



District of Columbia Housing Authority

1133 North Capitol Street, NE Washington, DC 20002-7599
202-535-1000

Adrienne Todman, Executive Director

February 26, 2015

Public Housing Resident

RE: Marijuana

Dear Resident:

As you may be aware, the District of Columbia voters passed Initiative 71, effective February 26, 2015, and the Council of the District of Columbia passed the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 regarding the use and possession of marijuana in the District of Columbia. These laws, in part legalize the use, possession and growth of marijuana in privately owned homes for specific amounts. Despite this change in the District of Columbia laws and enforcement, we are writing to advise you that marijuana remains an illegal controlled substance pursuant to the Federal drug control laws under Controlled Substances Act. Public housing in the District of Columbia is funded with federal funds. Therefore, the District of Columbia Housing Authority (DCHA) is required to follow the Federal drug laws to keep its housing subsidies, despite the District of Columbia's change in the law because Federal law controls over District law.

More specifically, the controlling Federal law, Sections 576 and 577 of the Quality Housing and Work Responsibility Act of 1998 ("QHWRA") states – marijuana is illegal under the Controlled Substance act and therefore an illegal controlled substance under Sections 576 and 577 of QHWRA. Considering the fact that all of DCHA's housing program funds are provided by the United States Department of Housing and Urban Development (HUD), DCHA must comply fully with federal law and HUD's legal interpretation of applicable federal drug laws despite any changes in enforcement that may be enacted locally under D.C. law.

We want to make it clear that the possession or use of marijuana in your unit or on DCHA property is prohibited. The use of marijuana in your unit or on DCHA property is a violation of your lease and could result in eviction. Under federal law, the use and possession of marijuana is still a crime. Therefore, under Article 18 of your lease with DCHA prohibits residents from engaging in drug-related criminal activity. In addition, you may be subject to criminal prosecution for violation of federal law.

If you have other questions about marijuana prohibitions and enforcement of the drug law applicable to your residency, please consult with your property manager.

Sincerely,

Adrienne Todman