

Good Neighbor Statement of Operations

1175 Lee Hill

Table of Contents

- 1. Preamble 2
- 2. Purpose..... 2
- 3. Guiding Principles 3
- 4. Community Engagement & Communication..... 3
 - 4.1 - Complaint Process..... 3
 - 4.2 - Opportunities for Community Engagement 3
 - 4.3 - Advisory Committee 4
- 5. Project Design..... 4
- 6. Housing First Program..... 4
 - 6.1 - Goals & Outcomes 4
 - 6.2 - Resident Eligibility and Selection Process..... 5
 - 6.3 - Case Management and Supportive Services 7
- 7. Lease Agreement 7
 - 7.1 - House Rules 7
 - 7.2 - Overnight Guest Policy 7
 - 7.3 - Smoking Policy 8
 - 7.4 - Alcohol..... 8
 - 7.5 - Illegal Activities 8
 - 7.6 - Weapons..... 8
 - 7.7 - Pet Policy 8
 - 7.8 - Lease Violations and Eviction 9
- 8. Property Management..... 9
 - 8.1 - Safety and Security 9
 - 8.2 - 24-hour On-site Staffing 9
 - 8.3 - Building and Site Maintenance 9
 - 8.4 - Resident Participation in Maintenance of Property..... 9
- 9. Monitoring Plan 10
- 10. Amendments to the Good Neighbor Statement of Operations..... 10

1. Preamble

1175 Lee Hill is a 31-unit permanent supportive housing building that uses the Housing Firstⁱ model to provide permanent housing and supportive services that enables chronically homeless individuals and families as defined by the HEARTH Act regulations (24 CFR Part 91.5)ⁱⁱ, in Boulder County to successfully move from life on the streets to independent living in a residential setting. The Good Neighbor Statement of Operations for 1175 Lee Hill provides information to the community on the operation of 1175 Lee Hill and the Housing First program, including how to engage in ongoing development and operation of the property and communicate and resolve issues. Overall, this document provides a framework for open communication channels and good neighbor operations.

An Advisory Group developed the Good Neighbor Statement of Operations using a consensus based processⁱⁱⁱ with substantive input from Boulder Housing Partners (BHP)^{iv} and Boulder Shelter for the Homeless (BSH) staff. The Advisory Group reviewed examples of operating and neighborhood agreements from similar Housing First developments, as well as relevant BHP policies. Topic experts from BHP, BSH and the City's Department of Housing and Human Services were available at each meeting to answer questions and provide clarification.

The Advisory Group consisted of nine community members (five North Boulder residents, two human service providers, and two individuals who have been homeless). Also contributing to the discussion were 44 community members who participated in focus group sessions and many other individuals who met independently with BHP staff since September 2011.

From here, the word *community* in this document refers to the residents at 1175 Lee Hill, neighboring North Boulder residents and businesses, as well as other stakeholders in the city and County of Boulder. The word *neighbor* in the document title refers to North Boulder neighbors and reflects BHP's commitment to good neighbor engagement. The term "good neighbor" as used in this Statement of Operations has no relation to any similar references in the Boulder Revised Code or elsewhere and any use of similar terms in the Boulder Revised Code or elsewhere should have no inference to the use of similar terms in this Statement of Operations.

The Good Neighbor Statement of Operations for 1175 Lee Hill was completed and delivered by the Advisory Group on December 10, 2012. It was reviewed at a public meeting on January 14, 2013 and adopted by the Boulder Housing Partners Board of Commissioners on February 11, 2013. BHP is committed to conscientious and thorough implementation of the provisions herein, and will notify the community of proposed future amendments to this document prior to the Board's review.

2. Purpose

The purpose of the Good Neighbor Statement of Operations is to:

- Engage the community in decisions about the ongoing development and operation of 1175 Lee Hill;
- Communicate with the community about the management and problem resolution systems for the building;
- Inform the community about the Housing First program objectives to provide residents with permanent, affordable housing and case management support; and

- Create a management framework consistent with the Housing First program that meets or exceeds the requirements of the investor and lender, aspires to become a best practices model in the industry, and is fully responsive and accountable to the community, so that 1175 Lee Hill will be a good neighbor and an asset to the North Boulder neighborhood.

