

DISTRICT OF COLUMBIA HOUSING AUTHORITY
OFFICE OF FAIR HEARINGS
HOUSING CHOICE VOUCHER PROGRAM
HEARING REQUEST (QUICK GUIDE)



A. The Office of Fair Hearings (OFH) is responsible for ensuring those grievances of the Housing Choice Voucher Program (HCVP) participants and applicants are addressed in a fair, expeditious and uniform manner. OFH is responsible for conducting and holding conciliatory meetings with HCVP participants and program officials, conducting Settlement Conferences, holding Informal Hearings as required in accordance with applicable laws and regulations. Further, OFH ensures compliance with Settlement Agreements and Informal Hearing Final Decisions.

B. HCVP Participants/Applicants may request an Informal Hearing, in writing, email or fax to resolve his/her disagreement within 35 days after notice of HCVP's intent to including but, not limited to:

- Deny issuance of a Housing Choice Voucher;
- Deny continued participation in the Housing Choice Voucher or Moderate Rehabilitation Program;
- Change the families' annual or adjusted income and the computation of the Housing Assistance Payment (HAP);
- Approve or deny an extension or suspension of a voucher term; and
- Deny a request for a reasonable accommodation.

C. A Participant can only request a Good Cause Hearing if the participant has been terminated from the HCVP:

- Participant may only request a Good Cause Hearing within 60 calendar days of the date of the termination notice for End of Participation (EOP);
- Participants are precluded from requesting a hearing if filed after 35 days of HCVP's notice of Recommendation for Termination (RFT);
- Participant must show Good Cause for filing a late hearing request; and
- If the participant demonstrates Good Cause the matter is then scheduled for a merit Hearing.

Note: Requests for Informal Hearings or an extension of time must be reduced to writing and either mailed or delivered to DCHA Office of Fair Hearings, 1133 North Capitol St., NE, Suite 317, Washington, DC 20002, within the allotted 35-day time frame.

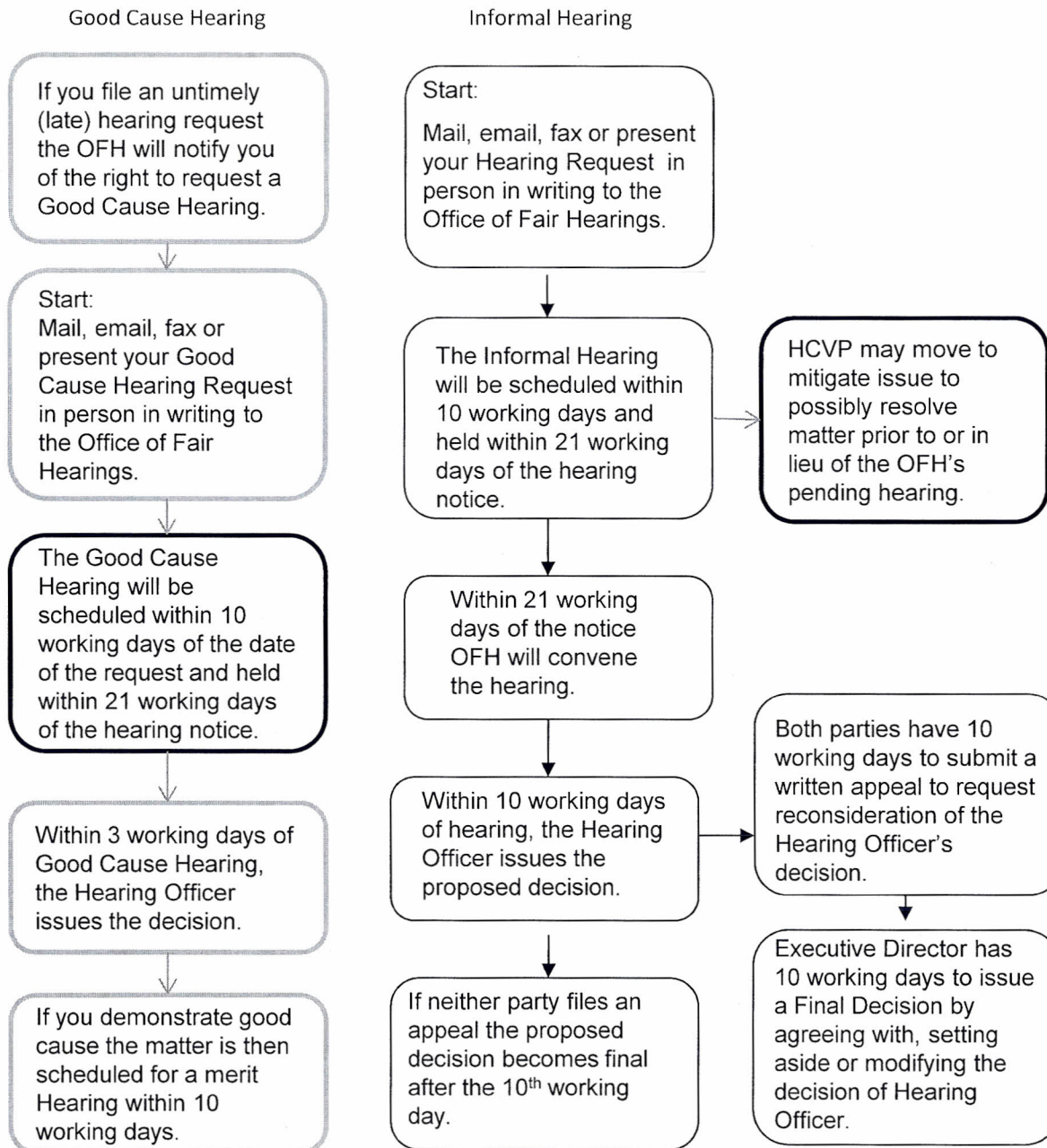
D. No action on any matter listed in (B.) above shall be taken at least until such time as the 35-day period for requesting an informal hearing has expired. Also, no action shall be taken on the matter for which the Informal Hearing was requested is held. In addition, no action shall be taken on the matter until the 15-day time limit for an appeal of the initial decision has expired or a final determination is made.

