



## Housing Authority of the City of Columbia, Missouri

### Board Resolution Staff Memo

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To: Board of Commissioners

From: Phil Steinhaus, CEO

Date: February 22, 2010

RE: **Resolution 2428 & 2429:** To Adopt Proposed Revisions to the Columbia Housing Authority's Public Housing Admissions and Continued Occupancy Policy (ACOP) and Section 8 Administrative Plan and Making These Revisions Effective March 1, 2010

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The operation of the Public Housing and Section 8 Housing Choice Voucher Program are governed by established, written policies called the Public Housing Admissions and Continued Occupancy Policy (ACOP) and the Section 8 Housing Choice Voucher Program Administrative Plan. These two policies documents ensure that CHA is in compliance with HUD regulations while also spelling out other specific policies governing these programs adopted by CHA in order to provide safe, affordable housing in a fair manner to all persons.

CHA subscribes to an update service through Nan McKay and Associates that ensures that our policies are in compliance with HUD regulations. Our goal is to update our ACOP and Administrative Plan on an annual basis or more frequently as required by law or effective program administration. The policy updates were distributed at the January 19, 2010 Board meeting and contain some policy changes which are mandated by HUD and other changes which are being recommended by CHA staff. The key policy changes are listed on the attached public comment notice.

Any time these policies are amended, the proposed changes must be posted for public comment for 45 days and reviewed by the Resident Advisory Board (RAB). A public comment notice (attached) has been posted at all CHA public notice locations, the CHA web site, and distributed to all public housing residents. Copies of the proposed changes were also provided to each CHA Resident Association and available at the offices of all Public Housing Managers.

The RAB received and reviewed these policy changes on Thursday, January 14, 2010 and Thursday, February 4, 2010. The only concerns that were expressed related to lease violations for gambling included in the Crime-Free Housing Addendum. There were concerns that residents could be evicted for playing a friendly game of poker or participating in a football pool.

The policy changes were also presented to the Downtown, Paquin and Oak Towers resident associations. A special meeting was also held for interested Bear Creek residents. No concerns were expressed and the presentations met with general approval. Residents were also informed of the opportunity to offer public comment at the February 22, 2010 CHA Board meeting.

One significant concern was expressed by a public housing resident at the January 19, 2010 CHA Board meeting. The resident was concerned about the change that would require public housing residents to pay their full deposit before moving in. The current policy allows public housing residents to pay a minimum amount of \$100-\$150 and pay the balance in monthly installments.

This change was originally recommended by our Public Housing Managers for two reasons.

1. Difficulty in collecting monthly payments once the public housing resident has signed their lease and move into their housing unit, and
2. All Section 8 assisted families are currently required to pay all of their security deposit at the time of the signing of their lease and this does not appear to be a significant barrier to completing the leasing process.

Currently, the full amounts of our security deposits are as follows:

Housing Site	Efficiency	1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms
Downtown		\$316	\$329	\$342	\$415
Bear Creek		\$316	\$329	\$342	\$415
Oak Towers	\$372	\$446			
Paquin Tower	\$372	\$446			

Following the January 19, 2010 CHA Board meeting, I requested that all Public Housing Managers review the deposit history of all of their new residents back to December 2007 when the current policy was revised to increase the amount of the security deposits to the current level and allow for payment agreements for those new residents who could not pay the full deposit amount at the time of move-in. The results are as follows:

Downtown – AMP #1	Bear Creek – AMP #2
<ul style="list-style-type: none"> <li>• 160 total move-ins</li> <li>• 3 paid their deposit within the first month of move-in</li> <li>• 53 entered payment agreements</li> <li>• 85 residents have paid the complete amount of the deposit</li> <li>• 13 are in default</li> <li>• None have been terminated due to non-payment of deposit</li> <li>• 62 have ended participation (EOP)</li> </ul>	<ul style="list-style-type: none"> <li>• 69 total move-ins</li> <li>• 1 paid in full after first month of move in.</li> <li>• 60 entered payment agreements</li> <li>• 4 are in default</li> <li>• 8 transfers with 5 within amp #2               <ul style="list-style-type: none"> <li>○ 2 of the 5 were under new deposit,</li> <li>○ 3 transfers from amp #1 –</li> <li>○ 1 of the 3 was under the new deposit</li> </ul> </li> <li>• 16 end of participation (EOP)</li> <li>• 8 of EOP's deposit were paid in full.</li> </ul>
Oak Towers – AMP #3	Paquin Towers – AMP #4
<ul style="list-style-type: none"> <li>• 63 total move-ins</li> <li>• 43 paid in full within the first month of move-in</li> <li>• 19 entered payment agreements</li> <li>• 1 is in default</li> <li>• 9 have ended participation</li> <li>• 5 of them had deposit paid in full before EOP, 4 were making regular payments.</li> <li>• None have been terminated due to non-payment of deposit</li> </ul>	<ul style="list-style-type: none"> <li>• 102 total move-ins</li> <li>• 32 paid in full within the first month of move-in</li> <li>• 34 entered payment agreements</li> <li>• 23 are in default</li> <li>• 27 have ended participation</li> <li>• none have been terminated due to non payment of deposit</li> </ul>

Based on this information, we do have a significant number of persons that fail to abide by their payment agreement at Paquin Tower (25%), with lesser amounts at our Downtown (8%) and Bear Creek (6%) sites. Oak Towers is the lowest with 1.5%.

During staff discussions about this issue it was felt that new residents should be encouraged to begin saving for their security deposit beginning at least six months before CHA is able to offer them housing and that CHA should increase our communication efforts with housing applicants at various stages of the application process to reinforce this responsibility and lease requirement.

After receiving public comment, CHA staff developed three options to consider as follows::

- Implement the new policy with an effort to notify future public housing residents at least six months before leasing that they need to begin saving their security deposit.
- Increase the minimum deposit amount to \$150 for Paquin & Oak, \$200 for Downtown & Bear Creek.
- Make no changes to our current policy (\$100 for Paquin & Oak, \$150 for Downtown & Bear Creek).

At this point in time, CHA staff are recommending option #2 as the best option. Compliance and default rates will be monitored closely in the coming year to determine the effectiveness of this approach. Staff time dedicated to payment agreements will also be monitored. This option slightly increases the initial minimum security deposit while also decreasing the monthly installment amount on payment agreements.

**Staff Recommendation:** Adopt resolutions 2428 & 2429 approving proposed revisions to the Columbia Housing Authority's Public Housing Admissions and Continued Occupancy Policy (ACOP) and Section 8 Administrative Plan and making these revisions effective March 1, 2010.



Board Resolution

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**RESOLUTION #2428**

**To Adopt Proposed Revisions to the Columbia Housing Authority's Public Housing Admissions and Continued Occupancy Policy (ACOP) and Making These Revisions Effective March 1, 2010**

WHEREAS, the Housing Authority of the City of Columbia, Missouri, adopted the current version of the Public Housing Admissions and Continued Occupancy Policy (ACOP) by Resolution 2411 on June 16, 2009; and

WHEREAS, Public Housing operations are governed by established, written policies called the Public Housing Admissions and Continued Occupancy Policy (ACOP) which ensures that the Columbia Housing Authority (CHA) is in compliance with HUD regulations while also spelling out other specific policies adopted by CHA in order to provide safe, affordable housing in a fair manner to all persons; and

WHEREAS, CHA subscribes to an update service that helps to ensure that the CHA ACOP policies are in compliance with HUD regulations; and

WHEREAS, other ACOP revisions have been recommended by CHA staff in order to enhance effective program administration; and

WHEREAS, the CHA Resident Advisory Board (RAB) has also been involved in the review and revision process and has been afforded every opportunity to provide input and feedback on the revision to the current CHA Public Housing ACOP; and

