
DISTRICT OF COLUMBIA HOUSING AUTHORITY

RESIDENT GRIEVANCES (Quick Guide)



A. The grievance procedures are contained in 14 District of Columbia Municipal Regulations (DCMR) Chapter 63. A copy of the regulations is available in each DCHA property management office. Copies are also available at the DCHA regional offices, and the central offices in the Office of Fair Hearings or the Client Placement Division. The grievance procedures apply to residents of DCHA properties and applicants to DCHA for housing.

B. If a resident believes that DCHA has taken an action or failed to take an action that adversely affects his/her rights, duties, welfare or status and you have tried unsuccessfully to resolve the issue directly with the housing manager or office involved s/he may file a grievance with the DCHA Office of Fair Hearings, 1133 N. Capitol St., NE or the management office of the property in which s/he resides within one year of the action to be grieved. For assistance call the Office of Fair Hearings at (202) 535-1245.

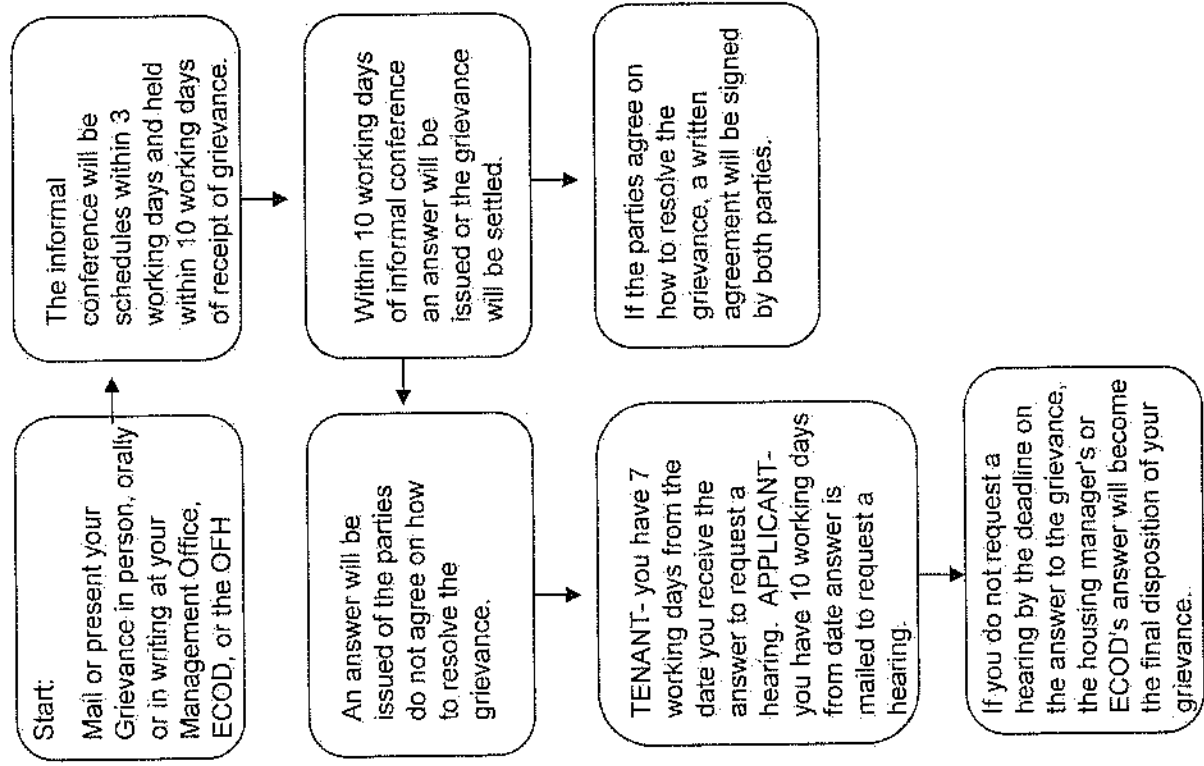
C. Only a public housing resident (head of household) may file a grievance. The grievance process cannot be used for the following: (1) to resolve disputes between residents not involving DCHA; (2) to bring class action grievances; (3) to resolve disputes about Notices to Vacate based on creation or maintenance of a threat to the health or safety of other residents or DCHA employees; or (4) to initiate or negotiate changes to DCHA policies. Moreover, you are not required to file a grievance to address your concerns; you may choose to resolve your dispute in court.