E. OFH will issue notice of the scheduled informal hearing within 15-days of receipt of the complainant's request. Participants/Applicants will have the opportunity to review all documents that HCVP intends to introduce at the informal hearing, if requested at least 3-days prior to the hearing.

F. The assigned Hearing Officer will issue a (proposed) decision within 14 - days following the informal hearing or closure of hearing record, if applicable. Either party may request reconsideration of the Hearing Officer's decision by the Executive Director within 10 working days after the postmark on the proposed decision. In lieu of any requests the proposed decision becomes final routinely.

G. A Final Decision will be issued by the Executive Director within 15 - days after the receipt of a request for reconsideration. A Final Decision which requires the performance of a relief will be implemented within 30 - days following the issuance of the Final Decision unless otherwise stipulated in the decision.

Steps to the Informal Hearing Process



INFORMAL HEARINGS

Some decisions made by DCHA allow participants to have the right to appeal. That appeal is called an Informal Hearing. Participants have 30 days from the written notice of the decision to appeal. The Hearing is conducted by a Hearing Officer, a person other than the one making the adverse decision. The Hearing Office has 14 calendar days to notify participant of the Hearing decision.

DCHA shall provide written notice to Participants and applicants with the opportunity for an informal hearing to contest any of the following DCHA determinations:

- Qualification for a preference
- Listing on DCHA's Waiting List
- Issuance of a Housing Choice Voucher
- Continued participation in the Housing Choice Voucher or Moderate Rehabilitation Program
- Family and applicants annual or adjusted income and the computation of the Housing Assistance Payment
- Appropriate utility allowance used from schedule of utility allowances
- Family or applicant unit size under DCHA subsidy standards
- Unit under occupied in the Housing Choice Voucher and Moderate Rehabilitation Program and the participant's or applicants's request for exception is denied
- Approval or denial of an extension or suspension of a voucher term
- Termination or denial of assistance for any reason;
- Any other determination that affects eligibility or receipt of assistance in which the individual requesting the informal hearing alleges a misapplication of law or DCHA policy or a mistake of relevant fact(s)
- Denial of request for a reasonable accommodation
- Determinations of household and head of household status

Informal hearings are not permitted for established policies, procedures, and DCHA determinations such as:

- Discretionary administrative determinations by DCHA
- General policy issues or class grievances
- DCHA schedule of utility allowances for families or applicants in the Housing Choice Voucher Program
- Approval or denial of a unit or lease
- Non-compliance with HQS, except where there is a determination of a family or applicant breach of HQS
- Exercise of any remedy against an owner under a HAP contract.

Participants have the right to appeal certain decisions made by DCHA. This appeal is referred to as an *Informal Hearing*.

