

# UNAHA HOUSING AUTHORITY GRIEVANCE POLICY

## A. PURPOSE

The purpose of this policy is to establish the procedure by which the UNAHA Housing Authority shall insure that all individuals utilizing the services of the Housing Authority are given the opportunity to dispute Authority action or failure to act, and to receive within a reasonable period of time, a response to the dispute. A copy of the Grievance Policy shall be displayed in the Authority office and made available to customers upon request.

## B. APPLICABILITY

The UNAHA Housing Authority Grievance Policy shall be applicable to all individual disputes between an individual and any program under the administration or control of the Housing Authority. The Policy shall not be applicable to disputes among individuals not involving the Authority. The policy is only applicable to disputes regarding the interpretation or implementation of established policy. It shall not be used as a method of initiating changes in Authority policy

## C. DEFINITIONS

For the purpose of this policy, the following definitions are applicable:

1. **Grievance** shall mean any formal complaint or dispute which an individual may have with respect to the Housing Authority action, or failure to act, in accordance with the individual lease, agreement, contract or in accordance with any other Housing Authority regulations.
2. **Customer Request** shall mean a formal documentation, in written form, of an individual grievance either using a Customer Request Form or a letter and signed by the individual. The receptionist at the Housing Authority office will assist individuals in preparation of the Customer Request Form.
3. **Individual** shall mean any person or entity receiving services from any program under the administration or control of the Housing Authority.
4. **Conciliation Meeting** shall mean an informal meeting between the Executive Director of the Housing Authority or his designee and the individual in an attempt to resolve a grievance prior to scheduling a Grievance Hearing.
5. **Grievance Hearing** shall mean a formal presentation to the Housing Authority Board of Commissioners of all facts pertaining to a grievance and decision by the Board on the merits of the appeal.
6. **Request for Grievance Hearing** shall mean a formal request for a hearing made by letter or using a Request for Grievance Hearing form. The request for Grievance does not require all of the details of the grievance as this information will have been presented in the Customer Request Form previously filed with the Housing Authority

#### D. DOCUMENTATION

1. The Housing Authority staff shall keep a record of all formal and informal individual grievances, requests for assistance, or other communications requesting a review of Housing Authority action or failure to act.
2. A Housing Authority Customer Request Form shall be completed and signed by the individual whenever there is a grievance. A letter requesting action and signed by the individual may substitute for a Customer Request Form.
3. All action taken to respond to an individual grievance shall be recorded with an indication of results achieved and further action required or anticipated.
4. Any Grievance Hearing before the Board of Commissioners of the Housing Authority will be documented in the minutes, plus any explanatory materials to be entered in the record kept regarding the appeal.

#### E. INFORMAL SETTLEMENT OF GRIEVANCES

1. The Housing Authority staff shall make every effort to respond to individual grievances, problems, requests for assistance, requests for action or appeals of decisions so as to avoid the necessity for formal Customer Requests and Grievances before the Board.
2. If requested, the staff shall assist individuals to document grievances and to complete Customer Request Forms.
3. Staff shall respond to Customer Requests within ten working days of receipt.

#### F. GRIEVANCE HEARING

1. If the individual is not satisfied with the result or findings of the Customer Request, a request for a Grievance Hearing before the Board of Commissioners is made. The request must be made within ten working days of receipt of a formal Housing Authority response to his Customer Request. A Grievance Hearing may not be requested until the individual has filed a formal Customer Request and the Housing Authority has made a response.
2. A request for a Grievance Hearing must be made within ten working days. If a hearing is not requested within the required ten working day period, the matter in dispute will not be considered further and the individual will be required to adhere to the action specified in the original Customer Request response.
3. When a Request for Grievance is received, a hearing will be scheduled at the earliest mutual convenience of the Housing Authority Board of Commissioners and the individual.
4. If the individual requesting the hearing does not appear or is not excused from appearing, for reasons deemed valid by the Board at a scheduled Grievance Hearing, the matter in dispute will not be considered further. The individual will be required to adhere to the action specified in the original Authority response to his request.
5. At a formal Grievance Hearing before the Board of Commissioners, the following procedures will be followed:

- a. The hearing will take place at the beginning of the Board agenda.
- b. All visitors and guests other than the Executive Director or designees, staff personnel involved, and the recording secretary will be requested to leave the meeting room while the hearing is in progress. The individual has the right to be represented by another person of their choice at the hearing.
- c. There will be an opportunity for both the Housing Authority and the individual to make opening statements, present witnesses and documents and ask questions of the other party.
- d. The format of the hearing shall not imply that the burden of proof is more on one side than the other. The purpose of the hearing is to present all information required in order to allow a decision by the Board based on the merits of the grievance.
- e. The Board will make a decision on the grievance within five working days of the hearing. The Housing Authority will transmit this decision within that time frame to the individual both orally and in writing.
- f. The decision shall be binding on the Housing Authority.

#### G. PAYMENT AND DEPOSIT OF RENTOR MONTHLY PAYMENTS DURING GRIEVANCE PROCESS

Where a grievance involves payment of rent or monthly payments or other charges, the individual may not withhold payment pending a response to a Grievance Hearing by the Board of Commissioners. The individual must make all payments for rent or other charges when due. The Housing Authority shall place these moneys in its accounts and shall not use them for any purpose until a Grievance Hearing is held and a decision is rendered. Should the individual so desire these payments may be made through the Clerk of the Tribal Court.

#### H. APPEAL OF THE DECISION OF THE BOARD OF COMMISSIONERS

The individual may appeal the decision of the Board of Commissioners through the appropriate judicial process. Such appeal shall be based upon the record made at the Board hearing unless good cause is shown by the individual for the submission of additional evidence.

Adopted by Resolution No \_\_\_\_\_ . Date \_\_\_\_\_