

Exhibit 19
Bastrop Housing Authority
CRIMINAL TRESPASS (BAN) POLICY

Policy

It is the policy of the Bastrop Housing Authority (“Authority”) to provide for the safe and peaceful enjoyment of the Authority properties for all residents, their guests and employees of the Authority.

The lease signed by each tenant makes the tenant responsible for the conduct of the tenant’s guests. While visitors are welcome, they are expected to act in an appropriate and lawful manner at all times. They are expected to limit their visits to the tenant’s apartment and yard. Engaging in criminal activity or unreasonably disturbing any resident or staff of public or subsidized housing will not be tolerated.

In keeping with this policy, it sometimes becomes necessary and prudent to bar or ban persons from the property to prevent the disruption of a safe, lawful and peaceful environment. Persons banned under this policy shall be prohibited from entering upon any Authority property for any reason. If a person banned under this policy enters such properties during the ban time period, it shall be a violation of Texas criminal trespass laws.

Authority to Ban (Trespass):

The employees of the Authority have the authority and responsibility to initiate a ban of persons whose conduct on the property causes a threat to the safety or operation of Authority properties or creates a disruption to the maintenance of a lawful, peaceful or safe environment at any Authority property. The Authority employee in such circumstances may initiate a criminal trespass notice of such person and direct the person to leave the property or may contact the police department to initiate a criminal trespass to remove the person from the property. The employee shall promptly inform the Executive Director of this action; the name of the individual(s) issued a criminal trespass notice, the person’s address, if known, and any other identifying information.

Examples of conduct that may result in a person being banned from Authority property include, but are not limited to: arson, murder, rape, assault, battery, burglary, theft, robbery, disorderly conduct, criminal trespass, criminal damage to property, drug use or distribution, or illegal sale of alcohol. Other conduct occurring on Authority property that may result in banning include threats of harm, harassment, interference and intimidation of residents, Authority staff or a police officer, activities that violate state gambling laws, trespassing, stalking, disturbances, criminal violation of stay away protective orders or restraining orders, alcohol abuse, not cooperating with staff or intentionally violating rules, regulations and policies and any other illegal activity or other activity that management determines significantly interferes with the maintenance of a safe, lawful or peaceful environment.

Minimum Duration of Ban:

The minimum length of a ban shall be a period of twelve months, unless a longer ban period is specified at the time of the ban due to the seriousness of the offense or infraction. Once issued, the ban (trespass) shall remain in force until the individual receives written notification that the removal of the ban (trespass) has been approved by the Executive Director.

Ban (Trespass) Procedures:

1. Once a ban has been initiated, the property manager shall obtain the identifying information regarding the banned individual including the name of the banned person and details of the incident that caused the ban. Whenever possible, a criminal trespass notice shall be served on the individual by staff or law enforcement officials. If an address for the person banned is known, Authority staff will send the criminal trespass notice by certified mail, return receipt requested, and by first class mail. The notice shall inform the individual of the reason for the ban and the procedure by which the individual may appeal or seek to have the ban removed after the minimum ban period. However, the efforts of the Authority to provide written notice shall not invalidate an oral notice, which shall have the same force and effect as a written notice.
2. The Authority will maintain and update the list of all persons banned or trespassed from Bastrop Housing Authority Property. A copy of the list may be posted in the main lobby of the administrative offices and made available to Residents.
3. Residents who allow or knowingly invite banned persons to visit shall be subject to termination of their tenancy lease.
4. Any person banned from Authority properties is forbidden to trespass upon any properties owned by Bastrop Housing Authority. This includes all apartments, yards, drives, playgrounds and common areas. If such person is seen on the property, all employees are directed and shall be obligated to call law enforcement to have the trespassing person arrested. The Authority may pursue prosecution of such trespassers.
5. Any person banned from the premises may request, in writing, the removal of their name from the ban list in accordance with the Procedures to Appeal or Remove a Ban.

Appeal of Ban:

Any individual banned or trespassed from the premises will be provided an opportunity to appeal the decision to the Executive Director within (14) days of being notified of the ban. A barred person who wishes to appeal the ban must submit written request to the Executive Director in accordance with the procedures below.

Removal of Ban:

A barred person may only request removal from the trespass list after the minimum ban period if there have been no disturbances or criminal activity, all required restitutions have been paid and the barred person has not been back on the property since the date of the original ban notice or any extended period. If found on the property during the ban period, the possibility of removal will be extended one full year. A barred person who wishes to have the ban removed must submit written request to the Executive Director in accordance with the procedures below.