An *Informal Hearing Request Form* is attached to every *Termination Notice*. The Voucher Family, at its own expense, may be represented by a lawyer or other representative and/or bring witnesses and evidence to support their case at the Informal Hearing.

If a request for an Informal Hearing is made based on calculation of rent or unit size, the participant will receive an explanation of how the rent was calculated and unit size was determined. If the participant disagrees with the explanation, an Informal Hearing may be approved.



DISTRICT OF COLUMBIA HOUSING AUTHORITY
1133 NORTH CAPITOL STREET, NE
WASHINGTON, D.C. 20002-7599

Request for Informal Hearing

Name	Phone No.	Social Security No.	
Property	Address	Zip Code	
Voucher No.:	Case No.		
<input type="checkbox"/> Tenant and Signatory to HCVP Contract <input type="checkbox"/> Applicant			
A. Description of Complaint:			
B. This Complaint is based on the following action/inaction by HCVP:			
C. Where known, name of HCVP employee who took (or failed to take) action:			
D. I request DCHA to take the following action:			
I have discussed this matter with a representative from the HCVP and concluded that this matter cannot be resolved without an Informal Hearing.			
_____ Signature		_____ Date	
<input type="checkbox"/> Written Complaint		<input type="checkbox"/> Oral Complaint: Data above completed by DCHA staff	
Please Do Not Write Below This Line			
Employee Receiving Complaint:			
_____ Signature		_____ Date	
<input type="checkbox"/> : OFH <input type="checkbox"/> : Participant/Applicant <input type="checkbox"/> : Participant/Applicant File <input type="checkbox"/> : OGC/Central Office			



D.C. Register

Home

Search

Subscribe

Comment

About Us

Contact Us

Help

Feedback

Privacy

Security

Terms

Conditions

**D.C. Municipal Regulations and D.C. Register**

Secretary of the District of Columbia Office of Documents and Administrative Issuances

[Home](#)[Search](#)[Subscribe](#)[Comment](#)[About Us](#)[Contact Us](#)[Help](#)

Chapter: 14-89

[Add to My Favorite](#)**INFORMAL HEARING PROCEDURES FOR APPLICANTS AND PARTICIPANTS OF THE HOUSING CHOICE VOUCHER AND MODERATE REHABILITATION PROGRAM**

Title: 14-HOUSING

Click on a Rule Number to browse the Rule Home.

Click on a table header to re-sort the results.

Press **Ctrl-F** to search by text.

Total Records: 7

Rule Number	Rule Heading	Latest Version	Effective Date
14-8900	INTRODUCTION	View Text	
14-8901	CATEGORIES OF COMPLAINTS	View Text	
14-8902	DCHA DETERMINATIONS SUBJECT TO INFORMAL HEARING	View Text	
14-8903	NOTICE OF HEARING AND RIGHTS TO DOCUMENTS	View Text	9/20/2013
14-8904	INFORMAL HEARING PROCEDURES	View Text	
14-8905	PROPOSED AND FINAL DECISIONS	View Text	
14-8909	DEFINITIONS	View Text	

[Telephone Directory by Topic](#) • [Agencies](#) • [DC Council](#) • [Search](#) • [Elected Officials](#) • [Feedback](#) • [Accessibility](#) • [Privacy & Security](#) • [Terms & Conditions](#)

Office of Documents and Administrative Issuances
 400 4th Street, NE, Suite 4200, Washington, DC 20002
 Phone: (202) 271-6000 Fax: (202) 271-6040
 Email: DOA@dc.gov

8900 INTRODUCTION

- 8900.1 This chapter describes the policies, procedures and standards to be used when a participating family or applicant disagrees with a DCHA decision.
- 8900.2 The procedures and requirements for informal hearing of certain decisions affecting participants and applicants are contained in this chapter.
- 8900.3 Applicants will be provided the informal hearing procedures, including a summary of the process, at the time of eligibility determination or denial of assistance.
- 8900.4 DCHA informal hearing procedures, including a summary of the process, shall be provided to families in the briefing packet provided to new participants.
- 8900.5 Current participants will be provided the informal hearing procedures, including a summary of the process, at the time of recertification.
- 8900.6 Applicants and participants have the right to request a reasonable accommodation for a disability in accordance with chapter 74.

