

**HELENA HOUSING AUTHORITY**  
**METH MONITORING & REMEDIATION POLICY**

**Purpose:** To provide guidelines for Helena Housing Authority (HHA) and its residents to provide safeguards from health and safety risks regarding unlawful methamphetamine use and/or manufacturing on property owned or managed by HHA.

Helena Housing Authority's mission is to provide safe affordable housing. In order to protect the health and safety of its residents, HHA voluntarily adopts this policy to proactively monitor HHA Housing units for health risks related to methamphetamine (meth) use and contamination. HHA in its monitoring and testing for methamphetamine use and contamination adopts an established health-based standard to determine whether exposure in a meth contaminated housing unit poses a health risk. The voluntary health-based standard is established for meth contamination screening as a positive test for meth surface residue at a level greater than or equal to 1.5 ug (micrograms) of methamphetamine surface residue per 100 cm<sup>2</sup> of tested surface material. HHA will test all HHA units upon their vacancy for the presence of methamphetamine surface residue to establish a measurable baseline and to ensure the unit complies with this screening standard before a new household moves into a unit.

**Procedure:**

1. All units will be tested for methamphetamine (meth) contamination after resident move-out and secured vacancy of the unit. The HHA will utilize 1500-ng (1.5 microgram per 100 cm<sup>2</sup> lower limit of identification (LLOI) ) Immunoassay Wipe Kits type meth testing for its monitoring and screening testing . Standard HHA monitoring and screening testing will consist of single wipe test in an appropriate location in a unit.
2. Testing will be conducted once HHA receives secured possession of each vacated unit.
3. For units never previously tested for meth surface residue, the unit test provides a measurable baseline related to evidence of meth residue contamination. In the instance of a positive test for meth residue in a unit that had not been previously baseline tested, additional one or more meth tests may be completed on items either installed during the unit's make-ready right prior to a new household's tenancy, or installed during the time of a household's tenancy to indicate whether meth use or manufacture occurred in the unit during a household's tenancy.
4. For units previously tested, the unit test provides a measure of meth residue contamination, if any, indicating whether meth use or manufacture occurred in the unit during a household's tenancy.
5. If a household applies for a Unit Transfer, their vacating unit will be monitor tested for meth contamination before the decision to allow the transfer to a new unit. 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 on this basis in keeping with HHA's Transfer Policy.
6. If HHA has reasonable cause 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 on adjacent common areas owned or managed by HHA, HHA will inform the resident of the reported suspicion, and then provide the resident with written notice of meth testing.

7. If the Helena Police Department, HHA staff, or other credible sources report a suspicion of meth possession, use or manufacturing to HHA, HHA will then determine whether reasonable cause exists to believe that illegal possession, use or manufacturing of meth is occurring, and may proceed in the same manner as set forth in Paragraph No. 4 above.
8. HHA's Maintenance Supervisor, or their designee, will oversee the mitigation of all environmental hazards at HHA properties. The Maintenance Supervisor, or their designee, will order and maintain a supply of test kits and provide periodic training to maintenance staff on meth testing procedures. The Maintenance Supervisor or their trained designee will conduct all monitoring meth testing.
9. Only properly trained HHA maintenance staff or other certified consultants will be permitted to administer meth testing and perform meth remediation activities.

**THE FOLLOWING STEPS WILL BE TAKEN TO CONDUCT MONITORING METH TESTING:**

- a) Retrieve sealed meth test kit ensuring that it has not been tampered with and that its seal has not been broken.
- b) The Immunoassay Wipe Kit for Methamphetamine Residue test manufacturer's operating instructions will be followed as is practicable under the circumstances through all steps of the meth testing process.
- c) If there is no indication of a positive meth test result at the completion of the monitoring test, then no further action should be taken. The Maintenance Supervisor will notify the Executive Director and the site staff of the negative test result, and staff can proceed with the completion of the unit turn, if applicable.
- d) If there is a positive test result indication of meth use (in exceedance of the 1500-ng (1.5 microgram ) per 100 cm<sup>2</sup> lower limit of identification (LLOI) ), the Maintenance Supervisor will provide the result information to the Executive Director and notify housing staff of the results .
- e) All monitoring meth tests will be documented with photographs of the unit number, test sample area, and the test results. The monitoring test cartridge results photo will be documented by date/time by placing a cell phone showing time and date in the results photograph. The documenting photographs will be stored on the HHA S: Drive in the applicable folders labeled by Unit #, date, and test result. The test sample cartridge results will be labeled as to unit, date, time of sampling, and identity of tester(s) and then be preserved and stored in a secure location in keeping with the Wipe Kit test manufacturers operating instruction. The Maintenance Supervisor will maintain records of all meth testing results.

