



Informal Reviews and Informal Hearings

INFORMAL REVIEWS FOR APPLICANTS

The Marietta Housing Authority [MHA] will give an **Applicant** family an opportunity for an informal review to consider whether the following Marietta Housing Authority decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations, and Marietta Housing Authority policies.

The procedure for a hearing is as follows:

1. The review will be conducted by any person or persons designated by the Marietta Housing Authority other than the person who made or approved the decision under review or a subordinate of this person.
2. The applicant will be given an opportunity to present written or oral objections to the Marietta Housing Authority decision.
3. The Marietta Housing Authority will notify the applicant of the Marietta Housing Authority decision after the informal review within 14 calendar days. The notification will include a brief statement of the reasons for the final decision.

INFORMAL HEARINGS FOR PARTICIPANTS

The Marietta Housing Authority will give a **Participant** family an opportunity for an informal hearing to consider whether the following Marietta Housing Authority decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations, and Marietta Housing Authority policies.

The MHA and participants will adhere to the following procedures:

1. Discovery
 - a. The family will be given the opportunity to examine before the hearing any Marietta Housing Authority documents that are directly relevant to the hearing. The family will be allowed to copy any such document at the family's expense. If the Marietta Housing Authority does not make the document(s) available for examination on request of the family, the Marietta Housing Authority may not rely on the document at the hearing.
 - b. The Marietta Housing Authority will be given the opportunity to examine, at the Marietta Housing Authority's offices before the hearing, any family documents that are directly relevant to the hearing. The Marietta Housing Authority will be allowed to copy any such document at the Marietta Housing Authority's expense. If the family does not make the document(s) available for examination on request of the Marietta Housing Authority, the family may not rely on the document(s) at the hearing.

Note: The term document includes records and regulations.

2. Representation of the Family

At its own expense, a lawyer or other representative may represent the family.

3. Hearing Officer

- a. The hearing will be conducted by any person or persons designated by the Marietta Housing Authority, other than a person who made or approved the decision under review or a subordinate of this person.
- b. The person who conducts the hearing will regulate the conduct of the hearing in accordance with the Marietta Housing Authority hearing procedures.

4. Evidence

The Marietta Housing Authority and the family must have the opportunity to present evidence and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

5. Issuance of Decision

The person who conducts the hearing must issue a written decision within 14 calendar days from the date of the hearing, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing.

The MHA employee designed to manage informal reviews and hearings is:

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