INFORMAL HEARINGS FOR PARTICIPANTS
[24 CFR 982.555]

Public Housing Agencies (PHA's) must offer an informal hearing for certain PHA
determinations relating to the individual circumstances of a participant family. The purpose of
the informal hearing is to consider whether the PHA's decisions related to the family's
circumstances are in accordance with the law, HUD regulations, and PHA policies.

A request for an informal hearing must be made in writing and delivered to the
Albemarle County Office of Housing at 1600 Fifth St. Suite B, Charlottesville, VA,
22902, either in person or by first class mail, by the close of the business day, no
later than 10 business days from the date of the PHA's decision or notice to
terminate assistance.

The Albemarle County Office of Housing will schedule and send written notice of the informal
hearing to the family within 10 business days of the family’s request.

The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable
accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict
which seriously affects the health, safety or welfare of the family. Requests to reschedule a
hearing must be made orally or in writing prior to the hearing date. At its discretion, the PHA
may request documentation of the "good cause" prior to rescheduling the hearing.

If the family does not appear at the scheduled time and was unable to reschedule the hearing in
advance due to the nature of the conflict, the family must contact the PHA within 24 hours of
the scheduled hearing date, excluding weekends and holidays. The PHA will reschedule the
hearing only if the family can show good cause for the failure to appear, or if it is needed as a
reasonable accommodation for a person with disabilities.

Participants and the PHA are permitted pre-hearing discovery rights. The family will be given
the opportunity to examine before the hearing any PHA documents that are directly relevant to
the hearing. The family will be allowed to copy any such documents at a cost of $.25 per page.
The family must request discovery of the PHA documents no later than 12:00 p.m. on the
business day prior to the scheduled hearing date.

The PHA must be given the opportunity to examine, at the PHA office before the hearing, any
family documents that are directly relevant to the hearing. The participant must make the
documents available no later than 12:00 p.m. on the business day prior to the scheduled hearing
date.

At its own expense, the family may be represented by a lawyer or other representative at the
informal hearing.
Informal hearings will be conducted by a person or persons approved by the PHA, other than
the person who made or approved the decision or a subordinate of the person who made or
approved the decision.

The person who conducts the hearing will issue a written decision, stating briefly the reasons for
the decision, to the family and the PHA no later than 10 business days after the hearing.

Albemarle County Office of Housing is not bound by a hearing decision concerning:

1. A matter of which Albemarle County Office of Housing is not required to provide for an
   informal hearing

2. Decisions which conflict with or contradict HUD regulations or requirements

3. Decisions which conflict with or contradict Federal, State or local laws

4. Decisions which exceed the authority of the person conducting the hearing

If Albemarle County Office of Housing should determine it is not bound by such a hearing
decision, it will promptly notify the family of the decision in writing and of the reasons for the
determination.