

## **Exhibit 9-3**

### **Participant Expedited Informal Hearing Process**

AHFC will provide a participant an opportunity for an Expedited Informal Hearing to consider whether the determination of the family's annual or adjusted income and the use of such income to compute the family's rental portion are in accordance with the law, HUD regulations, and AHFC policies (24 CFR 982.555).

All other participant disputes will be handled in accordance with the Informal Hearing Process in Exhibit 9-2.

#### **9-3.1 CONTINUED ASSISTANCE DURING THE INFORMAL HEARING PROCESS**

AHFC will not increase the family portion of rent until the outcome of a properly requested Informal Hearing.

#### **9-3.2 PARTICIPANT NOTIFICATION**

AHFC will provide prompt notice of any decision to re-determine the family's portion of rent. Any such notice will contain the following information:

- The determination of the family's monthly rental contribution. A statement of the family's income and rental determination is included.
- A statement that the family may request an Expedited Informal Hearing (Rent Change Informal Hearing) if they disagree with the decision.
- A statement that the family's written request must occur within ten (10) business days of receipt of the notice of the rent change. The family has three additional calendar days to submit their request if AHFC mailed the rent change letter to them.
- A copy of the *Rent Change Informal Hearing*, form V732A.

#### **9-3.3 RENT CHANGE INFORMAL HEARING (FORM V732A)**

This form contains Rent Change Informal Hearing procedures as well as a request form a participant can use. The form states:

- The participant's written request must be postmarked or received by AHFC within ten (10) business days from the notice date. If the notice was mailed, the participant has an additional three (3) calendar days to submit the written request.
- The participant's rights during the process.
- AHFC's offer of an Administrative Review and how that works.
- Possible outcomes of the Rent Change Informal Hearing.

- How the participant can request a reasonable accommodation to participate in the process.

Upon receiving the family's request, AHFC will proceed with the Administrative Review or Expedited Informal Hearing as described below.

### **9-3.4 THE ADMINISTRATIVE REVIEW**

This is a meeting to enable the family to discuss the reasons for the AHFC notice and any possible solutions to resolve the dispute. Unlike an Informal Hearing, the AHFC staff person responsible for the notice, or a supervisor familiar with the cause for the notice, may conduct the Administrative Review.

Staff will follow the instructions in Exhibit 9-2 to conduct the Administrative Review.

### **9-3.5 THE EXPEDITED INFORMAL HEARING**

Field staff will complete and submit the *Informal Hearing Request* (form PW315) to the regional manager or their designee to forward to Central Office. Central Office is responsible for coordinating and scheduling the Informal Hearing.

#### **9-3.5.A The Expedited Informal Hearing Process**

Staff will expedite requests for an Informal Hearing for a rent dispute. Upon receipt of the request for the hearing, staff will:

1. Carefully review the income calculations to assure all numbers are correct.
2. Complete the *Informal Hearing Request*, form PW315, and check off the "Rent Dispute (Expedited Hearing)" box.
3. Attach a copy of the rent change notice sent to the family.
4. Attach a copy of the Calculation Summary.
5. Attach a copy of the signed *Family Report of Changes* in case of an interim rent change.
6. Send the *Informal Hearing Request* and attachments to the appropriate Regional Manager or designee to approve and forward to Central Office.

Upon receipt of form PW315, the Central Office hearing scheduler will:

1. Schedule the hearing with Quality Assurance staff who will act as hearing officers for expedited rent change disputes.
2. Schedule the hearing within ten business days.

3. Notify all parties in writing of the date, time, and place for the hearing.
  - a. The hearing may be held telephonically.
  - b. The scheduler will attach copies of the rent change notice and Calculation Summary sent in with the hearing request.
4. Any exhibits to be presented by either party will be presented at the hearing. Both parties must make three copies of the exhibits they wish to present.

#### **9-3.5.B Rights of the Participant**

Staff will reference Exhibit 9-2 for these instructions.

#### **9-3.5.C Persons Representing AHFC**

Staff will reference Exhibit 9-2 for these instructions.

### **9-3.6 HEARING OFFICER DUTIES**

Staff will reference Exhibit 9-2 for these instructions.

#### **9-3.6.A Failure to Appear**

Staff will reference Exhibit 9-2 for these instructions.

#### **9-3.6.B Hearing Officer Decision Content**

Staff will reference Exhibit 9-2 for these instructions.

#### **9-3.6.C Effect of Decision**

Staff will reference Exhibit 9-2 for these instructions.

#### **9-3.6.D Notification to Participant**

The Central Office will mail a copy of the hearing officer's decision to the client. Staff will mail the client form V764P, *Informal Hearing Result*. This letter tells the client how the hearing decision will be applied to their rental portion.

If there is a change in the rental amount previously sent to the landlord, staff will notify the landlord of the new rental portions using the *Rent Change Notice Landlord* (form V722).

## **Forms**

### **V732A Rent Change Informal Hearing**

PW315 Informal Hearing Request  
V764P Informal Hearing Result  
V722 Rent Change Notice Landlord

**Administrative Desk Manual**

None