D. A resident who files a formal grievance has the right to a private hearing, unless the complainant requests a public hearing. The hearing will be in front of an impartial, disinterested licensed attorney assigned at random by DCHA. The grievance procedures can be divided as follows: (1) the informal settlement stage; (2) the formal hearing stage; (3) the hearing decision stage; and (4) the relief performance stage.

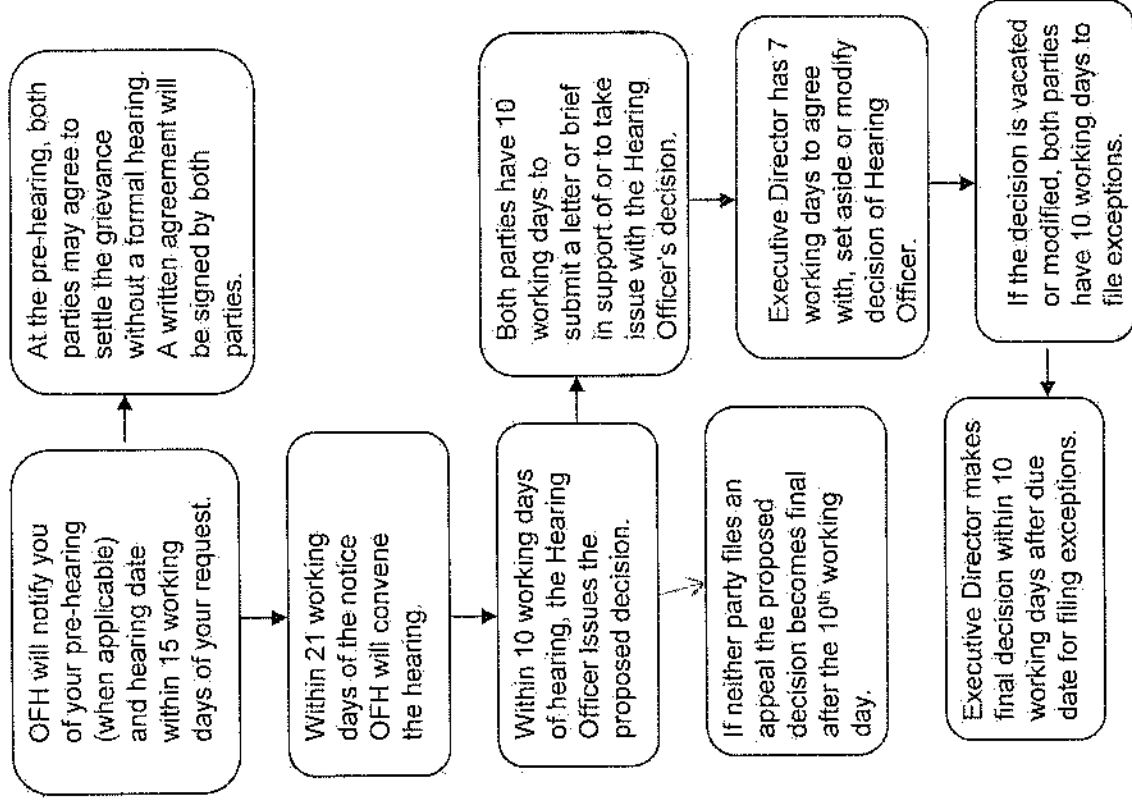
E. A resident who files a grievance may be represented by an attorney or other individual selected by the complainant and may examine documents, records and regulations of DCHA. DCHA will copy up to fifty pages of requested information at no charge. Thereafter, the cost is thirty-five (35) cents per page.