3. Guiding Principles

1175 Lee Hill will be operated with consideration for the following guiding principles:

- *Neighborhood* – To maintain the health, safety, attractiveness, and livability of this residential building and the surrounding neighborhood and proactively address good neighbor practices;
- *Building* – To design and construct an attractive energy efficient, healthy, and cost effective residential building;
- *Residents* – To create a housing environment that fosters a sense of home and self-determination for those who are chronically homeless by using the Housing First program best practices; and
- *Property Management* – To ensure the ongoing safety and well-being of residents and the physical maintenance of the building and grounds.

4. Community Engagement & Communication

Communication between BHP, as the owner and property manager of 1175 Lee Hill, and the community is important in order to develop and maintain positive relationships. Methods to ensure good communication, feedback, and monitoring of this Good Neighbor Statement of Operations includes easily accessible contact information for the property manager and BHP Executive Director on the BHP website, proactive outreach by BHP to the community, and an ongoing Advisory Committee.

4.1 - Complaint Process

In the event of a problem, neighbors and residents of 1175 Lee Hill will be asked to call or email the property manager. BHP responds to, or acknowledges, complaints within 24 hours or the next business day. The property manager will work with the individual to address the issue in as timely a manner as possible, and the property manager is expected to resolve the majority of issues. If the property manager cannot resolve the problem, the complaint will be elevated, in a timely manner, through supervisory levels, on up to and including the Executive Director.

If the problem remains unresolved, BHP will suggest that both parties consent to work with a mediator (e.g. the City of Boulder Community Mediation Service) to bring a neutral, third party to help the complainant and BHP staff resolve the dispute. If the individual is not satisfied after working with BHP staff, that person may contact BHP's Board of Commissioners during a regularly scheduled meeting for further consideration.

In the unlikely case that a complainant is not satisfied with the BHP process, City Council meetings provide an open comment period for citizens at the start of each meeting in order to hear from the public about important issues facing Boulder and its citizens.

4.2 - Opportunities for Community Engagement

The BHP Board meets monthly in public session and begins each meeting with public participation. The Board encourages all members of the community to participate in these meetings. Any person can address the Board on any topic, consistent with the public participation guidelines.

BHP has assigned staff that dedicates time to actively engage in outreach in the North Boulder neighborhood, including meeting with business owners and attending HOA or other community meetings, in order to provide a continual pulse on how BHP, and 1175 Lee Hill specifically, is performing in the neighborhood. In general, 1175 Lee Hill and/or other BHP staff familiar with the property and its operations will be available and residents will be encouraged to participate in neighborhood activities, events, and meetings as appropriate to help build good relations with the community. Individuals and organizations are also encouraged to share information about events with BHP staff and 1175 Lee Hill residents.

4.3 - Advisory Committee

During the first year of operations, BHP formed an Advisory Committee that was composed of representatives selected from neighborhood groups (e.g. HOAs), BHP staff, and BSH case managers. The purpose of this committee is to provide a forum for ongoing communication and integration, and furthering community relationships. ~~Quarterly meeting agendas are created by the members of the group based on community concerns.~~ Meetings are held twice a year, or as needed, and agendas are created by the members of the group based on community concerns. Meeting notes are made available to the BHP Board of Commissioners and the community.

5. Project Design

1175 Lee Hill is a 31-unit affordable, residential building that uses the Housing First model as a foundation to provide permanent housing and supportive services that will enable those who are chronically homeless in Boulder County to successfully move from life on the streets to independent living in a residential setting. Approximately 30,000 square feet in size, the building includes case management offices, maintenance and property management storage facilities, covered bicycle parking, a community room, and laundry facilities. In addition, the property includes an outdoor courtyard, exterior landscaping, and a parking lot. BHP is the owner, leasing agent, and property manager. BSH will provide the case management support for the residents.