WHEREAS, the required 45 day public notice and comment period has been provided regarding the proposed revision to the Public Housing Admissions and Continued Occupancy Policy (ACOP) and that copies of the proposed Public Housing ACOP have been made available at the CHA Administrative Offices at 201 Switzler Street, Columbia, MO and all other CHA public housing manager offices at Oak Tower, Paquin Tower and the Bear Creek family site; and

WHEREAS, all comments by the Resident Advisory Board and public comments have been given due consideration when making the recommended policy change; and

WHEREAS, the Chief Executive Officer recommends that the revised Public Housing Admissions and Continued Occupancy Policy (ACOP) be adopted,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Columbia, Missouri, hereby adopts the revised Public Housing Admissions and Continued Occupancy Policy (ACOP) attached hereto and made a part hereof effective March 1, 2010.

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Marvin Kinney, Chairman

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Phil Steinhaus, Secretary

Adopted February 22, 2010



Board Resolution

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**RESOLUTION #2429**

**To Adopt Proposed Revisions to the Columbia Housing Authority's  
Section 8 Housing Choice Voucher Program Administrative Plan and  
Making These Revisions Effective March 1, 2010**

WHEREAS, the Housing Authority of the City of Columbia, Missouri, adopted the current version of the Public Housing Admissions and Continued Occupancy Policy (ACOP) by Resolution 2386 on October 16, 2007; and

WHEREAS, the program operations of the Section 8 Housing Choice Voucher Program are governed by established, written policies called the Section 8 Administrative Plan which ensures that the Columbia Housing Authority (CHA) is in compliance with HUD regulations while also spelling out other specific policies adopted by CHA in order to provide safe, affordable housing in a fair manner to all persons; and

WHEREAS, CHA subscribes to an update service that helps to ensure that the CHA Section 8 Administrative Plan policies are in compliance with HUD regulations; and

WHEREAS, other Section 8 Administrative Plan revisions have been recommended by CHA staff in order to enhance effective program administration; and

WHEREAS, the CHA Resident Advisory Board (RAB) has also been involved in the review and revision process and has been afforded every opportunity to provide input and feedback on the revision to the current CHA Section 8 Administrative Plan; and

WHEREAS, the required 45 day public notice and comment period has been provided regarding the proposed revisions to the Section 8 Administrative Plan and that copies of the proposed Section 8 Administrative Plan have been made available at the CHA Administrative Offices at 201 Switzler Street, Columbia, MO and all other CHA public housing manager offices at Oak Tower, Paquin Tower and the Bear Creek family site; and

WHEREAS, all comments by the Resident Advisory Board and public comments have been given due consideration when making the recommended policy change; and

WHEREAS, the Chief Executive Officer recommends that the revised Section 8 Administrative Plan be adopted,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Columbia, Missouri, hereby adopts the revised Section 8 Administrative Plan attached hereto and made a part hereof effective March 1, 2010.

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Marvin Kinney, Chairman

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Phil Steinhaus, Secretary

Adopted February 22, 2010



# Housing Authority of the City of Columbia, Missouri

201 Switzler Street, Columbia, MO 65203  
Office: (573) 443-2556 ♦ TTY: (573) 875-5161 ♦ Fax Line: (573) 443-0051 ♦ www.ColumbiaHA.com

## LEASE ADDENDUM FOR CRIME-FREE HOUSING

All persons living in federally assisted housing deserve to live in safe and crime-free neighborhoods, free from violent and drug-related criminal activity and other crimes that threaten their health, safety, and peaceful enjoyment of their dwelling.

Therefore, in consideration of the execution or renewal of the lease of the dwelling unit identified in the lease, the owners and tenants agree as follows:

The **tenant**, any **members of the tenant's household**, or **any guest** or other person under the tenant's control **shall not engage** in the commission of any criminal acts and/or conspiracy or attempt to commit any criminal acts **on or off their leased premises at any time**. Criminal activity threatens everyone in the community and engagement in such activity creates an unsafe environment for everyone regardless of where the crime occurs.

