

**“NO TRESPASS”
POLICY**

FOR

<INSERT PROPERTY NAME HERE>

ISSUANCE OF "NO TRESPASS" LETTERS BY
<INSERT PROPERTY NAME HERE>

Section 1

Banning of Guests and Other Invited Persons

1.1 Banning and Notice

A. In an effort to provide a decent, safe and sanitary environment for the residents of <Insert Property Name Here>, individuals who are not residents may be placed on written notice that they are no longer welcome at <Insert Property Name Here>.

B. A decision to ban the individual shall be made upon receipt and review of otherwise discoverable police reports, disturbances on the property, loitering, security notices, incident reports, etc. issued by <Insert Property Name Here>, Glassboro Police Dept. or the Gloucester County Prosecutor's Office and all other relevant discoverable evidence. The standards for said decision are contained in Section 5 below. Said decision shall be made by the Property Manager or designee upon consultation with the Solicitor and the Borough of Glassboro Police Dept. liaison officer. A copy of the crime report or security notice may accompany the notification letter. The -notification letter shall state the grounds for the banning and the process for appeal.

1.2 Notice to Tenant

A. Notification of the action taken will be sent to the appropriate tenant (Exhibit "B"), in the event the incident which caused <Insert Property Name Here> to request the individual to be banned from <Insert Property Name Here> properties happened within the tenant's dwelling unit, or at the property in the tenant's presence.

B. This letter will be sent individually to all adult members of the household of the leaseholder responsible for the unit where the incident occurred or linked to where the incident occurred.

1.3 Hearing

Leaseholders may follow <Insert Property Name Here> grievance procedure to request that parties placed on the "No Trespass" list be allowed access to their unit or on their property. It will then be the decision of <Insert Property Name Here> as to whether individuals may be removed from the list. Management will render its decision within ten (10) days of the Hearing, in accordance with the grievance process. This Hearing is independent of the hearing afforded the person placed on the "No Trespass" List set forth in Section 3 below.

Section 2

Banning of Other Individuals

2.1 Banning Notice

<Insert Property Name Here> may also, from time to time, issue "No Trespass" letters (Exhibit "A") to individuals who are the subject of crime reports or security notices actions taking place in parking lots, common areas, etc., at units where the leaseholder does not wish to request a grievance hearing. A decision to ban the individual shall be made upon receipt and review of otherwise discoverable police reports, disturbances on

the property, loitering, security notices, incident reports, etc. issued from Management, Glassboro Police Dept. or the Gloucester County Prosecutor's Office and all other relevant discoverable evidence. The standards for said decision are contained in Section 5 below. Said decision shall be made by the Property Manager or designee upon consultation with the Solicitor and the Borough of Glassboro Police Department liaison officer. A copy of the crime report or security notice may accompany the notification letter. The notification letter shall state the grounds for the banning and the process for appeal.

2.2 Notice to Tenant

- A. Notification of the action filed will be sent to the appropriate tenant (Exhibit "B"), in the event the incident which caused <Insert Property Name Here> to request the individual to be banned from <Insert Property Name Here> happened within the tenant's dwelling unit or at the property in the tenant's presence.
- B. This letter will be sent individually to all adult members of the household of the leaseholder responsible for the unit where the incident occurred or linked to where the incident occurred.

Section 3 Initial Bearing on Banning

3.1 Initial Request for Hearing

Individuals being banned pursuant to Paragraphs 1.1 and 2.1 above can request to be removed from the list by submitting a written Request for Hearing (Exhibit "C") to the Executive Property Manager, <Insert Property Name Here>, 20 South Main St., Glassboro, NJ 08028, within ten (10) days of the date of the notification letter. Hearings will be set by appointment only and a Notification of Hearing (Exhibit "D") will be sent to the individual's mailing address set forth on the Request for Hearing.

3.2 Location of Hearing

All Hearings will be conducted at the office of <Insert Property Name Here>, 20 South Main St., Glassboro, NJ 08028 unless the written statement advising of a scheduled hearing states otherwise.

