

Part I

Applicant and Tenant Grievances

As the operator of the Adelaide Building, NeighborWorks Alaska (NWA) will provide Section 8 Moderate Rehabilitation Housing Program applicants and tenants an opportunity to protest certain adverse actions. The process ensures that NWA decisions comply with the law, U.S. Department of Housing & Urban Development regulations, and appropriate policies.

1. Reasonable Accommodation

NWA will provide a necessary reasonable accommodation to any person with a disability to allow that person to participate in an NWA grievance procedure. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants. If the applicant or participant is visually impaired, notices will be in an accessible format. Persons requiring a reasonable accommodation can contact the local NWA office, contact their local NWA representative, or complete a reasonable accommodation request for assistance with the process.

2. Grievance Process

NWA grievance procedures give applicants and participants an opportunity to discuss NWA decisions and present facts in support of their position. NWA grievance procedures comply with HUD regulations.

2.A Applicants

An applicant is a family who has applied for assistance or been selected from the waiting list, but has not executed a lease agreement for rental assistance. HUD regulations use the term “informal hearing” for applicant grievances. HUD Handbook 4350.3 uses the term “informal review.” For clarity, NWA shall hereafter refer to the applicant grievance procedure as an “informal review.”

Applicants may request an Informal Review. An Informal Review decision is NWA’s final administrative decision. See the Applicant Informal Review Process exhibit.

2.B Tenants

A tenant is a family with an executed lease agreement with NWA. Neither HUD regulations nor Handbook 4350.3 requires NWA to provide a tenant an Informal Hearing for discretionary administrative determinations made by NWA. However, the regulations do require a less formal appeal process. This process is defined as an “Administrative Review.” An Administrative Review decision is NWA’s final administrative decision. See the Participant Administrative Review Process exhibit.

2.C Legal Counsel

If the applicant or tenant discloses that legal counsel will represent him/her during any grievance process, NWA has the right to be represented by legal counsel as well. NWA must notify the tenant if it will be represented by legal counsel.

3. Denial Due To Ineligible Immigration Status

Unlike other reasons for denial, NWA will offer the Grievance Hearing process to both tenants and applicants for a denial of assistance based upon ineligible immigration status. See the Informal Hearing for Citizenship Determination exhibit for details.

Documents listed at 24 CFR 5.514, section (h) "Retention of Documents" parts (1) through (9), will be maintained by AHFC in accordance with the required retention time frame listed in that section of the regulations.

Numbered Memo

20-52 Adelaide Administrative Plan Updates