

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

KEVIN THOMAS,	: NO. 10 - 00,017
Plaintiff	:
	: CIVIL ACTION
vs.	: ADMINISTRATIVE AGENCY
	: APPEAL
LYCOMING COUNTY HOUSING	:
AUTHORITY,	:
Defendant	: Final Disposition

OPINION AND ORDER

Before the Court is Plaintiff's appeal from the Housing Authority's denial of his application for public housing. The matter was heard de novo on April 30, 2010.

According to the testimony of MeriLyn Ernewein, deputy executive director of the Housing Authority, Plaintiff's application was denied based on Administrative Policy No. 2.1.5, which provides as follows: "Family must not have engaged in drug-or alcohol-related criminal activity within seven years of the date of application, or demonstrate a pattern of criminal activity, including criminal activity by any family member." The Housing Authority also introduced into evidence Plaintiff's criminal record which shows 17 arrests between 1979 and 2005. While this record does not show drug or alcohol related arrests within the last seven years, it does demonstrate a pattern of criminal activity, and the

Court finds the most recent activity to be recent enough to be labeled a “pattern”. Therefore, the Court believes Plaintiff’s application must be denied.¹

ORDER

And now, this 4th day of May 2010, for the foregoing reasons, Plaintiff’s appeal of the decision of the Lycoming County Housing Authority is hereby DENIED.

BY THE COURT,

Dudley N. Anderson, Judge

¹ The Court reads the policy as requiring the denial where the criteria are not met: “Family “*must not have engaged...*” and “Other criteria *must be met ...*”. Thus, evidence of Plaintiff’s efforts at rehabilitation does not provide the Court with a basis on which to grant the application.