

**CHICAGO HOUSING AUTHORITY
Grievance Procedure
(For use at the West End Development)**

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I. Purpose

- A. This Grievance Procedure (Procedure) is issued in accordance with the U.S. Department of Housing and Urban Development (HUD)'s Code of Federal Regulations (CFR), as found in 24 CFR § 966.50, and the CHA Leaseholder Housing Choice and Relocation Rights Contract 10/1/99 (RRC).
- B. This Procedure outlines the rights and obligations of residents, the Chicago Housing Authority (CHA) and property management firms of traditional public housing and mixed-income properties (property management firms) with respect to grievances, and makes these rights and obligations part of the CHA Residential Lease Agreement and Contract (Lease) between the CHA and residents, as well as the mixed-income leases, to the extent this Procedure is adopted by the mixed-income developer.
- C. The Grievance Procedure is a two-step process through which residents can raise grievances, outlined in *Section IV*, with the CHA and/or its property management firms.
 - 1. The first step is an informal hearing between a resident and Property Manager, in which the parties shall present concerns and attempt to resolve issues.
 - 2. The second step, if necessary, is a formal hearing, heard by an independent Hearing Officer at the City of Chicago's Department of Administrative Hearings.

II. Applicability

- A. The following residents have the right to use this Grievance Procedure:
 - 1. Residents living in traditional CHA public housing developments;
 - 2. Residents living in mixed-income developments;
 - 3. Residents temporarily using a Housing Choice Voucher (Section 8); or
 - 4. Residents and former residents covered by the RRC.
- B. This procedure does not apply to residents living in City-State properties.

III. Definitions

- A. "Grievance" shall mean: Any dispute with respect to the CHA's and/or property management firm's action or failure to act in accordance with the individual resident's Lease, the RRC, and/or CHA policies or procedures that adversely affect the individual resident's rights, duties, welfare or status.

- B. "Resident" shall mean: The adult person (or persons), other than a live-in aide or foster adult, who resides in the unit, and who:
1. executed the lease with the property management firm or with the CHA as lessee of the dwelling,
 2. has a temporary Section 8 voucher,
 3. is otherwise protected under the Relocation Rights Contract, or
 4. if no such person is now residing in the unit, the adult person who is the remaining head of household of the resident family residing in the unit.
- C. "Property Management Firm" shall mean: A property management firm that manages traditional public housing and/or mixed-income developments of the CHA.
- D. "Reasonable Accommodation" shall mean: Some modification or change the CHA can make to its units, buildings, or procedures that will assist an otherwise eligible applicant or resident with a disability to take full advantage of and use CHA's programs. An accommodation is not reasonable if it: a) causes an undue financial and administrative burden; or b) represents a fundamental alteration in the nature of CHA's program.

IV. Grievances to which this procedure is applicable

The Grievance Procedure shall apply to situations including, but not limited to, disputes involving:

A. Rent

1. Annual and adjusted income;
2. Amount of rent;
3. Continued income eligibility;
4. Failure to pay rent;
5. Procedure used to collect rent;
6. Patterns of late rent payments; and
7. Minimum rent hardship exemption.

Rent Escrow Account: Before a hearing is scheduled for any grievance involving the amount of rent due, the resident must pay an escrow deposit to a Rent Escrow Account, equal to the amount of monthly rent due as of the first of the month preceding the month in which the act or failure to act took place. The resident must continue to pay the amount of monthly rent due to the account until the resident's grievance is resolved. The escrow requirement shall be waived if the resident is determined to have a financial hardship exemption as described in the minimum rent requirements. The

escrow requirement shall also be waived due to the effect of welfare benefit reductions in the calculation of family income. Unless the requirement is waived, failure to make the escrow deposit shall terminate the Grievance Procedure. When the request for an informal hearing is submitted, the resident shall be notified in writing of the rent escrow requirement, the right to request a hardship exemption and consequences for failure to comply. **24 CFR 966.4(b)**