3.3 Hearing Procedure

- A. The individual will be allowed fifteen (15) minutes for his/her case to be presented to Management.
- B. Witnesses who can provide information pertinent to the case at hand will be allowed. However, total time will be limited to the allotted fifteen (15) minutes.
- C. Individuals arriving more than 15 minutes late for the scheduled hearing time without accepted justification shall forfeit their hearing rights and shall remain on the "No Trespass" list.
- D. Management will issue a written decision to the individual within thirty (30) days of the date of the hearing. This decision will be the final administrative decision of Management.

3.4 Removal from Banning List

In the event it is agreed to remove the grievant from the "No Trespass" list, the Property Manager shall update the list accordingly.

Section 4 **Subsequent Review of Banning**

4.1 Automatic Review

- A. In June of each year, there shall be an automatic review of the banning of each person placed on the banning list during the receding calendar year. Said review shall be by the Property Manager or designee, Borough of Glassboro Police Department liaison officer or designee, and Gloucester County Prosecutor's Office liaison officer or designee.
- B. In the event any individual is removed from the "No Trespass" list, the Property Manager shall update the list accordingly. Any individual so removed shall be notified in writing within twenty (20) days of the decision.

4.2 Review Upon Request by Banned Individual

A. Criterion

Any person who has been banned for at least eighteen (18) months may request to be removed from the List by submitting a written Request for Hearing (Exhibit "C") to the Property Manager, <Insert Property Name Here>, 20 South Main St., Glassboro, NJ 08028. Hearing will be set by appointment only and a Notification of Hearing (Exhibit "D") will be sent to the individual's mailing address set forth on the Request for Hearing.

B. Location of Hearing

All Hearings will be conducted at the office of <Insert Property Name Here>, 20 South Main St., Glassboro, NJ 08028 unless the written statement advising the individual of a scheduled hearing states otherwise.

C. Hearing Procedure

1. The Individual will be allowed fifteen (15) minutes for his/her case to be presented to the management.
2. Witnesses who can provide information pertinent to the case at hand will be allowed. However, total time will be limited to the allotted 15 minutes.
3. Individuals arriving more than fifteen (15) minutes later for the scheduled hearing time without accepted justification shall forfeit their hearing rights and shall remain on the "No Trespass" List.
4. The Management of <Insert Property Name Here> will issue a written decision to the individual within thirty (30) days of the hearing. This decision will be the final administrative decision of the management of <Insert Property Name Here>.

D. Removal from the Banning List

In the event any individual is removed from the "No Trespass" list, the Property Manager shall update the List accordingly. Any individual so removed shall be notified in writing within twenty (20) days of the decision.

Section 5 **Standards for Banning**

5.1 Standards

<Insert Property Name Here> has established the following standards that prohibit admission/access to the property of <Insert Property Name Here>.

- A. <Insert Property Name Here> determines that an individual is currently engaging in or has engaged in any of the following:
 - 1. Drug-related criminal activity
 - 2. Illegal drug use or a pattern of illegal drug use which may adversely affect the health or safety of, or the right to peaceful enjoyment of the premises by residents.
 - 3. Violent criminal activity
 - 4. Other criminal activity which may threaten the health or safety of: or the right to peaceful enjoyment of the premises by residents.
 - 5. Other criminal activity which may threaten the health or safety of the management staff, or persons performing management functions on behalf of <Insert Property Name Here>, including a management employee or a contractor, subcontractor or other agent.
- B. <Insert Property Name Here> determined that an individual has ever been convicted of a drug-related criminal activity for the manufacture, sale or production of methamphetamine.
- C. <Insert Property Name Here> determines that an individual has a history of criminal activity which, if continued, could adversely affect the health, safety or welfare of residents.
- D. <Insert Property Name Here> determines that an individual has been convicted of criminal activity which, if continued, could adversely affect the health, safety or welfare of the residents