BHP sought neighborhood input regarding the building design. The goal was to fully explore neighborhood ideas and develop a creative and positive visual image unique to North Boulder.

6. Housing First Program

6.1 - Goals & Outcomes

The residents at 1175 Lee Hill are part of the Boulder County Housing First program. As a national model, the Housing First program is an approach in which housing is offered to people experiencing homelessness without preconditions (such as sobriety, mental health treatment, or a minimum income threshold) or service participation requirement. Once the individual or family is housed case management is offered through access to resources which could assist the Housing First client to define and develop personal goals. The primary goal of the Housing First program is for clients to have safe, permanent, and affordable housing, which could lead to greater stability within the community.

Program success is measured by monitoring the following desired outcomes:

- Clients move into housing;

- Clients increase skills and income;
- Clients garner greater self-determination;
- Clients stay in housing is measured; and
- Clients maintain progress made.

6.2 - Resident Eligibility and Selection Process

Resident eligibility and screening criteria are primarily determined by rules associated with the funding agencies involved in this project as well as relevant BHP policies. The funding sources may include: the U.S. Department of Housing and Urban Development (HUD) (McKinney-Vento Act funding as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act and Section 8 Housing Choice Voucher funds), the U.S. Department of Veterans Affairs’ (VA) Veterans Affairs Supportive Housing (VASH) Program, and the Low Income Housing Tax Credit (LIHTC) Program.

Resident selection is a two-step process, as described below. First, the BSH case managers identify potential residents in cooperation with HUD’S coordinated assessment and assess their suitability and ability to benefit from Housing First. Then BHP screens candidates recommended by BSH for eligibility and conducts background checks. Some candidates may be disqualified from Housing First based on the findings of BHP’S screening.

6.2(a) - Screening for Suitability as a Tenant – Boulder Shelter for the Homeless

The selection process begins with identification of potential residents by BSH, who is responsible for the primary assessment of suitability for the Housing First program at 1175 Lee Hill. The intention is to prioritize applicants who are living, working or accessing services in the City of Boulder who, first and foremost, want to be housed and, second, can and want to be successful in the Housing First program, which includes evaluating an applicants willingness to be lease compliant and engage with case managers to receive support services.

Potential residents will be referred to the program from Boulder County service agencies including, but not limited to:

- | | | |
|------------------------------------|---------------------------------------|--------------------------------------------------|
| - Boulder Shelter for the Homeless | - Center for People with Disabilities | - Law enforcement |
| - Bridge House | - Attention Homes | - Hospitals |
| - Boulder Community Hospital | - Mental Health Partners | - Faith-based groups |
| - People’s Clinic | - Addiction Recovery Center | - Safehouse Progressive Alliance for Nonviolence |

Potential residents meet with a Housing First case manager to determine if they qualify as chronically homeless as defined by the HEARTH Act regulations (24 CFR Part 91.5), including collecting records from local agencies that may have worked with the candidate. Potential residents who have lived in the City of Boulder will be prioritized.

Case managers then assess the applicants potential for success in the program. This assessment varies based on the individual applicants but can include:

- Desire to be housed;
- Desire to make a change;
- Demonstrated behaviors necessary to be successful in the program;

- Information from other agencies who know the potential applicants;
- Length of homelessness; and
- Vulnerability.

6.2(b) - Screening for Eligibility – Boulder Housing Partners

Once BSH has identified potential candidates, BHP will begin its screening process. The baseline for eligibility will be defined by the Section 8 Housing Choice Voucher (HCV) program, which requires that the applicant documents citizenship or legal resident status, have an income at or below 30% of the area median income, and consent to collection of personal background information.

BHP will conduct background checks using a third-party nationwide screening company and will check the National Sex Offender Registry. This review of criminal background will assist BHP in complying with HUD requirements to deny assistance to applicants who are engaging in or have engaged in certain criminal activities^v. If the results of the criminal background check indicate that there may be past criminal activity, but the results are inconclusive, BHP may request a fingerprint card and will request information from the National Crime Information Center (NCIC).