B. Noncompliance with the Lease

1. Inspection of the dwelling unit to determine its condition;
2. Imposition of the Lease provisions to protect the CHA's property;
3. Assessment and payment of charges for resident-caused damages;
4. Failure to pay maintenance charges or failure of the property management firm to complete repairs;
5. Failure to reimburse for damage claims;
6. Failure to comply with annual reexamination requirements;
7. Methods and grounds used to transfer or relocate families within or between housing developments that are unrelated to the RRC;
8. Disputes involving exemptions from the Economic Independence Policy (EIP) requirement; and
9. Termination of tenancy because of non-compliance with the terms of the Lease, except as specified below in *Section V.A.*

C. Relocation (applicable to residents and former residents covered by the RRC only).

1. Methods and grounds used to relocate families within or between housing developments as part of the Plan for Transformation;
2. A resident's rejection of permanent replacement housing, including offers from site-based or city-wide lists;
3. Disputes involving a resident's loss of their right of return to replacement housing;
4. Denial of replacement housing based upon criteria set forth in Tenant/Resident Selection Plans and/or Site-Specific Criteria;
5. Requirement to transfer to a different housing development because of failure to meet the criteria set forth in Tenant/Resident Selection Plans and/or Site-Specific Criteria within one year (or longer period, as applicable) of move-in at mixed-income properties;
6. Requirement to transfer to a different housing development for failure to continue to meet or continue to engage in activities set forth in Tenant/Resident Selection Plans and/or Site-Specific Criteria at mixed-income properties; and

7. Disputes involving failure to comply with new Authority-wide requirements.

V. Grievances to which this procedure is not applicable

- A. The Grievance Procedure shall not be available to any resident whose tenancy is being terminated because of:
1. Any activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents, employees of the CHA, property management firms, or agents of the CHA;
 2. Any violent or drug-related criminal activity on or off such premises; or
 3. Any activity resulting in a felony conviction.
- B. The Secretary of HUD has made a determination that the State of Illinois' courts provide due process. Therefore, the CHA may terminate a Lease using the procedure under the Illinois Landlord-Tenant law for the above actions without offering the Resident a grievance hearing.
- C. The Grievance Procedure shall not apply to disputes between:
1. class grievances against the CHA, or
 2. disputes between residents, when the CHA is not involved.
- D. The Grievance Procedure shall not be used as a forum by groups of residents for initiating or negotiating policy changes with the CHA or the CHA's Board of Commissioners.

VI. New Residents

- A. At the time of leasing, the property management firm will furnish each new resident with a copy of the CHA Grievance Procedure, with exhibits attached thereto, including the Notice of Grievance Rights – GP1.
- B. Residents transferring between developments shall not be considered new residents.

VII. Reasonable Accommodations

- A. The CHA and its property management firm shall provide reasonable accommodations to permit residents with disabilities to participate in both informal and formal grievance hearings.
- B. If requested by the resident, reasonable accommodations to persons with disabilities may include, but are not limited to the following: 1) that meetings be held in an accessible location; 2) that all materials and notices will be in an accessible format; 3) that the CHA provides qualified sign language interpreters, readers or attendants; 4) that the resident can make a hearing request orally and having a representative, advocate or the property management firm complete the relevant paperwork.

VIII. Notice of Adverse Action

- A. The CHA or its property management firm will notify a resident in writing of the specific grounds for any proposed adverse action. The notice shall be personally served or sent via certified or registered first-class mail, return-receipt requested. If the CHA is required to afford the resident the opportunity for a grievance hearing, the notice of proposed adverse action will inform the resident of the right to request such hearing and the time period within which a hearing may be requested.

IX. Adverse Action and Grievance Procedure

- A. Actions Excluding Lease Termination: In the case of a proposed adverse action other than a proposed Lease termination, the CHA or its property management firm shall not take the proposed action until the time for the resident to request a grievance hearing has expired. If a hearing was timely requested by the resident, no action shall be taken until the grievance process has been completed.
- B. Actions Including Lease Termination: When the CHA or its property management firm is required to afford the resident the opportunity for a hearing under this Procedure for a grievance concerning the Lease termination (not including grievances described in *Section V*), the tenancy shall not terminate, even if any notice to vacate under state or local law has expired, until the time for the resident to request a grievance hearing has expired, and, if a hearing was timely requested by the resident, the grievance process has been completed.

