
GRIEVANCE PROCEDURE OF THE ASHFORD HOUSING AUTHORITY

1. Purpose and Scope

- To set forth requirements, standards and criteria to assure that a tenant is afforded an opportunity for a hearing if the tenant disputes within a reasonable time any Housing Authority action or failure to act involving the resident's lease with the Housing Authority or Housing Authority regulations which adversely affect the individual tenant's rights, duties, welfare and status.
- This grievance procedure is incorporated into the lease and is therefore binding upon both the Tenant and the Housing Authority.
- The Housing Authority shall provide at least thirty (30) days' notice to tenants and the PHTA setting forth proposed changes in the Housing Authority grievance procedure and providing an opportunity to present written comments. Comments shall be considered by the Housing Authority before adoption of any grievance procedure changes by the Housing Authority.
- The Housing Authority shall furnish a copy of the grievance procedure to each tenant and the PHTA.

2. Applicability

- This grievance procedure is applicable to all individual grievances between the tenant and the Housing Authority, as defined herein.
- It is not applicable to: a) disputes between tenants not involving the Housing Authority; b) class grievances; c) desires of tenants to initiate or negotiate policy changes between a group or groups of tenants and the Board of Commissioners of the Housing Authority.
- The Housing Authority grievance procedure is not intended as a forum for initiating or negotiating policy changes between tenants and Management.

3. Informal Settlement of Grievance

- a. Any grievance may be personally presented, either orally or in writing, to the Housing Authority's Executive Director so that the grievance may be discussed informally and settled without a hearing.
- b. A written summary of the discussion shall be prepared within thirty (30) days and one copy shall be given to the tenant and one retained in the Authority's tenant file. The summary shall specify the names of the participants, the date of such discussion, the nature of the proposed disposition of the grievance and the specific reasons therefore and shall specify the procedures by which a hearing under section 8-68f-20 of the Regulations of the Connecticut State Agencies may be requested if the complainant is not satisfied with the proposed disposition.
- c. Informal settlement of grievances is encouraged and every effort should be made to minimize administrative costs associated with informal settlements.

4. Right to a Hearing

- Upon filing a written request and after complying with the informal settlement procedure a complainant shall be entitled to a hearing before a hearing officer or hearing panel, as applicable.
- The Ashford Housing Authority Commission is not required to grant a hearing for any grievance concerning a termination of tenancy or eviction which occurs in connection with one or more of the prohibited activities set forth in section 8-68f-12(d) of the Regulations of Connecticut State Agencies.

5. Procedures to request a Hearing

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- a. Request for Hearing.
 - The complainant shall submit a written request for a hearing to the Ashford Housing Authority Commission within thirty (30) days after receipt of the written summary of discussion. The written request shall specify: (1) The reason for the grievance; and (2) The action or relief sought.
- b. Selection of hearing officer or hearing panel.
 - The Ashford Housing Authority Commission will serve as the hearing panel.
- c. Failure to request a hearing.
 - If the complainant does not request a hearing within thirty (30) days of receipt of the written summary of discussion. The Executive Director's disposition of the grievance shall become final.
- d. Hearing Prerequisite.
 - All grievances shall be personally presented either orally or in writing pursuant to the Informal Settlement Procedure as a condition precedent to a hearing.
- e. Schedule of hearing.
 - A hearing shall be promptly scheduled by the Ashford Housing Authority Commission for a date within ninety (90) days of the Housing Authority Commission's receipt of the tenant's written request for a time and place convenient to both the complainant and the Commission.
6. Procedures governing the Hearing
 - a. The complainant shall be afforded a fair hearing by written policy of the Housing Authority which policy shall provide for:
 - b. a reasonable opportunity to examine any documents, records, or regulations directly relevant to the hearing;
 - c. The right to be represented by counsel or another person chosen as his or her representative;
 - d. The right to a private hearing unless the complainant requests a public hearing;
 - e. The right to present evidence and arguments in support of the grievance, to contest evidence presented by the Housing Authority and to cross examine all witnesses on whose testimony or information the Housing Authority relies;
 - f. A decision based solely and exclusively upon the facts, documents, records, regulations and testimony presented at the hearing.
 - g. If the complainant or the Housing Authority Director fails to appear at a scheduled hearing, the Ashford Housing Authority Commission may postpone the hearing for a period not to exceed five (5) business days. Both the complainant and the Housing Authority Director will be notified of such determination.
 - h. At the hearing the complainant shall first make a showing of an entitlement to the relief sought and thereafter the Housing Authority Director shall sustain the burden of justifying the Housing Authority's action or failure to act which the grievance is directed.
 - i. The hearing shall be conducted informally by the Ashford Housing Authority Commission. All participants must conduct themselves in an orderly fashion. Failure to comply with the directions of the Ashford Housing Authority Commission may result in exclusion from the proceedings. Any interested party may purchase a copy of the hearing transcript.
 - j. The Housing Authority shall provide reasonable accommodations for persons with disabilities to participate in the hearings.
7. Decision of the Hearing
 - a. The Ashford Housing Authority shall prepare a written decision not later than 60 days. The determination will specify the names of the participants, dates of the meeting, the nature of the decision and the specific reasons for it.
 - b. A copy of the decision shall be sent to the complainant and the Housing Authority Director. The Housing Authority shall retain a copy of the decision in the tenant's file.

