

Hearing Rights and Grievance Process

Video Transcript

0:00:00.9 Narrator 1: Welcome to this video sponsored by the U.S. Department of Housing and Urban Development, also known as HUD. If you are a participant in the Housing Choice Voucher Program or are a Public Housing tenant and have a disagreement or dispute with your Public Housing Agency or PHA, you have rights. You can make a complaint to try and resolve the issue. This video talks about how to address a dispute with a PHA, but the process for Housing Choice Voucher participants is different from the process for public housing tenants. If you are a Housing Choice Voucher participant, continue watching. If you are a public housing tenant, you might want to skip ahead to that section. If you disagree with certain decisions made by your PHA related to your continued assistance or assistance amount, the PHA is required to give you an opportunity to request an informal hearing. An informal hearing considers whether the PHA's decisions comply with the law, HUD regulations, and PHA policies. Depending on the reason a hearing is required, the PHA must provide the reason for the decision or notify you that you can ask for an explanation of the decision. It is your responsibility to request an informal hearing.

0:01:15.2 Narrator 1: If you request a hearing, the PHA must proceed with the hearing in a reasonable amount of time and provide you with a written notification specifying the time, place, and procedures for the hearing. The PHA's administrative plan must state the PHA's procedures for conducting informal hearings for participants. Administrative plans are available for public review and are often on the PHA's website. Not every decision made by a PHA requires the PHA to offer an informal hearing. Information related to those exceptions will be included in the PHA's administrative plan. To learn more about the informal hearing process, how decisions are issued, exceptions to the informal hearing process, and more, visit the HCV Applicant and Tenant Resources website.

0:02:06.9 Narrator 2: The PHA grievance process is a way to resolve disputes between tenants and PHAs. If you have a dispute with your PHA because you have been negatively impacted by actions or by a failure to act by the PHA in a way that is not in line with your lease or the PHA's regulations, you have the right to begin a grievance process. The grievance process can be found or is referenced in all tenant leases. To start the grievance process, you must present the grievance, meaning you let the PHA know what the issue or dispute is about, either orally or in writing to the PHA office or to the office of the development where you live. A PHA cannot require you to present the grievance in writing. First, the PHA will make sure the grievance process is the proper way to address the dispute. Next, the PHA should reach out to you to have an informal discussion to settle the issue without a hearing. An informal settlement discussion or meeting can be scheduled more quickly than a grievance hearing and may lead to a faster resolution. You can also have a representative present with you. The PHA must give you a written summary after the discussion or meeting which includes the procedures for obtaining a hearing if necessary.

0:03:19.7 Narrator 2: However, if the dispute is not settled with an informal discussion or meeting, your next step is to request and participate in a grievance hearing. Instructions for doing so must be included in the informal settlement summary. At a grievance hearing, an impartial hearing officer or panel will hear from both sides in the dispute. Grievance hearings must be fair. This means you have a right to see and copy documents relevant to the hearing, to have someone of your choice represent you, to have a private hearing, and to support your claim. The hearing officer's decision must be written, based on the facts presented at the hearing, and provided within a reasonable amount of time. If the hearing officer finds in favor of the PHA, you still have the right to pursue further legal options. There are some disputes for which the PHA is not required to use the grievance process. These exceptions are related to terminations or evictions for certain types of

criminal activity. The exceptions can be found in the PHA's grievance procedure, which HUD requires to be part of your lease and for the PHA to make available to you.

0:04:30.1 Narrator 1: In summary, public housing and HCV families have rights and are able to dispute certain issues with PHAs. Policies and procedures vary by PHA, so it's important to contact your PHA for more specific information. Thank you for watching this video. Additional information and links can be found in the description below.