X. Requests for Informal Hearings

- A. The following residents have the right to use the informal hearing process established by this Grievance Procedure:
1. Residents living in traditional CHA public housing developments;
 2. Residents living in mixed-income developments;
 3. Residents temporarily using a Housing Choice Voucher (Section 8); or
 4. Residents and former residents covered by the RRC.
- B. On the bottom of every Notice of Termination of Tenancy (other than those exempted in *Section V*) and at the bottom of notices for grievable actions, as required by the RRC, the resident shall be notified that he/she has a right to request a grievance hearing, orally or in writing, within the applicable number of days from receipt of the Notice.
- C. Residents shall file grievances either orally or in writing with the property management firm. The resident or the property management firm, upon request by the resident, shall complete the Grievance Hearing Proceedings Form – GP3, that is provided by the property management firm. Residents shall file their grievances within the following times:

1. Grievances Involving Eviction Action
 - a. in the case of rent disputes, within fourteen (14) calendar days of the receipt of the termination notice by the resident; and
 - b. in all other eviction cases¹ that are not excluded under Section 15(h) of the Lease, the period of time stated within the notice after which tenancy will terminate, calculated from the date of the resident's receipt of the termination notice, not to exceed thirty (30) calendar days.
2. Non-Eviction Grievances:
 - a. Within thirty (30) calendar days of the receipt of any written notice of adverse action from the CHA or property management firm;
 - b. Within thirty (30) calendar days of any adverse action taken by CHA or the property management firm, where no notice is received; or
 - c. Within thirty (30) calendar days from the date the resident put the CHA or property management firm on notice, orally or in writing, of any claim or problem created by the CHA's or the property management firm's failure to act.
- D. If an informal hearing is requested, the property management firm shall fill out and provide the resident with a receipt indicating that a request for an informal hearing was made and the date of the request. (Resident Receipt for Informal Hearing Request – GP2). A copy of the receipt shall be given to the resident and placed in the resident's file.
- E. When a resident files a request for an informal hearing, the property management firm shall forward two copies of the Resident Receipt for Informal Hearing Request (GP2) to CHA Departments: The property management firm shall forward one copy to the Asset Management Department and one copy to the General Counsel.
 1. In cases involving the right of return, or the right to remain at a mixed-income development after the 12-month Working to Meet Period, the property management firm shall also forward a copy of the request to the Relocation Department.

XI. Informal Hearing Process

- A. The resident has the right before the informal hearing to review and/or copy any documents, records, and/or regulations that are directly relevant to the grievance raised. The resident shall make the request during normal business hours and is responsible for any photocopying fees. Documents shall be provided and copies shall be made in the Management Office within a

¹ For example, for repeated violations of the pet policy; violations of house rules; repeated violations of housekeeping standards.

reasonable time period of the resident's request. Costs shall not exceed 10 cents per page.

- B. The property management firm, CHAC, or the CHA shall schedule and hold an informal hearing within fifteen (15) calendar days of receiving a resident's hearing request.
 - 1. If the adverse action or failure to act is the responsibility of the property management firm, the resident's informal hearing shall be conducted with the Property Manager.
 - 2. If the adverse action or failure to act is the responsibility of Housing Choice Voucher (Section 8) program (CHAC), the resident's informal hearing shall be conducted by the Executive Director of CHAC or his/her designee.
 - 3. If the adverse action or failure to act is the responsibility of a CHA official, the informal hearing shall be conducted by that official's supervisor or his/her designee.
- C. The resident has the right to be represented by counsel or by other persons chosen as the resident's representative and to have such person make statements on the resident's behalf.
- D. Within five (5) business days after the informal hearing, the property management firm, CHAC, or the CHA will make four copies of the informal hearing results on the Grievance Hearing Proceedings Form – GP3.
 - 1. One copy of the informal hearing results shall be sent to the resident on the GP3 Form described above. The GP3 Form shall be personally served or sent via certified or registered first-class mail, return receipt requested. The GP3 Form shall also contain the procedure by which a formal hearing may be obtained. The Formal Hearing Request Form – GP4 will be mailed or delivered to the resident along with a copy of the informal hearing results.
 - 2. One copy of the informal hearing results shall be sent to the Asset Management Department.
 - 3. One copy of the informal hearing results shall be sent to the General Counsel.
 - 4. One copy of the informal hearing results will be placed in the resident's file.