The prohibited criminal acts are outlined below as defined in the Revised Statutes of Missouri (RSMo) and/or similar offenses defined in Chapter 16 Code of Offenses of the Code of Ordinances of the City of Columbia, Missouri. Such offenses include but are not limited to the following criminal acts as defined in the aforementioned criminal codes of the State of Missouri and the City of Columbia, Missouri:

1. **ALL VIOLENT CRIMINAL ACTIVITY** and crimes of violence including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapter 565 Offenses Against the Person:

- Murder
- Kidnapping
- Stalking
- Manslaughter
- Felonious Restraint
- Invasion of Privacy
- Unlawful Endangerment
- False Imprisonment
- Violation of the Infant's Protection Act
- Domestic Assault
- Elder Abuse
- Harassment
- Vulnerable Person Abuse
- Tampering with a Prescription or a Drug Prescription Order

2. **ALL DRUG-RELATED CRIMINAL ACTIVITY**, drug and solvent related offenses and other offenses including but not limited to the following drug and solvent related offenses and/or violations as defined in RSMo Chapter 195 Drug Regulations and RSMo Chapter 578 Miscellaneous Offenses. "Drug-related criminal activity" means the illegal 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 Substance Act 21 & U.S.C. 802).

- Possession of a Controlled Substance
- Trafficking Drugs
- Unlawful Use of Drug Paraphernalia
- Unlawful Endangerment of Property
- Distribution, Delivery, Manufacture or Production of a Controlled Substance
- Fraudulently Attempting to Obtain a Controlled Substance
- Possession of an Imitation Controlled Substance
- Delivery or Manufacture of an Imitation Controlled Substance

**All Drug-Related Criminal Activity Continued**

- Creation of a Controlled Substance
- Inhalation or Inducing Others to Inhale Solvent Fumes
- Possession of Anhydrous Ammonia
- Possession, Purchase, Selling or Transferring Solvents to Cause Certain Reactions

3. **ALL SEXUAL OFFENSES** and pornography and related offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapter 566 Sexual Offenses, RSMo Chapter 573 Pornography and Related Offenses as well as indecent exposure as defined in Chapter 16 City Code of Ordinances:

- Forcible Rape
- Attempted Forcible Rape
- Statutory Rape
- Enticement of a Child
- Trafficking for the Purpose of Slavery
- Sexual Exploitation of a Child
- Promoting Child Pornography
- Trafficking for the Purpose of Sexual Exploitation
- Sexual Assault
- Forcible Sodomy
- Statutory Sodomy
- Promoting Obscenity
- Sexual Trafficking of a Child
- Promoting on-line sexual solicitation
- Possession of Child Pornography
- Child Molestation
- Deviate Sexual Assault
- Sexual Misconduct

4. **ALL CRIMES OF ROBBERY, ARSON, BURGLARY**, and other related offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapter 569 Robbery, Arson, Burglary and Related Offenses:

- Robbery
- Arson
- Knowingly Burning or Exploding
- Reckless Burning or Exploding
- Negligent Burning or Exploding
- Tampering
- Property Damage
- Trespass in the First Degree
- Burglary
- Possession of Burglar's Tools

5. **ALL CRIMES OF FELONY STEALING** and other related criminal offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapter 570 Stealing and Related Offenses:

- Felony Stealing
- Stealing, Third Offense
- Felony Receiving Stolen Property
- Forgery
- Felony Identity Theft
- Trafficking in Stolen Identities

6. **ALL CRIMES OF ARMED CRIMINAL ACTION**, unlawful use of weapons, and other related weapon offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapter 571 Weapons Offenses.