6.2(c) - Reasons for Denial of Assistance

In some circumstances, BHP will be required to deny admission and assistance to potential Housing First residents.

Based on the U.S. Department of Housing and Urban Development guidelines, BHP must exclude from Housing First any individual who:

- Is subject to a lifetime registration requirement under a sex offender registration program;
- Is currently engaged in the use of illegal drugs;
- Has current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents;
- Has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine; or
- Has been evicted from federally-assisted housing in the last five years for drug-related criminal activity.

In addition to the above mandatory exclusions, current engagement in, or engagement in any of the following criminal activities within the past five years, will be the basis for denial of housing assistance, which can be appealed based on consideration of circumstances (see 6.2(d)):

- *Drug-related criminal activity*, including 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;
- *Violent criminal activity*, including 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;
- Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or
- Criminal activity that may threaten the health or safety of property owners and staff or contractors.

6.2(d) - Consideration of Circumstances

BHP considers all relevant circumstances when deciding whether to deny admission based on applicants past history except in the situations for which denial of admission is mandated by HUD. Any potential resident who is denied based on eligibility has the opportunity to appeal to BHP staff and bring evidence to illustrate his or her commitment to change past behavior. Any approved appeal requires confirmation by the BHP Executive Director.

6.3 - Case Management and Supportive Services

Once a client is selected for the program, he/she will be assigned a case manager. All case managers are trained at the BSH to assist residents in securing and retaining housing, and procuring the necessary resources to achieve long-term stability and self-reliance. Case managers meet with residents on a regular basis, often in the resident's apartment.

The case manager's primary role is to connect residents with resources. This could include connecting residents to health, mental health, and/or substance abuse services, helping with applications for benefits, helping a resident navigate the bus system, or linking a resident to the local food bank. Case managers also work closely with BHP and representatives from social service agencies to advocate for their clients.

This work is all done from a strength-based approach and residents are evaluated annually to assess their progress towards stability. The strength-based approach strives to understand a client's strengths then works with the client to help him or her understand how to use those strengths to work towards stability. Case managers work with the client to create individual plans that include stated personal goals and strategies the client can use to reach those goals.

The case managers meet regularly as a team to discuss residents or clinical approaches to their work and for continuing education. Two full-time equivalent case manager positions will be assigned to work with the 31 residents of 1175 Lee Hill; these staff will be employed and trained by BSH. Each case manager will carry a case load of 10 to 20 clients.

7. Lease Agreement

Each resident of 1175 Lee Hill is required to sign a twelve month lease that may be renewed for successive twelve month periods depending on continued tenant eligibility. Violations of this lease agreement will result in corrective action up to, and including, eviction. Residents pay rent according to their income. Residents must agree to abide by house rules, guest policies, and any other building policies, which are all incorporated into the lease as addenda. Several issues identified by the public and addressed in the lease are summarized below. Additional details on the provisions of this standard lease are available from BHP.

7.1 - House Rules

House rules are created through resident involvement. Meetings are held with the residents in order to discuss which rules are important to them. House rules will then be revised as needed, but at least every five years. BHP makes the new Housing First residents aware of the good neighbor issues identified by the public and the Advisory Group, so that they may address them in their house rules.

7.2 - Overnight Guest Policy

An overnight *guest* is a person temporarily staying in the unit with the consent of the resident. Overnight guests are further defined as any visitor whose stay extends after midnight (12 AM). The resident will be responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near the property.

The overnight guest policy includes the following:

- All guests will provide a photo I.D. before being allowed to enter the building
- A resident must notify BHP or case management staff before 5 PM when an overnight guest will be staying in the unit. An overnight guest may remain in the unit no longer than 14 consecutive days or a total of 28 cumulative calendar days during any 12 month period. The annual limit of 28 days applies to all overnight guests a resident may have;
- All visitors must leave the property before 12 AM unless registered as an overnight guest with staff;
- A resident may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days);
- Former residents who have been evicted will not be permitted as overnight guests; and
- BHP and case management staff reserve the right to ask guests to leave if they are behaving inappropriately or have a known criminal history, including but not limited to a felony charge, sex offense charge, no trespass order, restraining order, etc.