XII. Good Cause to Proceed Directly to a Formal Hearing

- A. Before a resident may request a formal hearing, the resident must have requested an informal hearing, and that hearing must have been held, except in circumstances outlined below. **24 CFR 966.54**

- B. Good Cause: If the resident can show good cause as to why he/she did not request an informal hearing or why a hearing was not held, then the resident may proceed directly to a formal hearing. A member of the CHA's Office of General Counsel shall determine good cause. For purposes of this section, good cause includes, but is not limited to: 1) a verifiable medical condition that prevented the resident from requesting an informal hearing; 2) a documented absence from the unit which prevented the resident from receiving a notice of adverse action; 3) a disability that prevented the resident from understanding or being aware of the adverse action; or 4) documentation that the CHA or its property management firm was unsuccessful in holding the informal hearing within fifteen (15) calendar days of the resident's request. Failure to hold the informal hearing within fifteen (15) days must not be caused by the resident's failure to cooperate in scheduling and/or holding the hearing. **24 CFR 966.54**

XIII. Requests for Formal Hearings

- A. The following residents have the right to use the formal hearing process established by this Grievance Procedure:
1. Residents living in traditional CHA public housing developments;
 2. Residents living in mixed-income developments;
 3. Residents temporarily using a Housing Choice Voucher (Section 8); or
 4. Residents and former residents covered by the RRC.
- B. For all formal hearings, the CHA shall use the City of Chicago's Department of Administrative Hearings. The City's Department of Administrative Hearings maintains a group of qualified independent Hearing Officers, as described in *Section XIV*.
- C. If the resident disagrees with the results of his or her informal hearing, the resident shall submit a written request for a formal hearing within fifteen (15) calendar days of receiving a copy of the informal hearing results.
- D. The resident must use the Resident's Formal Hearing Request Form - GP4 supplied by the CHA, to request a formal hearing. The resident shall be responsible for sending two copies of the form to the CHA, via regular mail or hand delivery:
1. The resident shall send by regular mail or hand deliver one copy to the General Counsel, who will forward a copy to the City of Chicago's Department of Administrative Hearings. The Office of the General Counsel shall also forward to the Department of Administrative Hearings 1) a copy of the completed Grievance Hearing Proceedings Form – GP3; and 2) a Grievance Petition from the Chicago Housing Authority – DOAH Petition that identifies the dispute, the basis for the CHA's or the property management company's action or failure to act, and the requested relief.

2. The resident shall send by regular mail or hand deliver one copy to the Asset Management Department, who will forward a copy to the property management firm.
 3. If the resident fails to request a formal hearing within fifteen (15) calendar days of the sending or delivery of the informal hearing results, then the informal hearing results become final. Failure by the resident to request a formal hearing, however, shall not constitute a waiver of the resident's right to contest the CHA's or property management firm's action or failure to act in a court of law.
- E. Reasonable accommodations to persons with disabilities may include that meetings be held in an accessible location, and that all materials and notices will be in an accessible format, if requested by the resident. This includes, if necessary, that the CHA provides qualified sign language interpreters, readers or attendants.
- F. A formal hearing shall be scheduled to be held by the City of Chicago's Department of Administrative Hearings within thirty-seven (37) calendar days from the Department of Administrative Hearings' receipt of the Grievance Petition, and Formal Hearing Request Form.

XIV. Selection of Hearing Officers

- A. The City of Chicago's Department of Administrative Hearings shall maintain a group of qualified Hearing Officers.
- B. The CHA and Central Advisory Council shall jointly agree upon candidates from that group to serve as independent Hearing Officers at formal hearings of CHA grievances and ensure that proper training is provided.
- C. For each formal hearing involving a CHA grievance, the Chicago Department of Administrative Hearings will assign a Hearing Officer from the group of jointly agreed upon candidates.
- D. The Hearing Officer appointees shall be fair, unbiased, and follow applicable regulations, policies and laws.

