

INFORMAL HEARING PROCEDURES for SECTION 8 HOUSING CHOICE VOUCHER PARTICIPANTS

Informal Hearings **are** allowed for the following determinations:

1. A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
2. A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the PHA utility allowance schedule.
3. A determination of the family unit size under the PHA's subsidy standards.
4. A determination to terminate assistance for a participant family because of the family's actions or failure to act.
5. A determination to terminate assistance because the participant has been absent from the assisted unit for longer than the maximum period permitted under PHA policy and HUD rules.
6. A determination to terminate a family's Family Self-Sufficiency contract, withhold supportive services, or propose forfeiture of the family's escrow account [24 CFR 984.303(i)]

The participant will be given the opportunity for an informal hearing prior to an action to terminate the ongoing flow of assistance payments under an outstanding assistance contract. (Examples: terminating assistance payment for participant fraud, for violation of family obligations or because the family is residing in an oversized unit.)

Informal Hearings **are not** allowed for the following determinations:

1. Discretionary administrative determinations by the PHA
2. General policy issues or class grievances
3. Establishment of the PHA schedule of utility allowances for families in the program
4. A PHA determination not to approve an extension or suspension of a Voucher term
5. A PHA determination not to approve a unit or tenancy
6. A PHA determination that a unit selected by the applicant is not in compliance with the HQS
7. A PHA determination that the unit is not in accordance with HQS because of family size
8. A determination by the PHA to exercise or not to exercise any right or remedy against an owner under a HAP contract

Informal hearings will not be held prior to the determination of family rent; determination to deny assistance on behalf of the family (refusal to issue a new Voucher or to approve a lease); or a determination of the unit size on the Voucher issued to a participant who wants to move.

A request for an informal hearing by a participant must be submitted **in writing** to West Valley Housing Authority **within ten (10) days** of the date of the original determination.

A confirmation notice will be sent to the participant in a timely manner and will include the particulars of the hearing including the date, time and place of the scheduled informal hearing.