It will be the resident's responsibility to see that visitors and guests abide by all the terms of the lease. This includes clauses about noise, behavior, pets, damages and use of the common areas.

7.3 - Smoking Policy

Smoking is not permitted anywhere inside the building, including residents' apartments, common areas, laundry rooms, and BHP offices. Smoking is only permitted in the designated outdoor smoking area. Residents will be encouraged to smoke within the designated smoking area, and not in the public areas around the property (e.g. sidewalks, bus stops, parking lot, etc.). Smoking refers to the smoking of any legal substance by any means (e.g. cigarette, pipe, etc.).

7.4 - Alcohol

Consumption of alcohol is not permitted in indoor and outdoor common areas, parking lot, laundry room, or in any staff offices. In line with the Housing First model, residents may drink in their apartments, providing their behavior conforms to lease requirements regarding noise, etc. Case managers will work with residents when consumption becomes a threat to retaining housing or clearly impedes resident progress, as defined in 6.1 above, and provide referral and/or case conference assistance regarding alcohol and substance abuse services or treatment options where appropriate.

7.5 - Illegal Activities

Criminal or illegal activities by a resident, guest or visitor will not be tolerated and are grounds for initiating eviction, depending on the severity of the crime and/or illegal activity.

7.6 - Weapons

Weapons^{vi} are not allowed at any BHP property.

7.7 - Pet Policy

Pets (including dogs, cats, birds, fish, and reptiles that meet the conditions set forth in the BHP pet policy) will be permitted at 1175 Lee Hill. Visiting pets will not be allowed. Unless BHP has a signed pet agreement and pet fee/deposit for the pet, no pets may enter a resident's unit. Additional details, including the resident's responsibilities for ensuring that pets do not disturb neighbors, damage property, or leave uncollected excrement in the area, are available from BHP, as are copies of the pet policy and pet agreement.

7.8 - Lease Violations and Eviction

Lease violations are grounds for eviction. Lease violations (including 7.1 – 7.6 above) will be discussed with the property manager, case manager, and the resident. The problem-solving model described in Section 4.1 will be followed, to the maximum extent feasible. Repercussions will be determined on a case-by-case basis advised by BHP's existing policy. If a lease violation ultimately results in eviction, state eviction regulations will be followed.

8. Property Management

The property manager is responsible for maintaining the property in good repair and enforcing the lease, house rules and addenda, as described above in Section 7.

8.1 - Safety and Security

In order to assure the residents' safety and well-being, the property will incorporate the following features:

- All guests and overnight guests must provide a photo I.D. before being allowed entry
- One main entrance for clients and guests;
- 24-hour locked exterior doors with restricted access;
- Surveillance cameras;
- 24-hour on-site trained staff;
- Random security patrols of the building's exterior and interior; and
- A screened, private outside courtyard.

The rigorous resident selection process and background checks are additional security measures, as is the prohibition of weapons on the property. In addition, BHP will provide residents with contact information to use if they have any security concerns, as well as instruction regarding emergencies.

8.2 - 24-hour On-site Staffing

The building is staffed twenty-four hours a day by staff that are trained and have the authority to identify emergency situations, intervene in disputes, identify lease violations, recognize potential problems, and connect residents with the appropriate resources.

8.3 - Building and Site Maintenance

The building and grounds at 1175 Lee Hill is maintained by BHP. BHP is responsible for landscape upkeep, snow removal, response to maintenance requests (emergency response when needed) and both exterior and interior repairs and preservation. Damage, such as graffiti, will be addressed, and if possible removed within the next business day.

8.4 - Resident Participation in Maintenance of Property

Residents have the opportunity, and are encouraged, to participate in property maintenance by promoting clean common areas, pickup of litter, proper trash disposal, and other activities the 1175 Lee Hill residents may identify in the development of the House Rules. In addition, BHP staff establish and enforce rules against littering and ensure the issues related to livability and safety are covered in each resident's orientation. BHP will also establish rules that promote clean common areas.

