



## MARIJUANA POLICY

The Rockford Housing Authority hereby sets forth the following policy regarding Marijuana.

1. In compliance with federal law under the Quality Housing and Work Responsibility Act of 1998 (QHWRA), the Rockford Housing Authority (RHA) will continue to prohibit the admission of individuals based on the illegal use of a controlled substance including medical marijuana as set forth in the Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 et. seq.) and use of marijuana as set forth in the Cannabis Regulation and Tax Act. 410 ILCS 705/1-1 et.seq.
2. The RHA will continue to exercise its discretion under:
  - a. The Admissions and Continued Occupancy Policy (ACOP) and 24 C. F. R. Section 966.4 (1)(5)(vii (B) and (C) in deciding to terminate a tenant for illegal drug use including medical marijuana as set forth in the Compassionate Use of Medical Cannabis Program Act; and the possession, consumption, use, purchase or obtaining marijuana as set forth in the Cannabis Regulation and Tax Act; and
  - b. The Administrative Plan and 24 C. F. R. Section 982.552 (c) (2) (i) in deciding to terminate assistance for illegal drug use including medical marijuana as set forth in the Compassionate Use of Medical Cannabis Program Act and possession, consumption, use, purchase or obtaining marijuana as set forth in the Cannabis Regulation and Tax Act.
3. Current residents using medical marijuana are not subject to automatic termination. QHWRA provides the RHA with the discretion to consider all circumstances and determine on a case by case basis when it is appropriate to terminate assistance. The RHA will exercise its discretion by considering but not limited to the following factors:
  - a. Possession of a valid Registry Identification Card under the Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 et seq.
  - b. Compliance with the RHA No Smoking Policy.
  - c. Compliance with the rules and regulations of the Compassionate Use of Medical Cannabis Program Act. (410 ILCS 130/1 et. seq.) and Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et.seq.
  - d. The RHA retains the discretion to consider any and all other factors it deems relevant in making the decision to terminate assistance.

4. The RHA fully supports and adheres to the Fair Housing Act, (FHA), Section 504 of the Rehabilitation Act (Section 504) and Title II of the American with Disabilities Act (ADA); however “illegal drug use” under Section 504 and the ADA is determined exclusively by reference to the Controlled Substance Act with includes marijuana. Under federal law, the use of medical marijuana is illegal and therefore does not qualify an individual for a reasonable accommodation.

