



TO: Members of the Housing Authority Community

FROM: Jeremy Hayes, Executive Director

RE: Policies related to the use of cannabis

DATE: January 24, 2020

This letter is to clarify Housing Authority policies related to the use of cannabis (marijuana) products in the federally subsidized housing programs we operate—public housing and the Section 8 housing choice voucher program. A new state law in Illinois has effectively legalized the production, sale, and consumption of cannabis within certain restrictions.

Despite these changes, there are federal laws and regulations that conflict with and take precedence over this new law as it relates to subsidized housing. Specifically, the federal law known as the *Quality Housing and Work Responsibility Act* prohibits the use, possession or sale of controlled substances in any federally-subsidized housing, which includes all properties receiving financial assistance from the Housing Authority. The federal *Controlled Substance Act* continues to list cannabis as a Schedule I controlled substance.

Therefore, as required by federal law, **medical or recreational use of marijuana remains prohibited in the Housing Authority's housing programs**. This applies to residents of public housing and households using housing choice ("Section 8") vouchers in the private rental market. The rules for both programs (including the public housing lease) specifically prohibits "drug related criminal activity".

Public housing tenants should also remember that your lease requires compliance with the Housing Authority's smoke-free housing rules—smoking is prohibited inside any public housing building; you must be at least 25 feet away from any building while smoking.

As federally subsidized programs, it is critical that the Housing Authority comply with federal law and regulation. We share this letter in hopes of preventing confusing and ensuring full compliance with these regulations. If you have questions about federal and local policy on cannabis, feel free to e-mail jeremyh@bloomingtonha.com or reach me by phone (ext. 204).