Steps to the Grievance Process

Informal Settlement Stage



Formal Hearing Stage



REASONS FOR GRIEVANCE

The grievance process is available only to lessees of Authority owned properties. Only the Lessee may file a grievance. If a Lessee believes that the Authority has taken an action or failed to take an action that adversely affects the Lessee's rights, duties, welfare or status the Lessee may file a grievance with the DCHA Office of Fair Hearings at the Authority's headquarters or the Property Management Office of the Development. For assistance call the Office of Fair Hearings at (202) 535-1245.

Some decisions made by DCHA allow residents to have the right to grieve. Such as, the following actions or inactions include, but are limited to:

- Notice to quit or cure;
- Tenant charges;
- Refusals to transfer;
- Refusal to add names to lease; and
- Failure to make repairs within the unit.

The following are issues that can not be addressed through the grievance process:

- Resolve disputes between resident/applicants not involving DCHA;
- Bring class action grievances;
- Contest a Notice to Vacate based on:

(a) Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises of other

residents or employees of the Authority;

(b) Any violent or drug-related criminal activity on or off the premises; or

(c) Any criminal activity that resulted in a felony conviction of the Lessee or a Household Member.

- Initiate or negotiate changes to DCHA policies or procedures.

Further, some decisions made by DCHA allow applicants to have the right to grieve. Such as, the following actions or inactions include, but are limited to:

- Qualification for a preference;
- Listing on DCHA's Waiting List;
- Applicant unit size under DCHA's HUD standards;
- Denial of assistance for any reason;
- Denial of request for a reasonable accommodation;
- Determinations of household and head of household status; and
- Any other determination that affects eligibility or receipt of assistance in which the individual requesting the informal hearing alleged a misapplication of law or DCHA policy or a mistake of relevant fact(s).



District of Columbia Housing Authority
 1133 North Capitol Street, Northeast
 Washington, D.C. 20002-7599

COMPLAINT

Name:	Phone No.:	Soc. Sec. No.:
Property:	Address:	Zip Code:
Lease No.:	Complaint No.:	

Tenant and Signatory to DCHA Lease Applicant

A. Description of Complaint:

B. This Complaint is based on the following action/inaction by DCHA:

C. Where known, name of DCHA employee who took (or failed to take) action:

D. I request DCHA to take the following action:

I choose to deliver this complaint to the DCHA Central Office.
 I choose to deliver this complaint to the Management Office of _____

Signature of Complainant Date

Written Complaint Oral Complaint: Data above completed by DCHA staff

Please Do Not Write Below This Line

Employee Receiving Complaint: _____

Signature Date

White: Legal **Yellow:** Tenant/Applicant **Pink:** Tenant/Applicant File **Goldenrod:** Regional/Central Office

Chapter 63 Low Rent Housing: Grievance Procedures

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6300 PURPOSE

6300.1 The rules of procedure of this chapter shall govern conferences and hearings resulting from complaints filed by individual public housing residents and applicants for housing in DCHA owned or operated dwellings.

6300.2 The procedures shall provide a means for review of grievances through administrative means short of taking action through the appropriate judicial proceeding, but in no way waive the complainant's right to judicial proceedings.

6300.3 The grievance procedure shall not be used to review complaints or grievances related to initiating or negotiating changes to existing policies set forth in this chapter or for class grievances.

AUTHORITY: Unless otherwise noted, the authority for this chapter is the District of Columbia Alley Dwelling Act, as amended, Public, No. 307, 48 Stat. 930 (1934); Executive Order 11401 effective March 13, 1968, 33 F.R. 4559 (March 15, 1968); section 5 of Reorganization Plan No. 3 of 1975, 21 DCR 2793 (July 3, 1975); and part III.B.(1) of Reorganization Plan No. 1 of 1987, December 15, 1987.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8011 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455 (March 15, 2002).