- f) If a unit is occupied at the time of monitoring testing and is positive (in exceedance of the 1500-ng (1.5 microgram) per 100 cm<sup>2</sup> lower limit of identification (LLOI), the Property Manager will prepare appropriate Tenant notices.

**ONCE A UNIT HAS TESTED IN EXCEEDANCE OF VOLUNTARY HEALTH BASED STANDARD:**

- a) When HHA regains possession of the unit, the HHA Maintenance Supervisor will enter a work order and identify the work order as requiring meth remediation, and will implement all necessary remediation steps including final clearance testing before the unit may be reoccupied in accordance with Montana state law and applicable regulations. The HA Maintenance Supervisor will maintain records documenting the remediation of and clearance testing of each unit.
- b) When HHA has regained secure possession of the unit to be remediated for meth contamination, the Executive Director will request from the HUD Denver field office that the unit's status designation be changed to "Vacant HUD Approved-Undergoing Modernization" for the purposes of meth remediation so as to minimize the negative impact to vacancy turn-around times during the remediation process. Appropriate records will be maintained documenting the HUD Modernization status requests along with copies of the positive test results, and remediation clearance testing reports and other related documentation.
- c) The Maintenance Supervisor will assign only meth-certified maintenance technicians or meth-certified contractor(s) to the work order.
- d) Maintenance staff will wear appropriate PPE. *Please see HHA's PPE Policy and Program Manual for additional information.*
- e) Appropriately trained maintenance staff will remove all personal items, garbage or debris left in the unit. If a positive Meth tested household lease is terminated and HHA has clear and convincing evidence that the tenant has abandoned all personal property left on and in the premises and a period of time of 48 hours has elapsed since HHA obtained such evidence of abandonment, HHA will immediately remove the abandoned property and immediately dispose of any trash or personal property that is hazardous, perishable or valueless HHA will dispose of all items appropriately in compliance with applicable laws, regulations, and other requirements.
- f) Remediation activities will be completed by the appropriately trained HHA maintenance staff, or meth remediation certified contractors in keeping with proper meth remediation protocols and unit remediation work plan.
- g) After a unit's meth remediation activities are completed HHA will have the unit clearance tested by an independent third-party certified testing contractor utilizing an independent certified lab to ensure that the unit's meth remediation has met the decontamination standards set by Montana state law at MCA §75-10-1303 (Less than or equal to 0.1 micrograms of meth surface residue per 100 sq. centimeters of surface material).

## **HHA REPORTING OF POSITIVE TEST RESULTS IN EXCEEDANCE OF THE VOLUNTARY HEALTH-BASED STANDARD AND TERMINATION OF TENANCY:**

If a unit tests positive for any meth contamination, HHA will notify local law enforcement of the test results and cooperate with law enforcement investigations and enforcement actions, including but not limited to granting emergency access to the unit without advance notice to the resident.

If a unit tests positive for any meth contamination and there are minor occupants in the household, the Property Manager and/or HHA staff will report this situation to Child Protective Services (CPS).

If the resident of a meth positive tested unit denies possession, use or manufacturing of meth during their tenancy, HHA may consider its own records of past unit testing results, standard testing indicator thresholds for meth use and/or manufacturing, law enforcement reports of suspected dealing, use or manufacturing, and information provided from other credible sources to establish whether there is reasonable cause to believe the presence of sufficient facts to warrant termination of tenancy.

Tenants whose units have tested positive demonstrating evidence of meth usage in the unit during their occupancy will be charged for the costs of remediation of the unit and related unit make ready activities as unit damages.

### **IN THE EVENT OF CONTAMINATION OF NEIGHBORING UNITS:**

If HHA suspects contamination of a unit or units adjacent to a unit where meth contamination has been definitively established; the adjacent unit(s) resident(s) will be given written notice of the test results and appropriate testing will be performed within their unit.

If an adjacent/neighboring unit tests positive for unsafe levels of the presence of meth, but there is no clear indication of meth presence, use or manufacturing within the unit attributable to the occupant, then HHA will take necessary mitigation steps which may require household transfer or the provision of temporary housing for the duration of the mitigation process.

In order to prevent cross-contamination of meth from one unit to another, a positive testing, 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.