



How Housing Choice Voucher Participants Can Resolve Disputes with the Public Housing Agency



Q What are reasons I can ask for an informal hearing?

If you disagree with certain decisions made by your public housing agency (PHA) related to your continued assistance or assistance amount under the Housing Choice Voucher (HCV) program, the PHA **must** give you an opportunity to request an informal hearing. The hearing will consider whether the PHA's decisions comply with the law, HUD regulations, and PHA policies. A PHA **must** offer a hearing if requested by you for decisions related to:

- ✓ Your annual or adjusted income.
- ✓ Utility allowance (if any) for participant-paid utilities.
- ✓ Family unit size under the PHA subsidy standards.
- ✓ Termination of assistance for your family because you did or did not take an action.
- ✓ Termination of assistance because your family has been absent from the assisted unit longer than permitted under PHA policy and HUD rules.

Before the PHA can terminate your housing assistance under an outstanding housing assistance payments (HAP) contract, the PHA must give you the opportunity to request an informal hearing.

Q How do I request an informal hearing?

It is your responsibility to request an informal hearing.

- **For cases related to termination**, you **must** follow the directions on the written decision notification from the PHA on how to request an informal hearing. Be sure to meet any deadlines mentioned.
- **For all other disputes**, the PHA **must** notify the participant that they may ask for an explanation of the PHA decision. If you do not agree with the decision, you may request an informal hearing.

If you request a hearing, the PHA **must** proceed with the hearing in a reasonable amount of time. The PHA **must** provide you with a written notification specifying the time, place, and the procedures for the hearing.

Q Who presides over the informal hearing?

The PHA may designate any individual or panel of individuals to conduct the hearing, excluding the person or staff of the person who made or approved the decision. This person may be an employee of the PHA, or may be an outside entity. The hearing will be conducted in accordance with the PHA's hearing procedures.

Q What happens during the informal hearing?

The PHA **must** have an Administrative Plan that states the PHA's procedures for conducting informal hearings for participants. Administrative plans are available for public review. They are often on the PHA's website.

You must be given the opportunity prior to the PHA hearing to examine any PHA documents that are relevant to the hearing, such as records and regulations. You must be allowed to copy

those documents at your expense. If the PHA does not make a document available to you at your request prior to the hearing, the PHA may not rely on that document at the hearing. The PHA will also have the opportunity to review and make a copy of any document (at their expense) that you have that is directly relevant to the hearing. If you don't make the document available, you may not use it at the hearing.

You may choose to be represented by a lawyer or another representative at your own expense. You and the PHA will both be given the opportunity to present evidence and to question any witnesses.

Q How are informal hearing decisions issued?

The person or persons who conduct the hearing **must** issue a written decision that briefly states the reason(s) for the informal hearing decision. The decision will be based on the evidence presented at the hearing. You will be provided with a copy of the decision.

Q Are there exceptions to the informal hearing?

Yes. There are times when a PHA is not required to provide an opportunity for an informal hearing. A hearing is not required for the following:

-  Discretionary administrative decisions, general policy issues, or class grievance.
-  A PHA decision not to approve an extension of the voucher term.
-  A PHA decision not to approve a unit or tenancy.
-  PHA decision that a unit does not meet housing quality standards (HQS), which includes noncompliance with HQS due to family size. Note: This does not include a PHA's decision to terminate assistance for violation of HQS caused by the family.
-  Decision by the PHA on whether to make use of any right or remedy against an owner under a HAP contract.
-  Establishment of the PHA schedule of utility allowances for HCV families.

Q What if I need assistance with accessibility, effective communication, or limited English proficiency?

PHAs **must** provide reasonable accommodations for persons with disabilities. All notifications and communications must ensure effective communication for persons with disabilities. PHAs **must** also take reasonable steps to ensure meaningful access for individuals with limited English proficiency (LEP).



For more Housing Choice Voucher participant resources, visit <https://www.hud.gov/hcu/tenants>.



Contact your local [PHA](#) for more information.