

TENANT GRIEVANCE AND APPEAL POLICY
ISLAND ELDERLY HOUSING, INC.
(FOR HUD-ASSISTED PROJECTS)

I. Purpose

The purpose of this policy is to set forth uniform requirements for grievance and appeal procedures. The objective of this policy is to ensure the fair treatment of persons residing in IEH managed, HUD-Assisted projects while providing for an equitable manner by which IEH can operate, maintain and safeguard its housing projects. The rights of appeal under this policy will also extend to persons who seek admission to the projects.

II. Exceptions

This policy does not apply to:

A. Rent Changes Authorized by HUD.

B. Discrimination Complaints. Any tenant or prospective tenant seeking occupancy of use of IEH facilities who believes he/she has been discriminated against because of age, race, color, religion, sex, marital or familial status, disability or national origin may file a complaint in person with, or by mail to the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development (HUD), Washington, DC 02041, or any HUD office.

C. Changes in the Rules Required by HUD. Changes in rules (required by HUD) in which proper notice and opportunity have been given according to law and the provisions of the lease.

D. Notification of Termination of Tenancy and Eviction. Notification of termination of tenancy and eviction is to be handled in accordance with HUD regulations.

E. Termination of Tenancy and Eviction by Judicial Action as Prescribed by State or Local Law. Termination of tenancy and eviction must be based on material violation of the lease terms or for other good cause as determined by IEH or the project



manager. IEH shall not evict any tenant except by judicial action pursuant to state or local law and in accordance with the requirements of this policy.

F. Disputes Between Tenants. This policy does not apply to disputes between tenants not involving IEH.

III. Matters Covered by This Policy.

A. Tenants: This grievance and appeal procedure provides a means for a tenant, in our HUD-assisted rental projects, to meet with IEH and to obtain a meeting if the tenant has a grievance. This opportunity relates to IEH's actions, or failure to act, in accordance with the lease and/or HUD regulations which results in a denial, significant reduction or termination of benefits or when a tenant contests IEH's notice of proposed adverse action as provided in this policy. These matters may include the following:

1. Failure to maintain the premises in such a manner that provides decent, safe and sanitary housing.
2. Violation of lease covenants and rules.
3. Modification of lease.
4. Rule changes.
5. Failure to maintain the premises according to state and local laws, statutes, or ordinances in effect at the date of final construction unless new or amended laws and ordinances are made retroactive to, or prior to, the date of final construction.
6. Denials of rental assistance.

B. Applicant: This grievance and appeal procedure also provides an appeal right for a person whose application for admission to occupancy in a HUD-assisted rental project has been rejected, as well as for a person who has been denied an application for admission. This appeal right does not apply to those persons who are



deemed ineligible for occupancy under HUD regulations or IEH's Tenant Selection Policies.

IV. Grievance and Appeal Procedure

A. General.

Whether the tenant or applicant initiates the grievance procedure or whether IEH delivers a Notice of Proposed Adverse Action, resolution of the matter will, in the first instance, be sought by informal means with IEH meeting the tenant or applicant to discuss the particular matter.

B. Notice of Proposed Adverse Action by IEH.

In the event that IEH proposes adverse action, including denial of admission to occupancy, IEH will notify the tenant or applicant in writing and deliver the same by certified mail return receipt requested. The notice will advise the tenant or applicant of the right to respond to the notice within fourteen (14) days after receipt by requesting a meeting.

C. Initiation by Tenant/Applicant.

If the tenant or applicant initiates a complaint, he or she must do so in writing delivered to IEH's Property Manager. IEH and the tenant or applicant shall, within five (5) business days, meet informally to discuss the tenant or applicant's complaint.

D. Appeal.

The meeting to listen to tenant or applicant's appeal must be conducted by a member of staff who was not involved in the initial decision to deny admission/notice of adverse action. The Property Manager shall within five (5) business days of receipt of such appeal or the date of any meeting, issue a written decision to the tenant or applicant, which decision will be final.