XV. Formal Hearing Process

- A. Formal hearings shall be conducted *de novo* in accordance with this Grievance Procedure, and with Chapter 2-14 of the Municipal Code and the Department of Administrative Hearings' Procedural Rules and Regulations, to the extent that they are applicable and not inconsistent with this Procedure.
- B. Orderly Behavior: The Hearing Officer shall require all parties, representatives and witnesses to conduct themselves in an orderly fashion. Failure to comply with the directions of the Hearing Officer to obtain order may result in exclusion from the proceedings or in a decision adverse to the interest of the disorderly party.

- C. Written Appearance Form: All parties appearing on behalf of the CHA, the property management firm or the resident shall complete a written Appearance Form, supplied by the Hearing Officer.
- D. Decision Not to Proceed: The Hearing Officer may render a decision without proceeding with the hearing if the Hearing Officer determines that the issue has been previously decided in another formal hearing or a court of law.
- E. Standard of Proof: The Hearing Officer's decision shall be based upon the preponderance of evidence.
- F. Burden of Proof: In the formal hearing, the resident must first establish that he/she is entitled to the relief that he/she has requested. The CHA or property management firm must then sustain the burden of justifying its action or failure to act, with respect to the issues underlying the grievance. **24 CFR 966.56e**
- G. Evidence and Witnesses: The formal hearing shall be conducted by the Hearing Officer. All parties shall present evidence pertinent to the facts and issues raised by the grievance. The formal and technical rules of civil/criminal procedure and evidence shall not apply. Evidence, including hearsay, may be admitted only if it is the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. All witnesses shall be sworn in by the Hearing Officer. All parties, including the Hearing Officer, shall have the right to question all witnesses.
- H. Recordings of Hearing: A record shall be made of the formal grievance hearing by audio-tape or other appropriate means. Record of the hearing shall include documents, a copy of findings and the written decision.
 - 1. The Department of Administrative Hearings shall be responsible for securing a recorder prior to the formal hearing. Records shall be retained by the Department of Administrative Hearings, pursuant to law, but not for less than six (6) months from the date of the hearing.
 - 2. Any interested party may arrange for a copy of the formal hearing record in advance of or following the hearing, at the party's own expense.
- I. Observed Rules for Fair Hearing: The resident shall be afforded a fair hearing. The following rules shall be observed in conducting a formal hearing.
 - 1. The resident, the CHA and its property management firms shall have prior written notification of the date, time and location of the formal hearing, as well as the consequences for failure to appear at the hearing. The Department of Administrative Hearings shall send the notice via first-class mail or personal service no later than fourteen (14) calendar days before the formal hearing date.
 - 2. The resident has the right to be represented by counsel or by other persons chosen as the resident's representative and to have such person make statements on the resident's behalf.

3. The resident shall have the opportunity before the formal hearing to examine his/her file; to copy all documents, records, and regulations relevant to the grievance, at his/her own expense; and to take notes.
 - a. Requests for copies of documents, records and regulations shall be submitted in writing by the resident or by the resident's representative to the property management firm and the CHA.
 - b. The property management firm and the CHA have up to five (5) calendar days from the date of request to produce the documents to the resident.
 - c. If the resident or the resident's representative requests copies within five (5) calendar days of the hearing, copies of documents shall be made available no later than one (1) hour before the formal hearing is scheduled to begin.
 - d. The resident or the resident's representative shall be responsible for paying for copies at the time the resident receives the copies from the property management firm or the CHA. Costs for copies shall not exceed 10 cents per page.
 - e. Any document requested by the resident or his/her representative, within the appropriate timeframe, that is in the possession of the CHA or the property management firm, and that is not made available after the resident's request, may not be relied on by the CHA or property management firm at a grievance hearing.
4. The resident shall have the right to a private hearing, unless the resident requests a public hearing.
5. The resident shall have the right to present evidence and argument in support of his/her grievance, to challenge evidence relied upon by the CHA and property management firms, and to confront and cross-examine all witnesses upon whose testimony the CHA or property management firm relies.
6. All parties have the right to a decision based solely and exclusively upon the evidence presented at the hearing.
- J. Failure to Appear at Formal Hearing: If the resident, the CHA, or the property management firm fails to appear at the scheduled formal hearing, the Hearing Officer may make a determination that the party failing to appear has waived its right to participate in a formal grievance hearing; find that party in default; proceed with the formal hearing; accept evidence relevant to the grievance; and conclude the grievance hearing with findings and a written disposition. A copy of the order of default shall be served upon the defaulting party by first-class mail or personal service.
 1. The defaulting party shall have twenty-one (21) days from the date the default is entered to petition the Hearing Officer to set aside the order of default upon a showing of good cause for the party's failure to appear.