5.2 Definitions

- A. "Violent criminal activity" is defined as any of the following:
 - 1. Murder, manslaughter, aggravated manslaughter, conspiracies to commit murder, solicitation of murder or attempted murder.
 - 2. Assault, including but not limited to, initiating or participating in threats of verbal or physical assault against any resident, employee, officers of any law enforcement agency, or any contractor, subcontractor or other agent.
 - 3. Rape or sexual assault, including but not limited to, forcible sexual acts, sexual abuse, deviated sexual abuse, statutory rape, sodomy, carnal abuse, incest, and/or any non-forcible sexual acts with a minor or with someone unable to give legal or factual consent.
 - 4. Burglary, theft, larceny, robbery, kidnapping or extortion.
 - 5. Weapons offenses including, but not limited to, unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon or accessory.
 - 6. Pornography, pimping or prostitution.
 - 7. Deceitful or intentional misrepresentation to unlawfully deprive a person(s) of his or her property or legal rights including, but not limited to, check fraud, confidence games, counterfeiting and credit card fraud .
 - 8. Motor vehicle theft including, but not limited to, theft of autos, trucks, motorcycles, boats, etc. and includes receiving, possessing, stripping, transporting and reselling stolen vehicles, and unauthorized use of a vehicle (joyriding).

- Hollybush
- B. **"Other criminal activity"** is defined as any of the following:
1. Vandalizing, damaging, defacing, destroying or removing any parts of Gardens Apartments property.
 2. Child neglect or endangerment.
 3. Frequent and/or loud parties, public nuisance, such as, indecent exposure, public defecating or urination.
 4. Stalking, harassment of residents or guests, unwanted visitation, domestic violence, not otherwise included in the definition of violent criminal activity.
 5. Public drunkenness, brawling and verbally abusive altercations.
- C. **"Drug related criminal activity"** is defined as any of the following:
1. Drug trafficking including, but not limited to, manufacture, distribution, sale, smuggling, and possession with intent to sell, including attempts of same.
 2. Drug possession including, but not limited to, possession or use of an illegal drug.
 3. Illegal or unauthorized drug use including, but not limited to, use of prescription drugs for uses other than intended or prescribed, use and/or possession of prescription drugs prescribed to someone other than the person for whom it is prescribed, theft of prescription medications, and/or excessive use of medications.
 4. Drug related criminal activity and criminal activity shall include, but is not limited to, 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] and/or defined in N.J.S.A.2C:35-2 and related chapters), including methamphetamines.
- prescription
- defined as further methamphetamines.

Section 6 **Miscellaneous**

6.1 Service of Notice

All "No Trespass" letters will be issued by <Insert Property Name Here> or its agent and a copy maintained in the site office location. Sale shall be served by the Borough of Glassboro Police Department, and/or by certified mail, return receipt requested and by regular mail.

6.2 No Trespass List

The "No Trespass List" shall be maintained and updated monthly by Hollybush Gardens Apartments and will be forwarded to the Borough of Glassboro Police Department liaison officer as well as the Gloucester County Prosecutor's Office liaison officer for dissemination to the personnel working on <Insert Property Name Here> property.

EXHIBIT "A"

(Date)

Sent via Hand Delivery

(Name of Banned Person)

(Address)

RE: <INSERT PROPERTY NAME HERE>
NO TRESPASSING
(Name of Banned Person) DOB: (Date of Birth)
SS#: (Social Security #)

Dear (Mr. Ms. Mrs. Name):

You are hereby given official notice that you are NOT PERMITTED on the property known as <Insert Property Name Here>, 252 Ruth Avenue, Glassboro, NJ 08028. If you are seen on the property by any employees, residents or police officers, you may be charged with criminal trespass.

The basis for this action is: (state basis)

You may appeal this action by submitting a written Request for Hearing to the Property Manager of <Insert Property Name Here>, 252 Ruth Avenue, Glassboro, NJ 08028 "Within ten (10) days of the date of this notification letter. A copy of the "No Trespass" Policy is attached hereto. Hearings will be set by appointment only and notification of the Hearing will be sent to your mailing address set forth on the Request for Hearing (attached hereto).

Thank you for your anticipated compliance.

