

# Hearings & Appeals Q&A

Housing Authority of the County of Santa Cruz, also serving Hollister and San Juan Bautista

Jan 06

## Tips for filing an appeal:

- ✓ If you receive a denial or decision letter, be sure to respond by the deadline.
- ✓ Put your response in writing.
- ✓ **If you need help with your appeal due to a disability or limited English skills**, please call the Housing Authority and ask for help.
- ✓ You may request a copy of the appropriate hearing or grievance procedure.

## Learn More About Your Appeal and Hearing Rights

### How can I appeal a Housing Authority decision?

Many of the decisions made by the Housing Authority can be appealed. Examples of decisions you may appeal include:

- ✓ A decision to deny assistance to an applicant.
- ✓ A determination of the family's income, which is used to calculate the amount of rent a family will pay.
- ✓ A determination of the utility allowance that applies to the family
- ✓ A determination of a family's unit size (number of bedrooms) **for participants**.
- ✓ A decision to terminate program assistance for a family.
- ✓ Termination or denial decisions due to criminal or drug-related activity are subject to a special appeal process to safeguard the confidentiality of such records.

### Under what circumstances would I not be eligible to appeal a Housing Authority decision?

The informal hearing process is not available to you for the following situations.

- ✓ Discretionary administrative determinations by the PHA.
- ✓ General policy issues or class grievances
- ✓ A determination of the family unit size **for applicants**.
- ✓ An PHA determination not to approve an extension or suspension of a voucher term.
- ✓ A PHA determination not to grant approval of the tenancy.
- ✓ An PHA determination that a unit is not in compliance with HQS (Housing Quality Standards), including overcrowding determinations.
- ✓ A determination by the PHA to exercise or not to exercise any right or remedy against the owner under a HAP contract.



Questions? Call our Info Line at 454-5955  
or visit us online at [www.hacosantacruz.org](http://www.hacosantacruz.org)



2160 41<sup>st</sup> Avenue, Capitola, CA 95010 Open M-TH 8-5, Closed Fridays  
For our business office or para información in español: 831 454-9455  
*Program rules are subject to change. Use this as general guidance only.*

TDD: 831 475-1146

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## More About Grievances and Discrimination Complaints

### What are the steps for filing an appeal?

The process varies depending on the program, but in general, the steps are:

- ✓ The family requests an appeal by the deadline.
- ✓ Housing Authority staff will contact the family and offer a meeting, by phone or in person, to help resolve the problem.
- ✓ If the family does not want a meeting, or if the issues is not resolved or if the nature of the issue requires it, an informal hearing will be scheduled.
- ✓ Before the hearing, the family has a right to review their file and any documents related to the determination.
- ✓ The family may bring a representative or advocate with them to the hearing.
- ✓ The Hearing Officer will be someone who was not directly involved with the decision.
- ✓ At the hearing, the family and the Housing Authority staff will present information to the Hearing Officer.
- ✓ The Hearing Officer will issue a written decision after the hearing.

### What if I believe a landlord has discriminated against my family?

The Fair Housing Act prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability).

If you think that a landlord, property manager, or other housing provider has discriminated against you, you have the right to file a complaint with the Office of Fair Housing and Equal Opportunity.

**The Housing Authority can give you the form and provide assistance in filing a fair housing complaint, or visit this website to obtain a form:**

[www.hud.gov/complaints/housediscrim.cfm](http://www.hud.gov/complaints/housediscrim.cfm)

You may also call toll-free 1 (800) 669-9777 to file a complaint.

### What if I believe the Housing Authority has discriminated against me on the basis of disability?

You have a right to file a grievance if you think the Housing Authority has discriminated against you on the basis of disability.

To file a grievance at any time, submit your request to the Housing Authority in writing, to the attention of "504 Coordinator."



### Need More Info?

Visit our website or call our Info Line to get more resources, including:

- ✓ Special Needs Q&A
- ✓ Program Fraud Q&A
- ✓ Waiting List Q&A
- ✓ Housing Authority Programs Q&A
- ✓ Program Eligibility Q&A

**Info Line: 831 454-5955**

**Website: [www.hacosantacruz.org](http://www.hacosantacruz.org)**