AUTHORITY: Unless otherwise noted, the authority for this chapter is D.C. Law 13-105, the "District of Columbia Housing Authority Act of 1999," codified at D.C. Official Code §§ 6-201 et seq. (2001).

SOURCE: Notice of Final Rulemaking published at 49 DCR 7193 (July 26, 2002).

8901 CATEGORIES OF COMPLAINTS

8901.1 DCHA will attempt to informally resolve the following types of complaints, including those listed below:

- (a) Complaints from families when the family or applicant disagrees with an action or inaction of DCHA or owner;
- (b) Complaints from an owner when the owner disagrees with an action or inaction of DCHA or a family or applicant; and/or
- (c) Complaints or referrals from persons in the community in regard to DCHA, a family or applicant, or an owner.

8901.2 If the participant or applicant is dissatisfied with the informal determination, the complaint will be referred to the Compliance Division for an informal hearing, except for those determinations described in section 8902.2.

SOURCE: Notice of Final Rulemaking published at 49 DCR 7193 (July 26, 2002).

8902 DCHA DETERMINATIONS SUBJECT TO INFORMAL HEARING

8902.1 DCHA shall provide written notice to participants and applicants with the opportunity for an informal hearing to contest any of the following DCHA determinations:

- (a) Qualification for a preference;
- (b) Listing on DCHA's Waiting List;
- (c) Issuance of a Housing Choice Voucher;
- (d) Continued participation in the Housing Choice Voucher or Moderate Rehabilitation Program;
- (e) Family and applicants annual or adjusted income and the computation of the Housing Assistance Payment;
- (f) Appropriate utility allowance used from schedule of utility allowances;
- (g) Family or applicant unit size under DCHA subsidy standards;
- (h) Unit underoccupied in the Housing Choice Voucher and Moderate Rehabilitation Program and the participant's or applicant's request for exception is denied;
- (i) Approval or denial of an extension or suspension of a voucher term;
- (j) Termination or denial of assistance for any reason;
- (k) Any other determination that affects eligibility or receipt of assistance in which the individual requesting the informal hearing alleges a misapplication of law or DCHA policy or a mistake of relevant fact(s);
- (l) Denial of request for a reasonable accommodation; and
- (m) Determinations of household and head of household status.

8902.2 Informal hearings are not permitted for established policies, procedures, and DCHA determinations such as:

- (a) Discretionary administrative determinations by DCHA;
- (b) General policy issues or class grievances;
- (c) DCHA schedule of utility allowances for families or applicants in the Housing Choice Voucher Program;
- (d) Approval or denial of a unit or lease;
- (e) Non-compliance with HQS, except where there is a determination of a family or applicant breach of HQS;
- (f) Exercise of any remedy against an owner under a HAP contract.

8902.3 DCHA shall give the family or applicant written notice of determinations within thirty days (30) days of any determination that is subject to the provisions of section 8902.1. Notices under 8902.1(j) shall be sent by both certified and regular mail. All notices shall include:

- (a) The proposed action or decision of DCHA;
- (b) The date the proposed action or decisions will take place;
- (c) The basis for DCHA's decision;
- (d) The procedures for requesting an informal hearing if the family or applicant disputes the action or decision; and
- (e) The time limit for requesting the informal hearing;
- (f) The form by which families or applicants can request an informal hearing; and
- (g) A stamped, self-addressed envelope for returning the form to DCHA.

8902.4 Copies of the informal hearing request form will be available at DCHA offices.

SOURCE: Notice of Final Rulemaking published at 49 DCR 7193-95 (July 26, 2002).

NOTICE OF HEARING AND PRODUCTION OF DOCUMENTS

8903.1

Requests for an Informal Hearing shall follow the following guidelines:

- (a) Requests for an Informal Hearing or extension of time to request an Informal Hearing shall be reduced to writing.
- (b) DCHA may assist participants in reducing requests for an Informal Hearing or extension of time to request an Informal Hearing to writing to comply with § 8903.1(a).
- (c) Any assistance provided by DCHA to reduce a request to writing shall not be deemed the provision of legal advice to the participant.
- (d) Participants shall either mail via first class mail or personally deliver to DCHA's Office of Fair Hearings their request for an Informal Hearing or request for an extension of time to request an Informal Hearing. If personally delivered, DCHA shall provide a receipt to the participant noting that the request for an Informal Hearing was received and the date it was received.
- (e) If the request for an Informal Hearing is mailed to DCHA, the request shall be postmarked within thirty-five (35) calendar days from:
 - (1) the postmark date of DCHA's notification under § 8902; or
 - (2) the notice of an action or determination by DCHA.
- (f) If the request for an Informal Hearing is personally delivered to DCHA, the request must be received by DCHA's Office of Fair Hearings within thirty-five (35) calendar days from:
 - (1) the postmark date of DCHA's notification under § 8902; or
 - (2) the date of the issuance of the notice of a challenged action.
- (g) Requests to reschedule an Informal Hearing shall be subject to the following conditions:
 - (1) Either party may request to reschedule an Informal Hearing for the convenience of the party up to three (3) calendar days prior to the first scheduled Informal Hearing date, with or without a showing of good cause.
 - (2) Either party may request to reschedule an Informal Hearing any time prior to the first scheduled Informal Hearing date or prior to

any subsequent hearing date, only if the requesting party can demonstrate good cause and if delay will not result in harm or prejudice to the other party.

- (3) Notwithstanding the paragraph above, the Office of Fair Hearings will reschedule an Informal Hearing as a reasonable accommodation if the participant can demonstrate that a disability prevented them from rescheduling within the prescribed time periods.
- (h) Once a timely request for an Informal Hearing has been filed, the Housing Assistance Payments (HAP) will continue to the current landlord in accordance with the current HAP contract in effect at the time of the request for an Informal Hearing until a final determination is made in accordance with this chapter.
- (i) If a participant has not submitted a timely request for an Informal Hearing per § 8903.1, but still desires an Informal Hearing to be held, the participant must file a "Good Cause Hearing" request. The Good Cause Hearing request shall explain the reason or reasons that the participant failed to comply with the requirements of § 8903.1.

8903.2

Good Cause Hearings shall follow the following guidelines:

- (a) A participant can only request a Good Cause Hearing if the participant has been terminated from the Housing Choice Voucher Program.
- (b) If the Office of Fair Hearings receives an Informal Hearing request that does not comply with the deadlines in § 8903.1, the Office of Fair Hearings will notify the participant in writing of the right to request a Good Cause Hearing.
- (c) Any Good Cause Hearing Request received more than sixty (60) calendar days after the date of the issuance of the notice pursuant to § 8903.2(a) shall be denied as untimely and barred.
- (d) If the Office of Fair Hearings does not schedule a Good Cause Hearing within thirty (30) calendar days of the participants' timely request, then DCHA shall automatically reinstate any relevant benefits retroactive to the date of termination, pending the issuance of a decision following a Good Cause Hearing.
- (e) The sole issue for determination in the Good Cause Hearing shall be whether the participant had good cause for failing to timely request an Informal Hearing.

- (f) In determining whether the participant has demonstrated good cause, the Hearing Officer shall consider the following factors:
 - (1) Whether and when the participant received notice of the challenged DCHA determination, action, or inaction; and
 - (2) Any mitigating circumstances related to the untimely filing of the request for an Informal Hearing, including but not limited to circumstances related to the participant's disability, incapacity, or an emergency affecting the participant or a member of the participant's household.
- (g) At the Good Cause Hearing, the Hearing Officer shall not hear evidence or address the merits of the participant's underlying challenge to the DCHA's action, inaction or determination. The Hearing Officer shall only consider evidence regarding the timeliness of the request and the factors listed in § 8903.2(f) at the Good Cause Hearing.
- (h) In the event that the Hearing Officer hears the merits of the underlying challenged DCHA action or determination, either party may request the Executive Director or his/her designee to vacate the Hearing Officer's decision and reschedule the Good Cause Hearing with another impartial Hearing Officer in accordance with the provisions above.
- (i) The Hearing Officer shall make his or her best effort to render a decision on the good cause showing on the same day that the Good Cause Hearing is held, but shall render a decision no more than three (3) business days after the Good Cause Hearing.

8903.3

The following process for scheduling and issuing Informal Hearing and Good Cause Hearing notification letters shall apply:

- (a) When the Office of Fair Hearings receives a timely written request for an Informal Hearing or a Good Cause Hearing the following provisions apply:
 - (1) The Office of Fair Hearings shall mail a letter notifying the participant of the date and time of the Hearing within fifteen (15) calendar days of the postmark date of the hearing request if the hearing request is mailed to the Office of Fair Hearings, or within fifteen (15) calendar days of the receipt if the hearing request is hand-delivered to the Office of Fair Hearings.
 - (2) The Office of Fair Hearings notification letter shall also be mailed to any representative of the participant who is identified by name and address on the request for the Hearing or who has entered his or her appearance since then.