Procedures to Appeal or Remove a Ban (after minimum ban period):

1. The written request must include the individual’s current address, telephone number and must include new evidence or evidence of a change in circumstances showing that it is unlikely that the person’s presence in the public housing or subsidized housing development shall continue to pose a serious threat to the health, safety and right to peaceful enjoyment of the development(s).
2. The Authority shall require that the individual furnish any documentation necessary to demonstrate a change of circumstances or evidence of rehabilitation, including but not limited to, a certified copy of the person’s criminal history record.
3. The Executive Director will contact the person submitting the written request if additional information or a meeting is needed to evaluate the request.
4. The Executive Director may, at his or her discretion, schedule a meeting with the barred person and any other interested or involved parties such as law enforcement officials, residents and staff.
5. After receiving all information requested and holding a meeting, if necessary, the Executive Director will make a determination and inform the requester in writing of the decision and the reasons for the decision.

Individuals who successfully demonstrate to the Authority’s satisfaction that their presence is not likely to constitute a threat to the safety or operation of Authority properties and is not likely to create a disruption to the maintenance of a lawful, peaceful, or safe environment at any Authority property shall be removed from the criminal trespass list and notification of such removal will be mailed to the person’s address stated in the individual’s request for appeal or removal.

Individuals who **do not** successfully demonstrate to the Authority’s satisfaction that their presence is not likely to constitute a threat to the safety or operation of Authority properties or does not create a disruption to the maintenance of a lawful, peaceful, or safe environment at any Authority property shall remain on the criminal trespass list and notification will be mailed to the person’s address stated in the individual’s request for appeal or removal. The Executive Director’s decision is the final administrative decision of the Authority.

The ban or trespass shall remain in force until such time as the person receives written notification that the removal from the trespass list has been approved by the Executive Director.

Grievance Procedure for Residents:

A resident who wishes to appeal a ban of an individual may use the Authority grievance procedures for the appeal. In connection with a ban of a resident’s guest, a resident further may use the grievance procedures to appeal any lease violation issued for the resident’s failure to control his or her guest.

Nothing in this Ban Policy shall abrogate any rights which residents or the Authority may have under law or under the lease.

Bastrop Housing Authority does not discriminate against persons on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

X

Tenant Signature

Date

EXAMPLES of BAN PERIODS TO BE IMPOSED (HA use only)

1. Any individual that refuses to cooperate with Management or acts or speaks in an abusive or threatening manner to residents, employees or persons lawfully on the premises may be banned for 1 year.
2. Any individual that intentionally violates necessary rules, regulations policies and/or procedures set forth by Management for the benefit and well being of Management, Residents, employees and the premises, in effect at the time may be banned for 1 year.
3. Any individual that conducts themselves in a manner to disturb resident's peaceful enjoyment of their accommodations, community facilities or other areas of the Housing Authority property may be banned for 1 year.
4. Any individual that conducts themselves in any manner that requires police intervention may be banned for 2 years.
5. Any individual that engages in illegal or other activity which would impair the physical and social environment of Housing Authority premises may be banned for 2 years.
6. Any individual that engages in any activity (including alcohol abuse) that may threaten or endanger the health, safety or peaceful enjoyment of the Housing Authority premises by residents of the Housing Authority, employees of the Housing Authority, or persons lawfully on the premises or the welfare of themselves may be banned for 2 years.
7. Any individual that engages in destroying, defacing, damaging or removing Housing Authority equipment, vehicles and/or any part of the dwellings, buildings, facilities, playgrounds, lighting or other areas of Housing Authority premises may be banned for 5 years.
8. Any individual that engages in drug-related criminal activity, including possession, sale, use or distribution of illegal or controlled substances on or off Housing Authority premises may be banned for 10 years.
9. Any individual engages in criminal activity involving crimes of physical violence to persons or property may be banned for 10 years.
10. Any individual that engages in the illegal use or illegal possession of firearms and/or other offensive weapons anywhere on Housing Authority premises may be banned for 10 years.
11. Any individual convicted for child molestation may be banned from the property for life.
12. Any individual convicted of manufacturing methamphetamine (speed) may be banned from the property for life.
13. Any individual who harms or attempts to harm an employee or agent of the Authority through assault or physical violence may be banned from the property for life.