

ECC/HANH Policy

Except as mandated by federal law, no applicant will be automatically denied because of his or her criminal background.

For applicants not barred by federal law, the applicant's criminal conviction(s) will be assessed to determine the risk the applicant poses to the safety and well-being of the community. HANH has identified particular criminal convictions that may suggest future risk (see below) and thus warrant closer examination of an individual's application.

Applicants with criminal convictions that do not fall into one of the below categories and time periods will be deemed admissible, assuming he or she is otherwise eligible for housing assistance. For any applicant with criminal history that falls into one of the below categories and time periods, HANH will individually determine whether or not the particular applicant poses a significant level of risk to the safety and well-being of the community, and will only deny an applicant after making such a determination. This determination will be based on the totality of the circumstances, as explained by the written criteria provided in Section 3-III.E. Before making a decision to admit or deny applicants with relevant criminal convictions, the applicant shall be given an opportunity for an in-person individualized review based on accurate information, including notice and opportunity to be heard [hereinafter "further review"]. Individual circumstances and the potential impact on safety of other residents should be taken into account in the decision as outlined below. Should the applicant forgo the opportunity to present additional information during further review, HANH will make its admission decision as outlined in Section 3-III.E absent any additional information.

If the applicant seeks to join a family member's existing lease, please consult Section 9-III.B., which explains the Community Reunification Program. The Community Reunification Program describes ECC/HANH's policy of waiving the criminal background screening criteria, with the exception of the HUD mandatory denial of admission, for individuals who seek to join a family member's existing lease.

Applicants with particular criminal history may wish to apply to the Community Re-entry Pilot Program, which has separate criteria for eligibility (see Section 4-III.B.).

With the exception of applicants for the Department of Mental Health and Addiction Services (DMHAS) supportive housing program or the Community Re-entry Program, which are subject to separate admissions standards. ECC/HANH will make an individualized determination of an applicant's risk to the safety and well-being of the community, including an opportunity for the applicant to present information during "further review", for the below criminal activities as applied to all adult household members:

#	TYPE	CRIME CATEGORY	SUBCATERGORY	TIME PERIOD FOR REVIEW
1	Mandatory HUD	Lifetime sex offender registration; Production or manufacture of methamphetamine on the premises of federally assisted housing	Felony Misdemeanor	Review for confirmation of accuracy
2	Crimes Against Persons	Criminal forcible sexual conduct (child molestation, child sexual abuse, child pornography); Terrorism; Homicide, murder, manslaughter; Use of a firearm against a person; Armed robbery offenses; Kidnapping/Abduction/Human Trafficking;	Felony	5 years from date of conviction
3		Assault and battery; Non-forcible sex offenses; Stalking; Domestic Violence	Felony, Misdemeanor	Review if felony within 5 years from date of conviction and misdemeanor within 3 years from date of conviction
4	Crimes Against Society	Possession or sale of illegal firearms	Felony, Misdemeanor	Review
5		Burglary Breaking and Entering Robbery Offenses	Felony, Misdemeanor	Review if felony within 5 years from date of conviction; and misdemeanor within 3 years from date of conviction
6		Any household member has ever been convicted of drug-related criminal activity. Possession with intent to manufacture, sell, distribute or use the drug; Criminal activity that shows a pattern or history of abuse of alcohol, illegal or prescription drugs and narcotics	Felony Misdemeanor	Review if use is within 1 year: Review if felony within 5 years from date of conviction and misdemeanor within 3 year from date of conviction
7	Crimes Against Property	Theft; Stolen Property; Fraud Related offenses Destruction of Property Vandalism Arson	Felony	Review if felony within 5 years from date of conviction
8	Multiple Offenses	2,3,4,5,6,7	If two of more convictions	Review if two or more convictions are within previous 10 years