- (3) The Office of Fair Hearings shall deliver a letter notifying the DCHA Office of General Counsel of the date and time of the Hearing within fifteen (15) calendar days of the postmark date of the hearing request.
 - (4) The date of the hearing shall be no sooner than fifteen (15) calendar days and no later than thirty (30) calendar days after the postmark date of the Office of Fair Hearings letter notifying the participant of the date and time of the Hearing.
- (b) All notification letters for Hearings shall contain:
- (1) The date and time of the Hearing;
 - (2) The location of the Hearing;
 - (3) The participant's right to bring evidence, witnesses, and legal or other representation at the participant's expense;
 - (4) The right to view, or have their counsel or other representative view, subject to a timely request under § 8903.4 any documents in the participant's file, or any evidence in the possession of DCHA, upon which DCHA based the proposed action, inaction or determination, or that DCHA intends to rely on at the Hearing;
 - (5) The right to obtain, subject to a timely request under Section 8903.4, a copy of documents or evidence in the possession of DCHA prior to the Hearing and notice that DCHA shall provide the copies pursuant to § 8903.4; and
 - (6) The participant must provide to the Office of the General Counsel copies of any documents or evidence the participant intends to use at the Hearing at least three (3) business days prior to the scheduled Hearing.
- (c) If DCHA provides evidence that it mailed the notice via first class mail in the ordinary course of business to the participant's address of record and the notice was not returned to DCHA, then the participant shall be presumed to have received the notice. The participant bears the burden of rebutting this presumption by providing sufficient evidence that the notice was not received.

8903.4

The following rules shall apply to the Production of Documents:

- (a) DCHA shall make copies of requested documents for the participant.

DCHA shall provide the first seventy-five (75) such pages to the participant at no charge and shall charge twenty-five (25) cents per page for each page in excess of seventy-five (75). If the documents are provided electronically or on a CD, DCHA is authorized to charge for the cost of the CD and the total number of pages produced electronically.

- (b) Upon request by a participant or its representative to review and/or copy any documents in the participant's file, DCHA shall make such documents available to the participant, or its representative for review and/or copying either within twenty-one (21) calendar days of the request or seven (7) calendar days prior to the Informal Hearing date, whichever is sooner.
- (c) In no case shall the participant, or its representatives, be allowed to remove a file from DCHA's office.

SOURCE: Notice of Final Rulemaking published at 49 DCR 7193, 7195-97 (July 26, 2002); as amended by Final Rulemaking published at 60 DCR 13170 (September 20, 2013).

8904 INFORMAL HEARING PROCEDURES

8904.1 Participant Families or applicants have the right to:

- (a) Examine any document in the applicant's or participant's file and any other documents that DCHA submits to the Hearing Officer;
- (b) Present written or oral objections to the DCHA's determination;
- (c) Present any information or witnesses pertinent to the issue of the informal hearing; and
- (d) Be represented by legal counsel, advocate or other designated representative at their own expense, provided that if the family has not notified DCHA in writing at least three business days in advance of their intention to be represented, the hearing officer shall grant any request from DCHA for a continuance.

8904.2 In addition to other rights contained in this Chapter, DCHA has a right to:

- (a) Present evidence and any information pertinent to the issue of the informal hearing;
- (b) Have its attorney present; and
- (c) Have staff persons and other witnesses familiar with the case present documents and provide testimony.

8904.3 The informal hearing may be conducted by any person designated by the DCHA, other than a person who made or approved the decision under review, a subordinate of that person or a person who is an employee in the Housing Choice Voucher Program. The designated hearing officer shall regulate the conduct of the informal hearing in accordance with these regulations.

8904.4 The informal hearing shall be conducted as follows:

- (a) The informal hearing shall concern only the issues for which the participant or applicant has received a notice in conformance with Subsection 8901.3.
- (b) DCHA and the participant or applicant shall be given the opportunity to present evidence and question any witnesses;
- (c) Evidence presented at the informal hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings;
- (d) Documents may not be presented or relied upon which have not been provided to the other party timely, except, in the case of an applicant or participant proceeding pro se without a representative where the hearing officer has determined that admission of such a document will not prejudice DCHA and a continuance is not practical;
- (e) The hearing officer may request the submission of additional documentation, verification or briefs or letters of explanation from the parties or their representatives, provided such request is responded to within five (5) business days;
- (f) The hearing officer shall have the power to grant appropriate relief not in conflict with controlling law and regulations, including remanding to a program specialist for further review or recalculation, granting a voucher or voucher extension, participant

recertification, adjustment to total tenant payment, reversal of termination, scheduling continuances and rescheduling.