6301 FILING A COMPLAINT

6301.1 Any resident of, or applicant for, DCHA housing who believes that he or she is aggrieved, or adversely affected, by an act or failure to act by the DCHA official, may file with the DCHA a complaint requesting an administrative determination of his or her rights.

6301.2 Any grievance concerning an eviction or termination of tenancy based upon a resident's creation or maintenance of a threat to the health or safety of other residents or DCHA employees shall be excluded from the grievance procedures.

6301.3 The complaint shall be mailed or personally presented either orally or in writing to the DCHA Central Office or to the office of the property in which the complainant resides during normal office hours, but not later than one (1) year after the DCHA act or failure to act that constitutes the basis for the grievance. The complaint shall state the particular grounds on which it is based and the action or relief requested. Upon request, DCHA will assist a complainant in putting his or her complaint in writing.

6301.4 Upon receipt of the complaint, the DCHA Central Office or the office of the property in which the complainant resides shall provide the complainant with information

explaining the complainant's right to a fair hearing and outlining the District of Columbia's Low Rent Housing Grievance Procedures.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8012 (December 26, 1986); as amended by: Notice of Final Rulemaking published at 35 DCR 4014 (May 27, 1988); Notice of Final Rulemaking published at 39 DCR 2291, 2292 (April 3, 1992); and Notice of Final Rulemaking published at 49 DCR 2455 (March 15, 2002).

6302 INFORMAL SETTLEMENT OF COMPLAINTS

6302.1 Within three (3) working days of receipt of the complaint, DCHA shall schedule a conference with the complainant to informally discuss the complaint with the objective of reaching a settlement without a formal hearing.

6302.2 DCHA shall convene the informal settlement conference within ten (10) working days of the date the complaint was filed.

6302.3 If a settlement is reached, within ten (10) working days of the conference, the terms of the settlement shall be put in writing by DCHA, signed by each party, and made a part of the complainant's DCHA file. A copy of the settlement shall be given to the complainant.

6302.4 If a settlement cannot be reached, DCHA shall prepare and serve on the complainant a written answer to the complaint within ten (10) working days of the conference with the complainant. The answer shall specify the following:

(a) The DCHA's proposed disposition of the complaint and the specific reasons therefore;

(b) The right of the complainant to a hearing, and the procedure for requesting a hearing; and

(c) The time allowed to request a hearing.

6302.5 The answer shall be served upon the complainant as follows:

(a) Where the complainant is a resident, by personally serving the answer on the complainant or leaving a copy at the dwelling unit with a person of suitable age, or posting on the door of complainant's unit if no one is at home; or

(b) Where the complainant is an applicant, by sending the answer by first class mail, postage prepaid, to complainant's address as it appears in the records of DCHA.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8012-13 (December 26, 1986); as amended by Notice of Final Rulemaking published at 39 DCR 2291, 2292 (April 3, 1992); and Notice of Final Rulemaking published at 49 DCR 2455 (March 15, 2002).

6303 REQUEST FOR HEARING

6303.1 If the complainant is not satisfied with the proposed disposition of his or her complaint, he or she may submit a written request for a hearing. Upon request, DCHA will assist a complainant in putting his or her complaint in writing. The written request shall be provided:

- (a) To the Office of Fair Hearings (OFH); or
- (b) To the OFH through the office of the property in which the complainant resides.

On determinations of ineligibility for applicants for public housing, the notice will include the complaint form by which families can request a hearing and return it to DCHA. The complaint form will also be available to applicants and residents at all DCHA offices.

6303.2 A complainant's request for a hearing, which shall be in writing, shall be filed as follows:

- (a) If the complainant is a resident, within seven (7) working days from the date the answer is served; or
- (b) If the complainant is an applicant, within ten (10) working days from the date the answer is mailed.

6303.3 If the complainant does not request a hearing within the specified time, DCHA's disposition of the complaint under § 6302.4 shall become final. This shall not constitute a waiver of the complainant's right to contest DCHA's actions in an appropriate judicial proceeding.

