



Regional Housing Authority

Methamphetamine Testing & Remediation Policy

Tlingit Haida Regional Housing Authority

Adopted by the Board of Commissioners on
November 8, 2019

Resolution No. 19-23

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I. PURPOSE

The purpose of this policy is to ensure that all units that are owned and/or managed by Tlingit Haida Regional Housing Authority are monitored for Methamphetamine contamination in order to provide a safe and healthy living environment for our tenants and homebuyers. In addition, to ensure a safe and healthy work environment for our employees, any non-THRHA owned units that THRHA employees work in must be free of Meth contamination.

II. DEFINITIONS

- A.** THRHA – Tlingit Haida Regional Housing Authority
- B.** Meth – abbreviation for Methamphetamine

III. GENERAL INFORMATION

THRHA has adopted the Alaska Department of Environmental Conservation's "fit for use" cleanup standards to determine if remediation is required. This standard is as follows:

Substance	Cleanup Standard
Methamphetamine	.01 micrograms per 100 square centimeters

IV. METHAMPHETAMINE TESTING

Only properly trained THRHA staff or other certified consultants will be permitted to administer Meth testing activities. Circumstances that will require testing include, but are not limited to:

- A.** Move-out Inspection – Testing shall be conducted as soon as possible after THRHA takes possession of a unit.
- B.** Clearance Testing – Testing shall be conducted after the rehabilitation of a unit unless the unit was previously tested, and the results were negative, or the levels were below the cleanup standard.
- C.** Unit Transfer – If a household applies for a transfer, their vacating unit will be tested for Meth contamination during the transfer process. If the vacating unit tests positive for Meth contamination, indicating use or manufacture of Meth in the unit during their occupancy, the unit transfer request may be denied.
- D.** Routine Annual Inspections.
- E.** Testing will be conducted before any work begins on non-THRHA owned homes participating in any THRHA managed home repair program.
- F.** Reasonable Suspicion
 - 1. If THRHA has reason to believe that illegal possession, use or manufacturing of Meth is occurring in a resident's unit or within premises controlled by the resident; such as storage areas or an adjacent common areas owned or managed by THRHA, THRHA will (1) inform the resident of the reported suspicion, and (2) provide the resident with a written 24 Hour Notice of Unit Inspection in accordance with the THRHA Admissions and Occupancy policies.
 - 2. THRHA will consider several information sources which include, but are not limited to Tribal Council members, THRHA Commissioners, Neighboring Residents, Law Enforcement

Agencies, THRHA staff inspections and household/family members to identify suspected Meth possession, use or manufacturing. THRHA will then determine whether reasonable suspicion exists and may proceed with testing.

G. Contamination of Neighboring Unit – If THRHA suspects contamination of neighboring units after Meth contamination has been established; the resident(s) will be given a 24 Notice of Unit Inspection and the appropriate testing will be performed with their unit.

1. If the neighboring unit tests positive for unsafe levels of Meth contamination, but there is no clear indication of Meth presence, use or manufacturing with the unit, THRHA will take necessary mitigation steps which may require a temporary unit transfer or relocation. In order to prevent cross -contamination of Meth from one unit to another, the non-offending household will be encouraged and provided resources and assistance to de-contaminate furnishings, clothing, or other personal items before they are transferred to a new unit.

H. Before purchasing a home, THRHA will test the unit for Methamphetamine.

V. TESTING METHODS AND COLLECTION PROCEDURES

A. THRHA uses a tiered testing process.

1. The first test is a quick test that provides results onsite.
2. If the quick test is positive, THRHA will collect samples utilizing the Wipe Test method. Samples will be sent to an authorized laboratory to determine the level of contamination. Following the instructions provided with the test, each room should be tested in multiple locations (up to 4) and combined in one composite sample. Additionally, one “control” sample will be taken for each unit.

VI. TEST RESULTS

Once the results from the tests are received, the following standards will be applied:

- A. If the test results are negative, rehabilitation activities can proceed. The negative test results will be used as the baseline for the unit and further testing is not required prior to occupancy.
- B. If the test results are positive, but the levels are not above the standard, rehabilitation activities can proceed. Once complete, the unit must be retested to establish a baseline for the unit prior to occupancy.
- C. If the test results are positive and above the standard, and the unit has a pre-established negative baseline, the following process will be followed:
 1. THRHA will notify local law enforcement and will cooperate with investigations and enforcement actions, including but not limited to the granting of emergency access to the THRHA owned unit without advance notice to the resident.
- D. If the test results are positive and above the standard, and the unit does not have a pre-established negative baseline, and there is no clear indication of Meth presence, use or manufacturing with the unit, THRHA will take necessary

mitigation steps which may require a temporary unit transfer or relocation.

VII. CONSEQUENCES OF VIOLATING POLICY

- A. If the Tenant/Homebuyer fails to comply with any obligations under this policy, THRHA may terminate their lease/contract, by providing a Notice of Termination and Notice to Quit/Vacate, pursuant to THRHA Admissions and Occupancy Policies.

The President & CEO, or their designee, shall be responsible for all final decisions regarding termination/eviction and any future program participation. Each decision will be determined on a case by case basis and will include the following considerations:

1. If a unit with a documented baseline tests positive for Meth contamination, and the levels are higher than the baseline, THRHA will consider that the contamination occurred during the current tenancy and may elect to proceed with termination. The Tenant may be held liable for all costs associated with the decontamination of the unit.
2. If a unit without a documented baseline tests positive, and the resident of a unit that denies the possession, use or manufacturing of Meth during their tenancy, THRHA may consider the following to warrant the termination of tenancy:
 - a. Law enforcement reports of suspected dealing, use or manufacturing; and/or
 - b. Information provided from other credible sources to establish reasonable cause.

If termination does not take place, periodic testing may be required to ensure compliance.

- B. If a non-THRHA owned home tests positive, they may be removed from participation in the THRHA managed repair program.
- C. Tenants who have been previously evicted for violating this policy may be eligible to reapply for program participation if the Tenant:
1. Successfully completes a drug rehabilitation program;
 2. Pays off any past due accounts with THRHA; and
 3. Agrees to periodic unit testing to ensure compliance.

VIII. REMEDIATION AND CLEANUP

THRHA has adopted specific cleanup standards for units contaminated by meth based on the Alaska Department of Environmental Conservation's Guidance and Standards of Illegal Drug-Manufacturing Sites. Additionally:

- A. THRHA trained staff will implement all necessary remediation steps including final clearance testing before a unit may be reoccupied.
1. THRHA will, in accordance with the THRHA Admissions and Occupancy Policies, dispose of any personal property that is hazardous, perishable or valueless and will do so in a manner that will prevent salvage and reuse by other persons.