2. A determination that the resident has waived his or her right to a formal hearing shall not constitute a waiver of any right the resident may have to contest the Hearing Officer's disposition of the grievance.

XVI. Grievance Hearing Decision

- A. The Hearing Officer shall make a determination on the basis of the admissible evidence, testimony, and arguments presented at the hearing. The Hearing Officer shall not have the power to impose fines, costs, sanctions or other penalties.
- B. The Hearing Officer shall prepare a written decision for the formal hearing on the DOAH Order: Findings, Decisions, and Order Form. The formal hearing results shall be served via first-class mail or personal service to the resident and his or her representative, the CHA, and the property management firm within five (5) business days of the hearing, unless the Hearing Officer determines that additional time is necessary due to the complexity of the case. If more time is required for the formal hearing decision, the Hearing Officer shall notify the resident of the revised timeline in writing within five (5) business days of the hearing.
- C. The CHA shall keep a copy of the Hearing Officer's summary, on the DOAH Order: Findings, Decisions, and Order Form, with all names and identifying references deleted.
- D. The decision of the Hearing Officer shall be binding on the resident and on the CHA/property management firm, which shall take all actions, or refrain from any actions necessary to carry out the decision, unless the CHA's Board of Commissioners determines, within thirty (30) calendar days, and gives written notice to the resident, his/her representative, and to the Hearing Officer that:
 1. The grievance does not concern the CHA's action or failure to act in accordance with the complainant's Lease or regulations which adversely affect the complainant's rights, duties, welfare or status **24 CFR 966.57**; or
 2. The decision of the Hearing Officer is contrary to applicable Federal, State or local law, HUD regulations or requirements of the Annual Contributions Contract (ACC) between HUD and the CHA. **24 CFR 966.57**
- E. The decision by the Hearing Officer or Board of Commissioners in favor of the CHA, or which denies the relief requested by the resident, in whole or in part, shall not constitute a waiver of, nor affect any rights the resident may have to judicial review or a trial *de novo* in a court of law regarding the same matter brought up in the grievance. **24 CFR 966.57**

Attached Grievance Procedure Forms

- **CHA Form-GP1**
Notice of Right to Resident's Grievance: New residents sign this form during the initial leasing process.

- **CHA Form-GP2**
Resident Receipt for Informal Hearing Request: If a resident requests an informal grievance hearing, the property management firm will complete and sign this form. The resident will also sign it. The property management firm will provide a copy to the resident, General Counsel, Asset Management, and where applicable, Relocation.

- **CHA Form-GP3**
Grievance Hearing Proceedings Form: The resident completes the top portion of the form to request an informal hearing. The Property Manager completes the bottom portion of form after the informal hearing. Copies of the completed form are provided to the resident, General Counsel, and Asset Management Department.

- **CHA Form-GP4**
Formal Hearing Request Form: If the resident wants to proceed to a formal hearing, he/she completes this form and provides one copy to Asset Management and one copy to the General Counsel.

- **Administrative Hearings Petition**
Grievance Petition from the Chicago Housing Authority: The CHA General Counsel uses this form to forward the resident's request for a formal hearing to the Chicago Department of Administrative Hearings.