6303.4 Upon receipt of a request for a hearing, OFH shall assign a hearing officer to the complaint from the hearing panel, on a rotating basis to the extent possible.

6303.5 Within fifteen (15) working days, the hearing officer shall schedule a hearing time, date and place, reasonably convenient to both the complainant and the DCHA, and shall notify the complainant and DCHA.

6303.6 Within thirty (30) days of the date the hearing is scheduled, OFH shall convene the hearing, unless rescheduled for good cause by the assigned hearing officer.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8013-14 (December 26, 1986); as amended by Final Rulemaking published at 39 DCR 2291, 2292 (April 3, 1992); and Notice of Final Rulemaking published at 49 DCR 2455-56 (March 15, 2002).

6304 SELECTION OF HEARING OFFICERS

6304.1 The DCHA shall select six (6) impartial, disinterested members of any bar in good standing to be available to serve as hearing officers.

6304.2 The hearing officers shall be assigned at random to hear grievances.

6304.3 If the complainant objects to the hearing officer, DCHA and the complainant shall attempt to agree upon another member of the pool of hearing officers.

6304.4 If DCHA and the complainant cannot agree, DCHA shall select any individual to serve as a member of the hearing panel, the complainant shall select any individual to serve as a member of the panel and these two (2) individuals shall select a third member. The choice of the individuals who comprise the hearing panel shall not be limited to the six (6) member pool of hearing officers.

6304.5 If the individuals selected by DCHA and the complainant cannot agree on a third member, such a member shall be selected by an independent arbitration organization as provided in 24 CFR § 966.55(b)(1)(2002).

SOURCE: Notice of Final Rulemaking published at 35 DCR 4014-4015 (May 27, 1988); as amended by Notice of Final Rulemaking published at 49 DCR 2455, 2456 (March 15, 2002).

6305 AUTHORITY OF HEARING OFFICERS

6305.1 The hearing officer shall have all powers necessary to conduct a fair and impartial hearing, including the following:

- (a) To administer or direct the administration of oaths and affirmations;
- (b) To examine witnesses and direct witnesses to testify;
- (c) To rule upon offers of proof and receive relevant evidence;
- (d) To regulate the course of the hearing and the conduct of the parties, other participants, and their counsel;
- (e) To arrange a conference for settlement or to simplify the issues by agreement of the parties;

- (f) To consider and rule upon procedural requests; and
- (g) To take any action authorized by this chapter.

6305.2 The hearing officer shall have the power to grant appropriate relief, including the following:

- (a) Rental abatements;
- (b) Monetary damages;
- (c) Relocation of residents to other DCHA owned or operated housing units; and
- (d) The ordering of repairs and/or accessibility features by DCHA.

6305.3 Temporary relocation of residents to private housing units available to the agency shall be authorized and may be ordered if the hearing officer finds that the unit is so seriously deficient that it poses a significant threat to the health or safety of the resident.

6305.4 If DCHA does not take immediate action to correct the threat and fails to demonstrate that suitable public housing is available, the hearing officer may order DCHA to temporarily relocate the resident to a suitable private housing unit, providing DCHA fails to demonstrate that suitable housing is available.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8014 (December 26, 1986); as amended by: Notice of Final Rulemaking published at 35 DCR 4014, 4015 (May 27, 1988); Notice of Final Rulemaking published at 39 DCR 2391, 2293 (April 3, 1992); and Notice of Final Rulemaking published at 49 DCR 2455, 2456-57 (March 15, 2002).

6306 EX PARTE COMMUNICATIONS

6306.1 The hearing officer shall not consult any person, or party on any fact at issue except after notice and opportunity for all parties to participate.

6306.2 No employee, or agent, of the District of Columbia government engaged in the investigation and prosecution of a case shall participate or advise in the proposed decision in that case except as a witness or counsel in the hearing or other public proceedings.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8015 (December 26, 1986).