Very truly yours,

cc: Glassboro Police Department (Name of tenant)
File

<Insert Property Name Here>

Glassboro, NJ 08028

(856)-xxx-xxxx

Fax: (856) xxx-xxxx

PROOF OF SERVICE

On _____, 20____, I, the undersigned, being over the age of eighteen (18), served the original within Banning Letter to the person named therein via hand delivery to _____ at _____
(Location)

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATED: _____ 20 _____, SIGNED: _____
(Officer Signature)

Name of Banned Individual _____

CD# _____

Time: _____

EXHIBIT "B"

Sent via Hand Delivery
(Date)
(Name of Tenant)
(Address of Tenant)

RE: <INSERT PROPERTY NAME HERE>
NO TRESPASSING
Banned Person: (Name of banned person)

Dear (Mr. Ms. Mrs. Name):

You are hereby given official notice that (name of person banned) is NOT PERMITTED on the premises of <Insert Property Name Here>, 20 South Main Street, Glassboro, NJ 08028. If you permit (Name of banned person) in or around your apartment, you will be in violation of your lease and will be subject to eviction.

Further, you should assume that (name of banned person) is banned from the premises until <Insert Property Name Here> advises you in Writing that anything has changed.

You may appeal this action by submitting a written Request for Hearing to the Property Manager at <Insert Property Name Here>, 20 South Main St., Glassboro, NJ 08028, pursuant to the grievance procedure to request that parties placed on the "No Trespass" List be allowed access to your unit or <Insert Property Name Here> Property. A copy of the "No Trespass" Policy is attached hereto.

Thank you for your anticipated compliance.

Very truly yours,

cc: (Name), Glassboro police Department
File

<Property Information Here>

PROOF OF SERVICE TO TENANT

On _____, 20____, I, the undersigned, being over the age of eighteen (18), served the original within Banning Letter to the Tenant named therein via hand delivery to

Name _____ Address: _____

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATED: _____ 20____, SIGNED: _____
(Officer Signature)

Name of Banned Individual _____

CD# _____

Time: _____

EXHIBIT "C"

REQUEST FOR INITIAL HEARING

To: <Insert Property Name Here>
Management Office
252 Ruth Avenue
Glassboro, NJ 08028

From: Your name: _____

Your Address: _____

Please be advised that I would like a hearing with regard to the "No Trespass" letter issued me on _____ (Date of Letter).

The basis for my appeal will be as follows:

I understand that the appeal will take place at the office of <Insert Property Name Here> at the above address (unless I am advised of another location). I further understand that I will have 15 minutes to present my position and that I may have any witnesses I intend to present with me at that time (their testimony is counted as part of my 15 minutes).

DATED _____ SIGNED: _____

EXHIBIT "D"
NOTIFICATION OF HEARING

From: Management Office
<Insert Property Name Here>
20 South Main Street
Glassboro, NJ 08028
(856) xxx-xxxx

To: [Name of banned person]
[Address-line 1]
[Address-line 2]
[Address-line 3]

Please be advised that a Hearing with regard to the "No Trespass" letter issued to you on [Date of no trespass letter] has been scheduled for [Date of Hearing] at [Time of Hearing]. The Hearing will take place at the Management Office of <Insert Property Name Here>, 252 Ruth Avenue, Glassboro, NJ 08028.

You are further advised that the Procedure for the Hearing is as follows:

1. You will be allowed fifteen (15) minutes to present your case to Management.
2. Witnesses who can provide information pertinent to your case will be allowed. However, total time will be limited to the allotted 15 minutes;
3. It is your responsibility to contact and have your witness(es) at the Hearing.
4. General rules of evidence apply. This means you must have witnesses testify. Reference to what people would or have said but are not present, signed statements and references to documents not present at the Hearing will not be permitted.
5. Individuals arriving more than fifteen (15) minutes late for the scheduled hearing time without accepted justification shall forfeit their hearing rights and shall remain on the "No Trespass" list.
6. Management will issue a written decision to the individual within 30 days of the date of the Hearing. This decision will be the final administrative decision of the Management.

<INSERT PROPERTY NAME HERE>

By: _____
[Name], Property Manager