**Your Right to a Grievance:**

**RRHA Grievance Procedure**

As provided by federal law, you as a public housing tenant, you have the right to appeal many decisions or actions taken by the RRHA through its grievance procedure and with that comes certain rights to ensure a fair process.

**What is a grievnance procedure?**

It is a process to resolve disptues between residents in public housing and a housing authority. It is a way to try and ork out problems without having to go to court. As a tenant, you can use the grievnacne procedure to:

(1) oppose some action that a housing authority wants to take against you or

(2) to hold your housing authority staff and board accountable for the way they have acted or not acted.

**When don’t I have a right to a grievance hearing?**

The RRHA may, in some cases, deny you a grievance hearing if you are being evicted for certain types of behavior, including:

* Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees ofr RRHA;
* Any violent or drug related criminal activity on or off RRHA premises; or
* Any criminal activity that resulted in the felony conviction of a household members.

The grievance procedure is also not the appropriate forum to settle a dispute with another tenant or to negotiate policy changes with RRHA.

**When do I have a right to file a grievance?**

In addition to being able to file a grievance when a housing authority sends you a notice about some action it is taking against you, you can file a grievance if you or anyone in your household has been hurt by something that the housing authority has done or not done. For example, you can file a grievance if the RRHA:

* Refuses to adjust your rent.
* Claims you owe more than what you think you do.
* Does not process your request for a transfer.
* Does not answer requests for repairs.
* Staff or Board treats you unfairly or harasses you.
* Has acted (or has not acted) in a way that causes you harm or hardship.

**Important—***It is illegal for RRHA to try and evict or harass you for filing a grievance or testifying at a grievance hearing. This means that RRHA cannot bring you to court to evict you or take other action about the grievance until the grievance process is over.*

**How do I file a grievance?**

If you have a complaint against RRHA, you should file a written grievance with the management office at your project site NO LATER than 10 business days after the problem arises. Send a copy to the main management office. You can use the attached sample greivance request form to write out your grievance. Always keep a copy of the grievance that you file. Make sure the Management Office completes a “Receipt of Request for Informal Conference” form with you! It should state the date the informal grievance conference will take place and be signed and dated by the office manager.

PLEASE NOTE:

If your grievance involves the amount of rent or other charges RRHA is claiming you owe, RHHA requires that you pay them the amount due in to escrow. RRHA will hold the funds until the full grievance process is finalized. If you have a hardship or other extenuating circumstance, ask RRHA to waive this requirement.

**What happens after I file a grievance?**

The first stage is called an “Informal Conference” and will take place either at the time you submit your grievance or within 10 business days. The hearing will usually be conducted by the housing manager of the project or the housing manager in the main office. At the hearing, you should explain your grievance and present any evidence. Use the attached worksheet to help you prepare. After the informal hearing, the RRHA is required to give you a written summary of the hearing discussion, the Management’s decision, the reason for the decision, and inform you of the procedure for appealing the decision within 5 business days.

**How do I appeal the decision?**

You should file a written request for an appeal with the project management office and a copy to the main office as quickly as possible after you receive the first hearing decision, not later than 10 business days. Write a short letter that includes your name, date, address, the reason for filing the grievance and a statement asking for an appeal. Use the attached sample to help. The next step is a formal hearing which must be scheduled promptly after the Housing Authority receives your request for an appeal.

**What will happen at the formal hearing?**

A hearing officer or panel of three hearing officers will reach out to you within 10 business days fo filing your formal grievance request to schedule a hearing. The process at the formal hearing is similar to that at the informal hearing. The Housing Authority’s witnesses will testify, and you or your representative have the right to ask them questions and present your own witnesses and evidence. It is strongly recommended that you have an attorney there with you. The hearing officer or panel must provide you with a written decision within 15 business days. The decision must be based on the lease and all the laws that control the public housing program. If the subject of the hearing was an eviction, even if you lose the hearing, you will still be able to challenge the eviction in court. A hearing decision on any other matter is final and binding on you and RRHA.

**At Every Stage of the Grievance Procedure,**

**YOU HAVE THE RIGHT to:**

* Examine any RRHA documents before the hearing, including any records and regulations of the Management that are directly relevant to the hearing;
* A list of the RRHA’s witness at least three business days before the hearing;
* Require the presence of any Management employee whose testimony is relevant to the case;
* **Representation by an attorney, housing advocate, or any other person at every stage of the hearing process;**
* An explanation of your due process rights;
* In some cases, a private hearing which includes only you, the Hearing Officer/Hearing Panel, your attorney, RRHA’s attorney, and any testifying witnesses;
* Present evidence and arguments in support of the grievance, to challenge evidence from the RRHA, ask witnesses, including RRHA management, questions, and present defenses;
* A written summary of the informal hearing with the reasons for the decision; and
* Purchase a copy of the transcript of the Formal Hearing.

**Worksheet to Help You**

**Prepare for Your Grievance Hearing**

**1 – Problem**

What is the probelm?

What part of the lease, regulation, or policy has RRHA violated? Bring copies with you to the hearing.

**or**

If you don’t have a copy of the lease or regulations or policies that relate to the violation, **get them from your housing authority!** It is very important to see the actual language.

What section of the lease or regulation does the RRHA say you have violated? Bring copies of it with you to the hearing.

**2 – Proof**

What evidence, documents, or witnesses do you have to prove that the problem exists?

If RRHA is accusing you of a violation, what proof do they have of the violation? Go check their records and ask to see any documents that they have that relate to the dispute.

**3 – Solutions**

What are solutions to the problem that you are grieving?

**Sample Letter to Request a Grievance Hearing**

*Date*

*Property Manager’s Name*

*Name of Housing Development*

Richmond Redevelopment and Housing Authority

Post Office Box 26887

Richmond, VA 23261

**Request for Informal Grievance Hearing:**

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of property manager*):

I reside at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*your address, including the development name and unit number*) and am a public housing resident of Richmond Redevelopment and Housing Authority.

*State the problem*. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*For example:*

* *I received an eviction notice telling me to leave my apartment.*
* *I do not believe I owe the amount stated in my repayment agreement.*
* *I have been unable to get repairs made.*
* *I received a rent increase that is higher than what I believe my rent should be.*

*State what action you would like RRHA to take. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

I understand that I can file a grievance regarding this matter and would like to request a grievance hering. Please notify me of the date and time that this hearing will be held.

Sincerely,

*Your name*

*Your address*

*Your telephone number*