6307 RIGHTS OF COMPLAINANTS

6307.1 The complainant shall be afforded a fair hearing providing the basic safeguards of due process, which shall include the following:

- (a) The right to be represented by counsel or another person chosen as a representative;
- (b) The right to a private hearing, unless the complainant requests a public hearing;
- (c) The opportunity to examine, before the hearing, documents, records, and regulations of DCHA that are relevant to the hearing. Any document not so made available after a request for the document has been made by the complainant may not be used as evidence by DCHA at the hearing;
- (d) When requested, DCHA shall provide to the complainant, at no charge, fifty (50) pages of documents, records, and unpublished regulations of DCHA relevant to the hearing. A reasonable charge of not more than twenty five (25) cents per page may be assessed for reproducing material in excess of fifty (50) pages requested by the complainant;
- (e) The right to present evidence and arguments in support of his or her complaint, to controvert evidence relied on by DCHA, and to confront and cross-examine all witnesses on whose testimony or information DCHA relies;
- (f) The right to a decision based solely upon the facts presented at the hearing;
- (g) The right to arrange, in advance, and at his or her expense, to receive a transcript of the hearing;
- (h) The right to request a reasonable accommodation for a disability.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8015 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455, 2457 (March 15, 2002).

6308 NONPAYMENT OF RENT: ESCROW DEPOSIT REQUIRED

6308.1 Before a hearing is scheduled in any grievance involving the amount of rent claimed due by DCHA, the complainant shall pay to the DCHA an amount equal to the amount of the rent due and payable as of the first of the month preceding the month in which the act or failure to act took place.

6308.2 The complainant shall thereafter deposit the same amount of the monthly rent in the escrow account designated by DCHA monthly when due until the complaint is resolved as a result of the hearing.

6308.3 The failure to make the payments shall result in the termination of the grievance procedure and DCHA's proposed disposition of the complaint pursuant to subsection 6302.4 will become final.

6308.4 Failure to make payment shall not constitute a waiver of any right the complainant may have to contest DCHA's disposition of the complainant's grievance in an appropriate judicial proceeding.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8016 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455 (March 15, 2002).

6309 FAILURE TO APPEAR

6309.1 If either party fails to appear at a hearing, the hearing officer may do the following:

- (a) Postpone the hearing for up to five (5) working days;
- (b) With the consent of both parties, reschedule the hearing for a later date;
- (c) Make a determination that the complainant has waived his or her right to a hearing, if the complainant fails to appear. The waiver shall not constitute a waiver of complainant's right thereafter to contest DCHA's action in an appropriate judicial proceeding;
- (d) Grant an exception if the family is able to document an emergency situation that prevented them from attending or requesting a postponement of the hearing or if requested as a reasonable accommodation for an individual with a disability.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8016 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455, 2458 (March 15, 2002).

6310 ELECTION NOT TO ACT

6310.1 The hearing officer, after review of the written complaint and the disposition proposed by DCHA, may render a decision without proceeding with the hearing if the hearing officer determines that the issue has been decided previously in an earlier hearing of other complaints based on essentially the same set of facts.

6310.2 When the hearing officer decides to render a decision without a hearing, he or she shall prepare a written finding citing the previous hearing or hearings involving the same issue, and shall certify these findings and decision to the Administrator.

6310.3 Parties to the proceedings shall be given copies of the hearing officer's findings and decision.

6310.4 Sections 6314, 6315, and 6316 shall apply to findings and decisions rendered without a hearing.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8016-8017 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455 (March 15, 2002).

6311 HEARING PROCEDURES

6311.1 At the hearing, the complainant shall make a showing of entitlement to the relief sought. If in the opinion of the hearing officer the complainant fails to do so, the hearing officer may render a decision in favor of DCHA without further presentation of evidence.

6311.2 If the hearing officer decides the complainant has made a sufficient showing, DCHA shall justify the action or inaction against which the complaint is directed or the proposed deposition in its answer to the complaint.