9. Monitoring Plan

BHP staff will prepare an annual report to the BHP Board of Commissioners and the community regarding the operations and outcomes related to 1175 Lee Hill. This report will protect the privacy of our residents and will be shared via current email lists and on the website. The report will include an annual summary and progress report of the following:

- (1) the operations at the site for the prior year;
- (2) the number and types of complaints and responses, community outreach, relationships and activities;
- (3) the residents' successes based on the following metrics, when feasible providing comparable statistics from other Housing First programs:
 - Number of clients moved into housing;
 - Number of clients still housed;
 - Changes in clients' income;
 - Changes in clients' skills;
 - Number and nature of 911 calls to the property; and
 - Number of lease violations.

When feasible, BHP will arrange to have an independent third party entity audit the data related to outcomes from the program. In addition, the agencies funding the project, such as HUD, will conduct periodic audits of the program.

10. Amendments to the Good Neighbor Statement of Operations

BHP's Board of Commissioners will hold an annual public hearing regarding 1175 Lee Hill. At that time, the Board will review the report noted in Section 9 above and consider any proposed changes, generated by BHP or proposed by the community, to the Good Neighbor Statement of Operations. Any amendment will be preceded by a public notice on BHP's website and to any interested person on the mailing list, a public comment period prior to the Board meeting, and discussion and a decision by the Board at an open public meeting. The public notice will include information on which sections are proposed to be amended.

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ⁱ Housing First is an approach that centers on providing homeless people with housing as a first response and then providing services as needed. What differentiates a Housing First approach is that there is an immediate and primary focus on helping individuals quickly access and sustain permanent housing.

ⁱⁱ A chronically homeless person (24 CFR Part 91.5) –

(1) An individual who:

(i) Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and

(ii) Has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last 3 years, where each homeless occasion was at least 15 days; and

(iii) Can be diagnosed with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42

U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;

(2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or

(3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

iii The Advisory Group consisted of a diverse group of neighbors, stakeholders and human services professionals who agreed to draft a Statement of Operations for the BHP Board to consider. The BHP Board requested a draft document that reflected a simple majority of opinions among the Advisory Group. At its first meeting, the Advisory Group, with the consent of BHP, adopted an operating goal that group members would strive for consensus.

iv Boulder Housing Partners is the housing authority serving the city of Boulder.

v Criminal Activity [24 CFR 982.553]

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied assistance.

Drug-related criminal activity, defined by HUD as 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 [24 CFR 5.100]. (Because federal funds have been used for this property and its programs, "drug-related criminal activity" includes marijuana so long as marijuana is illegal under federal law.)

Violent criminal activity, defined by HUD as 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 [24 CFR 5.100].

Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or

Criminal activity that may threaten the health or safety of property owners and management staff, and persons performing contract administration functions or other responsibilities on behalf of BHP (including a BHP employee or a BHP contractor, subcontractor, or agent).

Evidence of such criminal activity includes, but is not limited to:

Any conviction for drug-related or violent criminal activity within the past 5 years.

Any arrests for drug-related or violent criminal activity within the past 5 years.

Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 5 years.

A conviction for drug-related or violent criminal activity will be given more weight than an arrest for such activity.

In making its decision to deny assistance, BHP will consider all relevant factors. Upon consideration of such factors, BHP may, on a case-by-case basis, decide not to deny assistance. Any potential resident who is denied based on eligibility has the opportunity to appeal to BHP staff and bring evidence to illustrate his or her commitment to change past behavior. Any approved appeal requires confirmation by the BHP Executive Director.

vi All instruments of offensive or defensive combat, including items used in injuring a person, will be considered as weapons as well as anything designed or used for inflicting bodily harm or physical damage.

Approved on the 11th day of February, 2013 by Resolution No. 5.
First amendment made on 8th day of December 2014 by Resolution No. 14