



REASONABLE ACCOMMODATION GRIEVANCE AND APPEAL POLICY AND PROCEDURES

GRIEVANCE PROCESS

A. Procedure

1. An individual (“complainant” or “requestor”) with questions or a grievance about a reasonable accommodation (“RA”) decision made by the Section 504 Coordinator should first request an informal grievance with the Director of the Program pertaining to the RA request and the Section 504 Coordinator within ten (10) business days of the decision. If the matter is not satisfactorily resolved, it should be reported to the Executive Director of the Hialeah Housing Authority (“HHA”).
2. Unless the complainant objects, the HHA may attempt to resolve a grievance informally. For formal or informal grievances, the complainant should explain the incident underlying the grievance, the perceived problem and offer a proposed solution. The HHA reserves the right to proceed immediately to a formal review of the individual’s complaint. At any time, a complainant may request an informal process to address a grievance prior to proceeding with the formal grievance process.
3. A complainant may request a formal grievance of a RA decision by submitting a request which may be written, oral or by any other means of communication accessible by the requestor. This request must be made to the Executive Director within ten (10) business days of the date of the decision of the informal grievance.
4. The HHA’s RA Grievance and Appeal Hearing Committee (“Committee”) will convene on the last Thursday of every month to hear any disputes regarding RA requests and shall hear the complaint as long as the complainant has submitted his request no less than ten (10) business days prior to that Thursday. If the request is made in less than ten (10) business days then the matter will be heard at the next committee meeting unless the requestor can demonstrate exigent circumstances. The Committee will be composed of HHA Directors and other applicable staff whose responsibilities include matters related to Section 504/ADA. No HHA employee who was involved in the initial decision(s) regarding a reasonable accommodation request that is the subject of a hearing shall sit on the Committee during the hearing related to that request.
5. The committee will be charged with collecting information by interviewing the requestor and his or her witnesses, as well as the HHA employee(s) to whom the grievance is directed. All parties will have the right to a non-participating observer present during this interview. The



decision of the committee will be forwarded to the complainant and the Executive Director within ten (10) business days of the receipt of the properly executed grievance. The grieved party will be notified of any unforeseen delay.

6. To ensure appropriate due process and prompt, equitable resolution of complaints pertaining to reasonable accommodation decisions, formal rules of evidence will not apply and the Committee may limit repetitive and irrelevant evidence. The Committee will attempt to resolve the grievance within ten (10) business days. The schedule for the investigation will allow time for the Complainant and other participants to consult with and obtain input from legal counsel and other advisors. The Committee will look at the record as a whole and at the totality of the circumstances. The Committee will discuss the grievance in a closed meeting.
7. Nothing in this process should be construed to impede or prohibit a requestor from filing an ADA or discrimination complaint with the appropriate external governmental agency or an internal grievance addressing other issues. Requestors with grievances, or complaints against the HHA based upon violations of Section 504 or the ADA, also have the right to file a complaint with the U.S. Department of Housing and Urban Development (“HUD”).

B. Time Limits

A grievance filed within ten (10) business days of the aggrieved reasonable accommodation decision will be considered timely. Nevertheless, the HHA will investigate any grievance filed within a reasonable time.

C. Confidentiality

The HHA will take reasonable steps to protect the confidentiality of the parties involved in a grievance. Persons involved will be advised of the necessity of keeping information related to a grievance confidential. However, persons should be aware that the HHA is subject to the Florida Public Records Law, Chapter 119 and information may not be confidential and exempt from public disclosure

D. No Retaliation

The HHA does not tolerate or condone any form of retaliation against a grievant whose reasonable accommodation complaint is made in good faith.

