

## **Isle de Jean Charles (IDJC) Resettlement Optional Relocation Assistance Program Appeals Process**

Individuals may appeal an initial eligibility determination or program termination.

### **Appeal of Initial Eligibility Determination**

An applicant can file an appeal of eligibility determination by notifying the Louisiana Housing Authority (LHA) within 60 days of receiving the initial determination. The written appeal may be sent to:

Nicole Sweazy  
Executive Director, Louisiana Housing Authority  
Louisiana Housing Corporation  
2415 Quail Drive  
Baton Rouge, LA 70808

LHA shall promptly make the decision on such an appeal and respond to the applicant.

### **Appeal of Program Termination**

1. If a participant's rental assistance is subject to termination because of violations described in the program's Participation Agreement, the participant must be offered due process in the form of a formal appeal before termination. At the request of the participant, LHA will make the decision to hold a formal appeal hearing; LHA has responsibility for scheduling the formal appeal hearing, and notifying all parties. LHA will be responsible for documenting the proceedings of the formal appeal hearing.
2. LHA will conduct the formal appeal hearing. At a minimum, participants in the formal appeal hearing must also include the program participant, the Case Manager, and appropriate START Community Services staff as the program's third party administrator. Other interested parties may be included at the discretion of the LHA staff. These may include the landlord or property manager, an advocate for the participant, and any other involved individuals as deemed appropriate by the LHA staff. The participant shall have the opportunity to present written or oral testimony.
3. The participant, representative and/or family member will be given the opportunity to examine during the formal appeal hearing any LHA or START generated documents that are directly relevant to the appeal. The participant, representative, and/or family member will be given copies prior to the appeal if requested.
4. LHA staff must be given the opportunity to examine before the formal appeal any family documents that are relevant to the issues. If the participant does not make relevant documents available for examination upon request, the participant may not rely on the documents at the appeal. At the appeal, all parties will have access to all documentation.

5. The participant may be represented by legal counsel or other representative at their own expense.

6. LHA staff and the participant shall have the opportunity to present evidence and to question witnesses. All evidence shall be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

7. LHA staff may make a decision immediately, but no later than five working days after the appeal. A written decision shall be issued by the LHA staff. If feasible, the decision should be given to all participants in the appeal that same day. Documentation of the appeal shall state the reasons for the appeal and the decision. Factual determinations relating to the individual circumstances of the participant shall be based on a preponderance of the evidence presented at the appeal.

8. The decision of LHA is final with respect to the formal appeal.

9. If a participant wishes to appeal the formal appeal decision, he or she must be informed that he or she may contact LHA.