- **Administrative Hearings Order**
Findings, Decisions, and Order Form: The Department of Administrative Hearings completes this form after the formal hearing and mails it to all parties involved in the formal hearing.

CHA Form-GP1, rev 1203

Account No.

NOTICE OF RIGHT TO RESIDENT'S GRIEVANCE

I have been advised of my right to an informal hearing with the Property Manager in case of a grievance with respect to the CHA or property management firm's action or failure to act in accordance with the Lease, the Relocation Rights Contract, or CHA policies, which may adversely affect my rights, duties, welfare, or status.

I have also been advised that if I am not satisfied with the proposed informal results of my grievance, I have a right to proceed to a formal hearing. I have the right to a formal hearing with an independent Hearing Officer under the CHA's Grievance Procedure.

I will have the right to appear at the formal hearing and speak on my own behalf, to be represented by counsel or other representatives of my choice, at my expense, to bring witnesses and documents as I desire, and to cross-examine the CHA or property management firms' witnesses. I have the right before the hearing to examine and copy, at my expense, any documents, records, and/or regulations that are directly relevant to the grievance. I understand that I am responsible for the cost of any photocopying requested.

(Print Name)

(Resident's Signature)

(Date)

CHA Form-GP2, Rev 1203

RESIDENT RECEIPT FOR INFORMAL HEARING REQUEST

A request for an informal hearing with _____
(Property Manager's Name)

was made on _____ by _____.
(Date) (Resident's Name)

Nature of Grievance: _____

Requested Relief: _____

I, _____, acknowledge
(Property Manager)

receipt of the resident's request for an informal hearing.

Signature of Property Manager Date

Development Name Phone

Property Management Office Address Fax

Signature of Resident or Representative Date

CHA Form-GP3, Rev 1203

RESIDENT'S GRIEVANCE HEARING PROCEEDINGS FORM

DATE OF REQUEST: _____

RESIDENT'S NAME: _____

ADDRESS: _____

TELEPHONE NO: _____ ACCOUNT NO: _____

NATURE OF GRIEVANCE: _____

REQUESTED RELIEF: _____

RESIDENT'S SIGNATURE* _____ DATE _____

CHA MANAGEMENT SIGNATURE _____ DATE _____

**or resident representative*

INFORMAL HEARING

HEARING DATE: _____ TIME: _____

LOCATION: _____

COMMENTS: _____

PARTIES PRESENT: _____

DISPOSITION: _____

REASON FOR DISPOSITION: _____

DATE:

TO THE RESIDENT: IF YOU DO NOT AGREE WITH THE DISPOSITION OF YOUR COMPLAINT WHICH RESULTS FROM THE INFORMAL HEARING, YOU HAVE THE RIGHT TO PROCEED DIRECTLY TO A FORMAL HEARING UNDER THE CHA RESIDENT’S GRIEVANCE PROCEDURE.

IF YOU DESIRE A FORMAL HEARING, YOU MUST SIGN AND SUBMIT THE ATTACHED FORMAL HEARING REQUEST FORM WITHIN FIFTEEN (15) CALENDAR DAYS OF TODAY.

Return the yellow form to:
CHA General Counsel
Attn: Grievance Procedure
200 W. Adams, Suite 2100
Chicago, IL 60606

Return the orange form to:
CHA Asset Management Department
Attn: Grievance Procedure
600 W. Jackson, 8th Floor
Chicago, IL 60661

IF YOU DO NOT SUBMIT THE FORM WITHIN FIFTEEN (15) CALENDAR DAYS, YOU WILL WAIVE YOUR RIGHT TO A FORMAL HEARING AND THE DISPOSITION PROPOSED BY THE PROPERTY MANAGER, CHAC, OR CHA WILL BECOME FINAL.

