



## **INFORMAL FAIR HEARING**

### **WHAT CAN I DO IF I DISAGREE WITH A HOUSING AUTHORITY DECISION?**

If you disagree with this decision, you may submit a written request for an informal hearing to resolve disputes with the Housing Authority without legal action and to detect Housing Authority errors.

### **WHAT TYPES OF DECISIONS MAY I APPEAL?**

You may appeal any decisions related to the following:

1. Determination of annual or adjusted income and the computation of the housing assistance payment (HAP).
2. Appropriate utility allowance used from schedule.
3. Family unit size determination under Housing Authority subsidy standards.
4. Determination that a voucher family is under occupied and a request for exception is denied.
5. Determination to terminate assistance for any reason.
6. Determination to terminate an FSS contract, withholds supportive services, or proposes forfeiture of the family's escrow account.
7. Determination to pay an owner claim for damages, unpaid rent or vacancy loss.

The Housing Authority must give an opportunity for an informal hearing before termination of assistance.

### **HOW CAN I REQUEST AN INFORMAL FAIR HEARING?**

You may request an informal fair hearing by completing a Request for an Informal Hearing form and delivering it to the Housing Choice Voucher Program Manager within 10 working days of the date of the Notice. The request **MUST BE** received by the Housing Authority on or before the 10<sup>th</sup> working day following the date of the Notice. The written request should specify the family's objection to the decision and the factual basis for the objection.

When the Housing Authority receives a request for an informal hearing in writing, a hearing will be scheduled within no less than 14 calendar days. The notification of the hearing will contain: 1) the reason for the hearing, 2) the date and time of the hearing, 3) the location of the hearing, and 4) notice of the family's right to bring evidence, witnesses, legal or other representation at the family's expense, subject to pre-hearing right to discovery, as set forth below.

**Pre-hearing Right to Discovery.** Families and the Housing Authority have pre-hearing discovery rights.

**Right to Discovery by Family:** The family has the right to examine before the hearing any documents or evidence in possession of the Housing Authority and, at the family's expense, to obtain a copy of such documents prior to the hearing. Requests for such documents and evidence must be received no later than 3 working days prior to the date of the hearing. If, upon request of the family, the Authority does not make available such documents, the Housing Authority may not rely on the document at the hearing.

**Right to Discovery by Authority:** The Housing Authority must be given the opportunity to examine before the hearing any family documents relevant to the hearing. If the family does not make the document available to the Housing Authority at least 3 working days prior to the date of the hearing, the family may not rely on the document at the hearing.

Both parties have the right to question any witnesses.

The Hearing Officer will conduct the hearing. The hearing shall concern only the issues for which the family has received the opportunity for hearing.

### **CAN I ASK FOR HELP WITH MY APPEAL?**

Legal counsel or another chosen representative may represent you at your own expense. The organization listed below offers free legal counsel and/or fair hearing counsel:

Nevada Legal Services  
530 South Sixth Street  
Las Vegas, NV 89101  
(702) 386-0404  
(866) 432-0404  
(702) 388-1641 FAX

