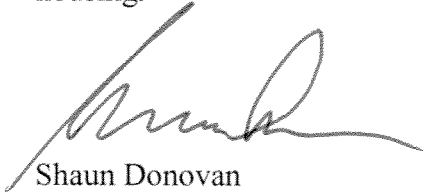
Despite the discretion given to owners to set admission and termination policies for their properties, HUD statute and regulations require owners to prohibit admission to sex offenders subject to a lifetime registration requirement under a state government's sex offender registration program (24 CFR 5.856). Additionally, owners must establish standards that prohibit admission if the owner determines that any household member is currently engaged in illegal use of a drug, or the owner has reasonable cause to believe that a household member's illegal drug use, alcohol use, or pattern of drug or alcohol abuse may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents (24 CFR 5.854, 24 CFR 5.857).

Owners must also prohibit admission of an applicant for 3 years from the date of eviction if a household member has been evicted from federally assisted housing for drug-related criminal activity. In this case, however, owners retain discretion to consider the circumstances and may admit households if the owner determines that the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program, including those supervised by drug courts, or that the circumstances leading to eviction no longer exist (24 CFR 5.854).

As President Obama recently made clear, this is an Administration that believes in the importance of second chances – that people who have paid their debt to society deserve the opportunity to become productive citizens and caring parents, to set the past aside and embrace

the future. Part of that support means helping ex-offenders gain access to one of the most fundamental building blocks of a stable life – a place to live.

Thank you for your continued commitment to providing quality affordable rental housing.



Shaun Donovan
Secretary



Carol J. Galante
Acting Assistant Secretary for Housing -
Federal Housing Commissioner