- Armed Criminal Action
- Unlawful Use of Weapons
- Defacing Firearm
- Possession of Firearm Unlawful for Certain Persons
- Unlawful Possession of an Explosive Weapon
- Unlawful Transfer of Weapons
- Transfer of Concealable Firearms
- Possession of a Defaced Firearm

7. **ALL CRIMES AGAINST THE PUBLIC ORDER** including rioting, peace disturbance, unlawful assembly, refusal to disperse, and other offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapter 574 Offenses Against the Public Order:
  - Unlawful Assembly
  - Refusal to Disperse
  - Institutional Vandalism
  - Rioting
  - Money Laundering
  - Making a Terrorist Threat
  - Promoting Civil Disorder in the First Degree
  
8. **ALL CRIMES OF PROSTITUTION** and other related offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapter 567 Prostitution:
  - Prostitution
  - Patronizing Prostitution
  - Promoting Prostitution
  
9. **ALL CRIMES OF DOMESTIC ASSAULT**, violations of protective orders, stalking, abandonment of a child, endangering the welfare of a child, and abuse of a child and other offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapters 455 Abuse-Adults and Children, 565 Offenses against the Person, and 568 Offenses against the Family:
  - Violation of Full or ex parte order of protection, abuse or stalking
  - Domestic Assault
  - Harassment
  - Felonious Restraint
  - Elder Abuse
  - Vulnerable Person Abuse
  - Stalking
  - Abandonment of a Child
  - Endangering the Welfare of a Child
  - Trafficking in Children
  - Promoting or Using a Child in a Sexual Performance
  
10. **ALL CRIMINAL STREET GANG ACTIVITY** and other offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo 578 Miscellaneous Offenses:
  - Participating knowingly in criminal street gang activities
  - Crimes committed to promote or assist criminal conduct by gang members
  
11. **CHRONIC AND PERSISTANT DWI** and all felony offenses of aggravated, chronic, persistent and prior offenders involving drug or alcohol-related intoxication-related traffic offenses as defined in the RSMo Chapter 577 Section 577.023
  
12. **ANIMAL ABUSE** and all felony offenses involving animal fighting and animal abuse and neglect in RSMo Chapter 578.

The tenant, any member of the tenant's household, or a guest or other person under the tenant's control shall not engage in any act intended to facilitate criminal activity, including violent or drug-related criminal activity, at any location.

The tenant or members of the household will not permit the dwelling unit to be used for or to facilitate criminal activity, including violent or drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household or a guest.

**VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL VIOLATION OF THE LEASE AND GOOD CAUSE FOR TERMINATION OF TENANCY.**

A single violation of any of the provisions of this Crime-Free Lease Addendum shall be deemed a serious violation and a material noncompliance with the lease. It is understood and agreed that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by preponderance of the evidence.

In case of conflict between the provisions of this Crime-Free Housing Addendum and any other provisions of the lease, the provisions of this addendum shall govern.

This Crime-Free Lease Addendum is incorporated into the attached lease, executed or renewed this day, between Owner and Tenant.

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Tenant

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Date

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Owner/Landlord

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Date



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## Public Comment Requested

On Proposed Changes to the  
**Public Housing Admissions and Continued Occupancy Policy (ACOP)**  
and the

### Section 8 Housing Choice Voucher Program Administrative Plan

CHA is in the process of updating our public housing and Section 8 policies. Many of these policy changes are required by HUD in order for CHA to be in compliance with federal housing regulations. Some changes are being proposed to improve the health and safety of our residents and the overall operations of the housing authority. The following is a brief outline of the major policy changes being proposed:

Public Housing Admissions and Continued Occupancy Policy (ACOP)	Section 8 Housing Choice Voucher Program Administrative Plan
<ul style="list-style-type: none"> <li>• Public Housing Lease Changes</li> <li>• Full Security Deposit Required for Admission</li> <li>• Lease Addendum for Crime-Free Housing</li> <li>• Use of the Income Discrepancy Report for verifying income</li> <li>• Use of HUD's new Enterprise Income Verification System</li> <li>• Rent calculation due to loss of income</li> <li>• Implementing domestic violence protections provided by the Violence Against Women Act (VAWA)</li> <li>• Conducting criminal records checks of current public housing residents</li> <li>• Confidentiality protections</li> </ul>	<ul style="list-style-type: none"> <li>• Creating a working preference for admission</li> <li>• Absent family members</li> <li>• Prostitution included as reason for denial of admission</li> <li>• Lease Addendum for Crime-Free Housing</li> <li>• Use of the Income Discrepancy Report for verifying income</li> <li>• Use of HUD's new Enterprise Income Verification System</li> <li>• Sporadic and lump-sum income</li> <li>• HQS Inspections</li> <li>• Implementing domestic violence protections provided by the Violence Against Women Act (VAWA)</li> <li>• Moving and portability</li> <li>• Confidentiality protections</li> </ul>

Copies of these proposed policy changes are available for review and comment at 201 Switzler Street as well as at every Public Housing Manager's office. CHA staff will also review these proposed policy changes at the January meetings of the Downtown, Paquin, and Oak Towers Resident Associations.

**The CHA Board of Commissioners will also accept public comment on these proposed changes at their meeting on Monday, February 22, 2010 at 5:30 p.m. at 201 Switzler Street. Written comment may be submitted to the CHA Administration Building or to your Public Housing Manager.**

**Please Note Change In Meeting Date!**



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- Forgery
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- Possession of Firearm Unlawful for Certain Persons
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- Unlawful Transfer of Weapons
- Transfer of Concealable Firearms
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  - Refusal to Disperse
  - Institutional Vandalism
  - Rioting
  - Money Laundering
  - Making a Terrorist Threat
  - Promoting Civil Disorder in the First Degree
  
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  - Patronizing Prostitution
  - Promoting Prostitution
  
9. **ALL CRIMES OF DOMESTIC ASSAULT**, violations of protective orders, stalking, abandonment of a child, endangering the welfare of a child, and abuse of a child and other offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo Chapters 455 Abuse-Adults and Children, 565 Offenses against the Person, and 568 Offenses against the Family:
  - Violation of Full or ex parte order of protection, abuse or stalking
  - Domestic Assault
  - Harassment
  - Felonious Restraint
  - Elder Abuse
  - Vulnerable Person Abuse
  - Stalking
  - Abandonment of a Child
  - Endangering the Welfare of a Child
  - Trafficking in Children
  - Promoting or Using a Child in a Sexual Performance
  
10. **ALL CRIMINAL STREET GANG ACTIVITY** and other offenses including but not limited to the following criminal offenses and/or violations as defined in RSMo 578 Miscellaneous Offenses:
  - Participating knowingly in criminal street gang activities
  - Crimes committed to promote or assist criminal conduct by gang members
  
11. **CHRONIC AND PERSISTANT DWI** and all felony offenses of aggravated, chronic, persistent and prior offenders involving drug or alcohol-related intoxication-related traffic offenses as defined in the RSMo Chapter 577 Section 577.023
  
12. **ANIMAL ABUSE** and all felony offenses involving animal fighting and animal abuse and neglect in RSMo Chapter 578.

The tenant, any member of the tenant's household, or a guest or other person under the tenant's control shall not engage in any act intended to facilitate criminal activity, including violent or drug-related criminal activity, at any location.

The tenant or members of the household will not permit the dwelling unit to be used for or to facilitate criminal activity, including violent or drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household or a guest.

**VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL VIOLATION OF THE LEASE AND GOOD CAUSE FOR TERMINATION OF TENANCY.**

A single violation of any of the provisions of this Crime-Free Lease Addendum shall be deemed a serious violation and a material noncompliance with the lease. It is understood and agreed that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by preponderance of the evidence.

In case of conflict between the provisions of this Crime-Free Housing Addendum and any other provisions of the lease, the provisions of this addendum shall govern.

This Crime-Free Lease Addendum is incorporated into the attached lease, executed or renewed this day, between Owner and Tenant.

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Tenant

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Date

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Owner/Landlord

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Date