SOURCE: Notice of Final Rulemaking published at 49 DCR 7193, 7197-7200 (July 26, 2002); as amended by Notice of Emergency and Proposed Rulemaking published at 52 DCR 6858 (July 22, 2005)[EXPIRED]; as amended by Notice of Final Rulemaking published at 52 DCR 10181, 10182 (November 18, 2005).

8905 PROPOSED AND FINAL DECISIONS

8905.1 The hearing officer shall, within 14 days of the hearing, make a proposed decision as follows:

- (a) Whether or not the hearing officer has jurisdiction under these regulations to hear the case;
- (b) Factual determinations relating to the individual circumstances of the participant or applicant based on a preponderance of the evidence and testimony presented at the informal hearing; and
- (c) Whether the action, inaction, or determination of DCHA is in accordance with applicable federal and local law, including applicable HUD and DCHA regulations and the HCVP Administrative Plan.

8905.2 A notice of the proposed decision shall be provided in writing by the hearing officer to the participant or applicant, and their representative, if any, with a copy to the Director of the Housing Choice Voucher Program and the counsel representing DCHA including:

- (a) A brief reasoned decision including an assessment of the factual basis and explanation of the legal reasoning in support of the decision;
- (b) If the decision involves money owed, the amount owed;
- (c) A review of the calculation of any monies owed;
- (d) The effective date of the decision;
- (e) The implementation date for any actions ordered to be taken by either of the parties;
- (f) The parties' rights to request a final decision from the Executive Director; and
- (g) The time limit and procedure for filing a request for the Executive Director to make a final decision.

8905.3 The proposed decision will become final on the tenth (10th) day following the postmark of the proposed decision unless one of the parties has submitted a written request to the Executive Director requesting the Executive Director to reconsider the proposed decision before issuing a final decision and stating the basis for such review.

8905.4 In the event of a request for a final decision by the Executive Director, the Executive Director will render a final written decision within fifteen (15) days of receipt of the request, which shall include DCHA's reasons for the final decision.

- (a) The final decision shall include notification that final decisions are not precedent setting for DCHA or the courts and cases thereafter taken to Superior Court of the District of Columbia are not an appeal of an administrative decision, are not based on the record of the informal hearing and are to be tried de novo, as if no determination had been made by DCHA and its hearing officer prior thereto.
- (b) The Executive Director may modify or set aside, in whole or in part, the decision of the hearing officer which (1) concerns a matter for which DCHA is not required to provide an informal hearing, or that otherwise exceeds the authority of the hearing officer, or (2) is contrary to applicable HUD regulations or requirements, or is

otherwise contrary to federal or local law, including the provisions of Title 14 of the DCMR and the HCVP Administrative Plan.

- 8905.5 All requests for an informal hearing, supporting documentation and a copy of the proposed and final decisions shall be retained in the participant's or applicant's file.

SOURCE: Notice of Final Rulemaking published at 49 DCR 7193, 7197-7200 (July 26, 2002); as amended by Notice of Emergency and Proposed Rulemaking published at 52 DCR 6858 (July 22, 2005)[EXPIRED]; as amended by Notice of Final Rulemaking published at 52 DCR 10181 (November 18, 2005).

8999 **DEFINITIONS**

8999.1 For purposes of Chapter 89, the following terms shall have the meanings ascribed:

Good cause - is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family or applicant, including a verified illness or disability;

Head of Household - The person who serves as the basis for income eligibility and rent determination as well as assumes legal responsibility for the household.

Applicant (Applicant Family) - refers to a family that has applied for admission to a program but is not yet a participant in the program;

Family - A person or group of persons, as determined by the PHA, approved to reside in a unit with assistance under the program;

Participant (Participant family) - A family that has been admitted to the PHA program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term);

Housing Quality Standards (HQS) - The HUD minimum quality standards for housing assisted under the tenant-based programs;

Landlord - Landlord and Owner are used interchangeably;

Tenant - the person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit;

SOURCE: Notice of Final Rulemaking published at 49 DCR 7192, (July 26, 2002).