**Procedure for Informal Reviews for HCV and PBV Applicants Denied Assistance**

1. Review for Determination of Ineligibility: PHA shall notify all HCV and PBV Applicants found ineligible for assistance that they have been denied assistance. Applicants shall be notified in writing of the reason(s) for the determination and the right to request an Informal Review of the determination. Upon request, Applicants will be allowed to review a copy of relevant documentation regarding the determination.
2. Applicants who wish to contest a denial of assistance shall have the opportunity to submit information and evidence to the PHA Executive Director and/or his/her designee for an Informal Review of the denial determination. An informal review does not involve a hearing – it is a review of the material in the applicant’s file to ensure that a correct decision (based upon the material submitted by the applicant) about the applicant’s status has been made.
3. The request for an Informal Review must be made in writing[[1]](#footnote-1) within ten calendar days from the date of the written denial of assistance. An Applicant that fails to request the Informal Review within ten calendar days will be ineligible for a review and the denial shall stand. The Informal Review shall be scheduled within thirty calendar days of the Applicant’s request.
4. The PHA Executive Director or his/her designee shall conduct the informal review of the file, and any additional information presented by the Applicant for consideration.
5. The outcome of the Informal Review shall be recorded in the Applicant’s file. If it is determined that the Applicant is eligible, the Family’s name will be placed on the Section 8 Waiting List without loss of position during the period of ineligibility, or issued a voucher, whichever is appropriate. The PHA will notify the Applicant of the outcome, in writing, within fourteen (14) calendar days after the Applicant’s review.
6. Matters Not Subject to Informal Review by Applicants: PHA shall not grant informal reviews for matters to:
7. PHA’s discretionary administrative determinations or to consider general policy issues or class grievances
8. PHA’s determination of Family’s unit size under PHA subsidy standards
9. PHA’s determination not to approve leasing a unit under the Section 8 Program, or approve a proposed lease
10. PHA’s determinations that unit selected does not comply with HQS
11. PHA’s determination that a unit selected is not in accordance with HQS because of the size of the Family
12. PHA’s refusal to extend Families’ voucher past the maximum time allowed under PHA policy
13. PHA’s determination of rent reasonableness
14. PHA’s schedule of utility allowances
15. PHA’s decision not to approve a unit or tenancy

PHA is not bound by any decision that is in conflict with HUD regulations or PHA policy. The PHA Executive Director or his/her designee, may review all decisions to ensure compliance with HUD regulations and PHA policy.

If the PHA determines that it is not bound by a review decision, the PHA shall promptly notify the participant of the determination, and the reasons for the determination.

1. Or other method needed by an applicant with a disability [↑](#footnote-ref-1)