6311.3 Both parties to the hearing may present evidence and arguments in support of their positions, controvert evidence and cross-examine all witnesses for the other side.

6311.4 The hearing shall be conducted informally by the hearing officer, and oral or documentary evidence relevant to the facts and issues raised by the complaint and answer may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings.

6311.5 The hearing officer shall require DCHA, the complainant, counsel, and other participants or spectators to conduct themselves in an orderly manner.

6311.6 Failure to comply with the directions of the hearing officer to obtain order may result in exclusion from the hearing or in a decision adverse to the interest of the disorderly party and granting or denial of the relief sought, as appropriate.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8017 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455 (March 15, 2002).

6312 TRANSCRIPT OF PROCEDURES

6312.1 Normally, verbatim transcripts shall not be made of the proceedings. However, if either party desires a transcript, the party shall do the following:

(a) Secure, at his or her own expense, the services of a qualified transcriber service, subject to the approval of the hearing officer;

(b) Pay all costs incurred directly to the reporting firm; and

(c) Furnish a copy of the transcript to the hearing officer for his or her certification and incorporation into the record of the proceedings.

6312.2 Either party may, at his or her own expense, make a tape recording of the proceeding upon disclosure to the hearing officer and the other party.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8017-8018 (December 26, 1986).

6313 DECISION OF THE HEARING OFFICER

6313.1 The hearing officer shall prepare a written decision, together with the reasons therefor, within ten (10) working days after the close of the hearing. Copies of the decision shall be mailed to the complainant, DCHA, and OFH.

6313.2 The decision of the hearing officer shall be binding on DCHA, which shall take all actions, or refrain from actions, necessary to carry out the decision, unless the Executive Director or an official delegated by the Executive Director does the following:

(a) Determines that the complaint does not concern a DCHA act or failure to act as prescribed by the complainant's lease or DCHA rules, policies (established under § 6002 of this subtitle) or regulations, that adversely affect the complainant's rights, duties, welfare or status; or

(b) Determines that the decision of the hearing officer is contrary to applicable federal or District of Columbia law or regulations or requirements of the Annual Contributions Contract between HUD and the DCHA.

6313.3 The Executive Director or designee of the Executive Director shall make the determination within the time provided in § 6316.1, and promptly notify all parties to the hearing of his or her determination.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8018 (December 26, 1986); as amended by: Notice of Final Rulemaking published at 35 DCR 4014, 4015 (May 27, 1988); Notice of Final Rulemaking published at 39 DCR 2291, 2293-2294 (April 3, 1992); and Notice of Final Rulemaking published at 49 DCR 2455, 2458 (March 15, 2002).

6314 BRIEFS IN SUPPORT OF OR TAKING ISSUE WITH THE DECISION OF THE HEARING OFFICER

6314.1 Any party may file a brief with the Chief of OFH in support of or in opposition to the hearing officer's decision within ten (10) working days after service of the decision.

SOURCE: Notice of Final Rulemaking published at 39 DCR 2291, 2294 (April 3, 1992).

6315 EFFECT OF DECISION

6315.1 A decision of the hearing officer which is in favor of DCHA, or denies the complainant his or her requested relief in whole, or in part, shall not constitute a waiver of, or affect in any manner whatever, rights the complainant may have to a trial *de novo* in judicial proceedings which may be later brought in the matter.

6315.2 In *de novo* judicial proceedings, neither party shall be limited to invoking against the other the grounds originally relied on in the administrative proceedings.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8019 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455, 2459 (March 15, 2002).

6316 DECISION OF THE EXECUTIVE DIRECTOR OF DCHA

6316.1 Within seven (7) working days after expiration of the time for filing briefs as provided in § 6314, the Executive Director of DCHA, upon consideration of the record, together with any briefs, shall make a determination of the enforceability of the hearing officer's decision as provided in §§ 6313.2(a) and (b).