CHA Form-GP4, Rev 1203

FORMAL HEARING REQUEST FORM

PLEASE COMPLETE THIS FORM AND MAIL OR HAND DELIVER IT TO:

Return the yellow form to:
CHA General Counsel
Attn: Grievance Procedure
200 W. Adams, Suite 2100
Chicago, IL 60606

Return the orange form to:
CHA Asset Management Department
Attn: Grievance Procedure
600 W. Jackson, 8th Floor
Chicago, IL 60661

DATE OF REQUEST: _____

RESIDENT'S NAME: _____ ACCOUNT NO: _____

ADDRESS: _____

NAME OF DEVELOPMENT IN WHICH I LIVE: _____

TELEPHONE NUMBER DURING THE DAY: _____

RESIDENT'S REPRESENTATIVE (IF ANY): _____

REPRESENTATIVE'S ADDRESS: _____

REPRESENTATIVE'S TELEPHONE NUMBER: _____

I hereby request a formal hearing to present the following grievance: _____

Requested Relief: _____

Choose location for the formal hearing:

- Main Office: 400 W. Superior Street (Sedgwick and Superior Street)
- Satellite Office: 800 N. Kedzie Avenue (Kedzie and Chicago Avenue)
- Satellite Office: 2006 E. 95th Street (95th and Jeffery Boulevard)

RESIDENT'S OR REPRESENTATIVE'S SIGNATURE _____

DATE _____

DOAH-Petition

(Rev 0304)

**GRIEVANCE PETITION FROM THE CHICAGO HOUSING AUTHORITY
IN THE CITY OF CHICAGO, ILLINOIS
DEPARTMENT OF ADMINISTRATIVE HEARINGS**

IN THE MATTER OF: _____)
_____,)
Resident/Grievant)
and)
The Chicago Housing Authority and/or)
_____)
_____) *Management Co.*)
Respondent)

Docket # _____

THE GRIEVANCE

Nature of Grievance: _____

Requested Relief: _____

Location Requested for Hearing:

400 W. Superior Street Satellite Office: 800 N. Kedzie Avenue Satellite Office: 2006 E. 95th Street

Reasonable Accommodations Requested: No Yes If yes, please describe: _____

THE PARTIES

THE GRIEVANT

THE RESPONDENT (S)

Name _____
Address _____
Development _____
Phone _____
Representative (if any) _____
Address _____
Phone _____

Name _____
Address _____
Development _____
Phone _____
Name _____
Address _____
Development _____
Phone _____

OFFICE USE ONLY

Date of Hearing: _____ Time of Hearing: _____ Officer Assigned: _____

**IN THE CITY OF CHICAGO, ILLINOIS
DEPARTMENT OF ADMINISTRATIVE HEARINGS**

IN THE MATTER OF: _____)
)
)
Resident/Grievant _____)
) **Docket #** _____
and _____)
The Chicago Housing Authority and/or _____)
)
)
 _____ **Management Co.**)
Respondent _____)

FINDINGS, DECISIONS AND ORDER

This matter coming for a Formal Hearing, pursuant to the Chicago Housing Authority Resident’s Grievance Procedure, notice of the date, time, and location of the hearing having been given to all parties, and the Hearing Officer having considered the evidence and the arguments presented, IT IS ORDERED: Hearing Officer finds by a preponderance of the evidence and rules as follows:

- 1. The Grievant is a resident as defined in the CHA Resident’s Grievance Procedure.
- 2. The Grievant’s request for a formal hearing was made in a timely manner.
- 3. This Formal Hearing is being held within the time required by the CHA Resident’s Grievance Procedure.
- Find for the Grievant.
- Find for the CHA and/or the management company.
- The Grievant failed to appear. Enter a **default** against the Grievant and find for the CHA and/or the management company. A **defaulted party shall have 21 days from the date of the default to file a petition with the Department of Administrative Hearings to set aside the default upon a showing of good cause for failure to appear.**
- Motion to set-aside prior default order of _____ is granted denied.
- The case is continued to _____ for service hearing.

Reasoning:

Entered: _____
Hearing Officer Name and # Date

This decision is binding on the parties unless the CHA’s Board of Commissioners determines, within 30 calendar days, and gives written notice to the resident, that the decision of the Hearing Officer is contrary to applicable Federal, State, or local law, HUD regulations or requirements of the Annual Contributions Contract between HUD and the CHA.

Either party may appeal this Order by seeking a trial *de novo* or Administrative review.