

APPENDIX 2
SAMPLE OUTLINE: GRIEVANCE PROCEDURES

1. Definitions: Explains the meaning of prominent words associated with the grievance procedure. For example, if the procedure regularly employs such terms as "grievance," "complainant," "hearing officer," "hearing panel" and "tenant," those terms are first defined to make them explicitly understood.
2. Informal Settlement of Grievance: Describes the procedures to follow if the grievance is to be discussed informally and settled without a hearing.
3. Expedited Grievance Procedures: Outlines expedited procedures if the IHA chooses to adopt them. The policy must state that these procedures can be used to speed up the grievance process in cases where the resident is accused of drug related activity or criminal activity that threatens the health, safety or right to peaceful enjoyment of the development by other IHA housing residents or employees.
4. When Grievance Procedures Are Not Necessary: Outlines the conditions under which grievance procedures are not necessary. An IHA can deny a grievance hearing only if the resident has access to other due process protections and HUD must review the process to determine that residents have adequate protections. The policy must, therefore, include a description of due process protections and the procedures for obtaining a HUD review.
5. Procedure to Obtain a Hearing: Explains procedures for requesting, organizing and scheduling a hearing if the grievance is to be settled formally.
6. Determination to Hold a Hearing: Outlines criteria for determining whether or not a hearing is called for. For example, the resident's complaint must involve an alleged violation of IHA or HUD rules; the grievance process cannot be used to contest HUD policy.
7. Appointment of a Hearing Officer or Panel: Outlines the procedures for appointing a hearing officer.
8. Procedures Governing the Hearing: Outlines the procedures that govern the hearing. For example, it states the complainant's right to a fair hearing providing the basic safeguards of due process, establishes the rule of precedent and provides guidelines for circumstances in which the complainant or the IHA fails to appear.
9. Decision of the Hearing Officer or Hearing Panel: Describes the procedures by which a decision of the hearing officer or hearing panel may be reached and carried out.

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10. Appeals from the Hearing Panel Decision: States that the decision by the hearing officer or hearing panel does not affect the

complainant's right to a judicial review in any judicial proceeding.

11. IHA Eviction Actions: Defines the terms under which a tenant may be evicted if the hearing officer or hearing panel has upheld the IHA's action to terminate the tenancy.
12. Changes to Grievance Procedures: Lists steps to be followed in modifying grievance procedures and outlines who must be involved and how approval is determined.

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Appendix 2

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