6316.2 The Executive Director of DCHA may modify or set aside, in whole or in part, the decision of the hearing officer.

6316.3 In any case in which the Executive Director of DCHA proposes to modify or set aside all or any part of the hearing officer's decision, the Executive Director shall serve on each party a proposed decision, including findings of fact and conclusions of law.

6316.4 The parties shall be given fourteen (14) days from the date of receipt of the Executive Director's proposed decision to file exceptions. Each party may request oral argument when submitting exceptions.

6316.5 A final decision shall be made by the Executive Director of DCHA within fourteen (14) days after exceptions to the proposed decision have been filed, and an oral argument held, if requested. Copies of the final decision shall be served on all parties.

SOURCE: Notice of Final Rulemaking published at 39 DCR 2291, 2294 (April 3, 1992).

6317 NOTICE TO VACATE PREMISES

6317.1 If the complaint relates to the termination of a dwelling lease through the service of a Notice to Vacate upon the complainant, and the hearing officer's determination upholds the action to terminate the tenancy, DCHA shall take no further action to evict the resident until it has served upon the resident a Notice to Vacate; provided, that the notice shall not be subject to the filing of a complaint under the grievance procedure.

6317.2 A Notice to Vacate shall not be issued prior to the date the Hearing Officer's final decision under § 6313.1 is delivered or mailed to the complainant.

6317.3 Whenever a Notice to Vacate is given to the complainant, he or she shall be informed in writing of the following:

(a) If he or she fails to vacate the premises within the appropriate period, further appropriate legal actions shall be taken against him or her; and

(b) If suit is brought against him or her, the resident may be required to pay court costs and attorney fees incurred.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8019-8020 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455, 2459 (March 15, 2002).

6318 RECORDS

6318.1 The Central Grievance Files shall be maintained in a central location by the OFH of Fair Hearings and shall be made promptly available to interested members of the public for inspection and copying pursuant to procedures established by the OFH.

6318.2 Subject to § 6307.1(d), a reasonable charge of not more than twenty-five (25) cents per page may be assessed for copying any document in the Central Grievance Files.

SOURCE: Notice of Final Rulemaking published at 39 DCR 2291, 2295 (April 3, 1992); as amended by Notice of Final Rulemaking published at 49 DCR 2455, 2459 (March 15, 2002).

6399 DEFINITIONS

6399.1 When used in this chapter, the following terms and phrases shall have the meaning ascribed:

Applicant - Any person who has filed a written application of admission to low rent public housing owned or operated by DCHA.

Central Grievance Files - Individual files containing copies of documents relevant to each complaint, including but not limited to the complaint, informal settlement agreement, answer, request for a hearing and notification of hearing, hearing officer's decision, any decision in review, and any judicial pleadings and decisions.

Complainant - Any resident of DCHA owned or operated housing, or any applicant for admission to such housing who files a complaint with DCHA pursuant to this chapter.

Complaint - A request for administrative consideration of any dispute with respect to a DCHA act or failure to set in accordance with the complainant's lease (if a resident) or DCHA rules which adversely affect the rights, duties, welfare, or status of the complainant.

Escrowed - Placed under the exclusive control of the escrow agent or trustees named under the provisions of § 6308 this chapter.

Hearing Officer - A person designated to preside over a hearing in accordance with §§ 6303 and 6304 of this chapter.

Notice to Vacate - A notice to cure or vacate, or a notice to vacate, as defined in § 6099.1 of this chapter, whichever is applicable.

OFH - Office of Fair Hearings.

Resident - A person who leases a dwelling from DCHA as a signatory to a dwelling lease.

Workdays - Days in which the offices in the District of Columbia Housing Authority are regularly open for business.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8020 (December 26, 1986); as amended by: Notice of Final Rulemaking published at 35 DCR 4014, 4015 (May 27, 1988); Notice of Final Rulemaking published at 39 DCR 2291, 2295 (April 3,

1992); and Notice of Final Rulemaking published at 49 DCR 2455, 2459-60 (March 15, 2002).