

**NOTIFICATION OF RIGHTS and
RESPONSIBILITIES
REGARDING the GRIEVANCE HEARING**

**THIS IS AN IMPORTANT DOCUMENT. IF YOU REQUIRE INTERPRETATION PLEASE CALL (775) 886-7969 OR COME TO
OUR OFFICE AT LEAST 5 BUSINESS DAYS PRIOR TO YOUR APPOINTMENT**

You have requested a grievance hearing to decide whether the action taken against you was justified. You have the right to a fair hearing, which will be decided by a duly appointed, independent hearing officer. The hearing will be less formal than a court trial, but is an official proceeding where both sides present evidence. Please be aware of your rights and responsibilities.

The PHA must be given the opportunity to examine at the housing authority offices before the scheduled hearing, any family documents that are directly relevant to the hearing. This process is known as “discovery”. These documents must be submitted to Janet Thompson, Manager of Rental and Housing Programs at 3695 Desatoya Drive, Carson City, NV 89701 at least 48 hours before the date of the scheduled hearing. The housing authority must be allowed to copy any such document(s). If the family does not make the documents available for examination on request of the housing authority, the family may not present on the documents at the hearing.

The housing authority shall present the facts supporting the action proposed in the notice of intended action. The housing authority bears the overall burden of proving the allegations by a preponderance of evidence. The housing authority must establish that the participant violated one or more program rules, regulations, or policies.

YOUR RIGHTS

1. Types of Evidence:

- a. **Your testimony:** What you have to say about your side of the case.
 - b. **Documents:** You may present letter(s), doctors' reports, receipts, official notices, etc.
 - c. **Witnesses:** You may bring witnesses who have personal knowledge of the facts of the case to give their testimony. A list of witnesses must be submitted to Janet Thompson, Manager of Rental and Housing Programs at 3695 Desatoya Drive, Carson City, NV 89701 at least 48 hours before the date of the scheduled hearing.
 - d. **Tape recordings:** (Remember, it is illegal to make tape recording in certain cases such as over the phone unless it is with permission.)
2. **Representation:** You may have an attorney or other appropriate person represent you at a hearing. If you obtain representation, you must notify Janet Thompson, Manager of Rental and Housing Programs at 3695 Desatoya Drive, Carson City, NV 89701 at least 48 hours before the date of the scheduled hearing.
3. **PHA file:** You may review your file and have copies of anything pertinent to your case. If you wish to view or copy your file you must request this at least three (3) business days before the hearing. We will send you a copy of our hearing packet at least three (3) business days before the date of the hearing.
4. The opportunity to receive a **reasonable continuance for “good cause”** is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.
5. **Taped proceedings:** The hearing will be recorded. If you wish to have a recorded copy of the proceedings, you must supply a blank CD(s) to the housing authority after the final decision has been made.

6. **Questions:** You may ask questions of any witnesses who testify against you.
7. **Reasonable Accommodation:** As you have already been notified, if you have a disability that could affect your ability to participate at the grievance hearing, you have the right to request a reasonable accommodation. You must specify the request before the hearing by contacting Mishon Hurst, 504 Coordinator, at 3695 Desatoya Drive, Carson City, NV 89701.
8. You may **withdraw** your hearing request at any time by informing the housing authority, in writing, of your request.
9. **Judicial review:** Hearing decisions shall be final and binding upon all parties unless either party seeks timely judicial review. Where the hearing decision is unfavorable to the participant, the participant may obtain judicial review of the decision.
10. If you are a victim or threatened victim of domestic violence, dating violence, or stalking, you have certain protections under the Violence Against Women Act (VAWA). Please contact Janet Thompson, Manager of Rental and Housing Programs at 3695 Desatoya Drive, Carson City, NV 89701 if you have questions.

YOUR RESPONSIBILITIES

1. You have the legal duty to tell the truth at all stages of the proceedings just as if it were a court case.
2. You have the obligation to prepare your case and be ready on the date of the hearing.
3. If you need to delay the hearing, you must request and show good cause prior to the hearing date. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. The Housing Authority will require proof of such good cause. If you fail to appear, you must contact Janet Thompson, Manager of Rental and Housing Programs at 3695 Desatoya Drive, Carson City, NV 89701 within 24 hours of the scheduled hearing date, excluding weekends and holidays. The hearing will be rescheduled **ONLY** if the family can show good cause as defined above.
4. If necessary, you may request in advance of the housing authority an interpreter or mechanical facility to overcome language or other communication disabilities.



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