

Exhibit 9-1

Applicant Informal Review Process

HUD Regulation 24 CFR 982.554(b)

Informal review process. The PHA must give an applicant an opportunity for an informal review of the PHA decision denying assistance to the applicant.

AHFC Policy

Alaska Housing Finance Corporation's informal review process for applicants is described below.

1. For the expedited and informal hearing process for participants, see the Participant Informal Hearing Process exhibit.
2. Grievances involving complaints related to discrimination, harassment, or disability rights will be referred to the AHFC Section 504/ADA Compliance Officer.
3. See the Informal Hearing for Citizenship Determination for family appeals of ineligibility due to citizenship status.
4. For the Ineligible Noncitizen process, see the Meet Citizenship Requirements exhibit for the citizenship determination

1. Applicant Denial Notice

HUD Regulation 24 CFR 982.554(a)

Notice to applicant. The PHA must give an applicant for participation prompt notice of a decision denying assistance to the applicant. The notice must contain a brief statement of the reasons for the PHA decision. The notice must also state that the applicant may request an informal review of the decision and must describe how to obtain the informal review.

AHFC Policy

See the Admission and Eligibility chapter for applicant eligibility determinations.

2. Informal Review Not Required

HUD Regulation 24 CFR 982.554

Informal review for applicant.

(c) When informal review is not required. The PHA is not required to provide the applicant an opportunity for an informal review for any of the following:

- (1) Discretionary administrative determinations by the PHA.
- (2) General policy issues or class grievances.
- (3) A determination of the family unit size under the PHA subsidy standards.
- (4) A PHA determination not to approve an extension of the voucher term.

- (5) A PHA determination not to grant approval of the tenancy.
- (6) An PHA determination that a unit selected by the applicant is not in compliance with HQS.
- (7) An PHA determination that the unit is not in accordance with HQS because of the family size or composition.

AHFC Policy

Items cited under numbers (c)(1) and (c)(2) above include an AHFC decision to establish or not establish preferences, and AHFC's schedule of subsidy standards and utility allowances.

AHFC will not deny a family admission to a waiting list or program under the 1937 Housing Act for failure to utilize a voucher or enter into a Housing Assistance Payments (HAP) Contract.

3. Process

HUD Regulation 24 CFR 982.554

Informal review for applicant.

(b) Informal review process. The PHA must give an applicant an opportunity for an informal review of the PHA decision denying assistance to the applicant. The administrative plan must state the PHA procedures for conducting an informal review. The PHA review procedures must comply with the following:

- (1) The review may be conducted by any person or persons designated by the PHA, other than a person who made or approved the decision under review or a subordinate of this person.
- (2) The applicant must be given an opportunity to present written or oral objections to the PHA decision.
- (3) The PHA must notify the applicant of the PHA final decision after the informal review, including a brief statement of the reasons for the final decision.

AHFC **will** provide an Informal Review for actions which adversely affect an applicant's position on or eligibility for the waiting list or eligibility for program participation. Examples include:

- Removal of a preference;
- Assignment of a subsidy level to a family;
- Denial of an application due to family failure to meet any screening criteria; and
- Withdrawal of an application from the waiting list for any reason other than failure to respond to a waiting list letter or returned mail.

3.A Family Requirements

An applicant family interested in appealing an AHFC decision must:

- Submit their written request within ten (10) calendar days of the AHFC notice date.
- Notify AHFC if they plan to have legal representation at the informal review.
- Notify AHFC in advance of the informal review if they need a reasonable accommodation to allow a family member with a disability to participate in the informal review.

Upon receiving the applicant's timely request, AHFC will proceed with the informal review.

3.B AHFC Requirements

AHFC will promptly schedule the informal review with a written notice containing:

- The date, time, and location of the informal review.
- A listing of the applicant's rights including:
 - The right to request documentation from their applicant file (a fee may apply. See the Information Requests exhibit).
 - The right to have any witnesses or present documentation in support of their position.
 - The right to request legal or personal representation. Any attorney fees or other costs are at the applicant's expense.

3.C Conducting the Review

AHFC will conduct an informal review as follows.

- The review may be conducted in person or by telephone.
- The person conducting the review shall notify the applicant, in writing, of AHFC's final decision within ten (10) business days of the Informal Review. The notification will include a brief statement of the reasons for the decision.

4. Informal Review Outcomes

AHFC may choose to uphold the original decision or overturn that decision.

4.A Uphold the Decision

- If the family was in the eligibility process, was not determined ineligible, and the decision is upheld, AHFC will apply the decision and rank the family appropriately on the waiting list.
- If the family was in the eligibility process and was determined ineligible, then the action stated in the Ineligibility Notice will be followed.

4.B Overturn the Decision

If a decision is made to overturn an application withdrawal, AHFC will reinstate the application with the original date and time on the appropriate waiting list.

If the family was in the eligibility process, the disputed information is updated, and the application is reinstated to the waiting list with the original date and time of the application. AHFC will immediately resume the eligibility process.

5. Definitions

HUD Regulation 24 CFR 982.4

Definitions.

5.A Admission

The point when the family becomes a participant in the program. The date used for this purpose is the effective date of the first HAP contract for a family (first day of initial lease term) in the tenant-based program.

5.B Applicant

An applicant is a family who has applied for assistance or been selected from the waiting list, but has not had an executed HAP contract for rental assistance.

5.C Continuously Assisted

An applicant is continuously assisted under the 1937 Act if the family is already receiving assistance under any 1937 Act program when the family is admitted to the HCV program. See the Admission & Eligibility chapter for AHFC's definition of continuously assisted.

5.D Family

A person or group of persons, as determined by the PHA consistent with 24 CFR 5.403, approved to reside in a unit with assistance under the program.

HUD Regulation 24 CFR 5.403

Family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

(1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or

- (2) A group of persons residing together, and such group includes, but is not limited to:
- (i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
 - (ii) An elderly family;
 - (iii) A near-elderly family;
 - (iv) A disabled family;
 - (v) A displaced family; and
 - (vi) The remaining member of a tenant family.

5.E Family Unit Size

The appropriate number of bedrooms for a family, as determined by the PHA under the PHA subsidy standards.

5.F Jurisdiction

The area in which the PHA has authority under State and local law to administer the program. See the Overall Approach chapter for a listing of AHFC jurisdictions.

5.G Participant (Participant Family)

A family that has been admitted to the PHA program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term).

5.H Subsidy Standards

Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

5.I Suspension

The term on the family's voucher stops from the date that the family submits a request for PHA approval of the tenancy, until the date the PHA notifies the family in writing whether the request has been approved or denied.

5.J Voucher (Rental Voucher)

A document issued by a PHA to a family selected for admission to the voucher program. This document describes the program and the procedures for PHA approval of a unit selected by the family. The voucher also states obligations of the family under the program.

5.K Voucher Holder

A family holding a voucher with an unexpired term (search time).

5.L Waiting List Admission

An admission from the PHA waiting list.

Numbered Memo

21-21 Grievance Policy and Procedures