

TENNESSEE HOUSING DEVELOPMENT AGENCY
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM
**SUMMARY OF INFORMAL REVIEW/HEARING
PROCEDURES**

1. THDA may deny/terminate and applicant/participant of the Housing Choice Voucher rental assistance program when rules that govern the program are violated. At the manager's discretion, a family may be called in to the local THDA field office for a case conference instead of denial/termination for both fact finding and discussion. Depending on the seriousness of the infraction, or in the case of a repeated violation, standard denial/termination procedures apply.

2. THDA sends written notification to the Housing Choice Voucher rental assistance applicant/participant describing the decision to deny/terminate and what the applicant or participant may do if they do not agree with the decision.

Informal Review Process for Applicants:

1. If an applicant does not agree with THDA's denial of assistance and properly requests an informal review within fourteen (14) days from the date of the denial notice, the THDA Hearings and Complaints Officer conducts a review in the appropriate field office.

2. The Hearings and Complaints Officer sends a decision letter to the applicant describing the results of the review within thirty (30) days from the date of the review. Applicants are not entitled to additional appeals; therefore the decision of the Hearing Officer is final.

Informal Hearing Process for Participants:

1. If a participant does not agree with THDA's termination from the program and properly requests an informal hearing within fourteen (14) days from the date of the termination notice, the Hearings and Complaints Officer conducts a hearing in the appropriate field office.

2. The Hearings and Complaints Officer sends a letter to the participant describing the results of the review within thirty (30) days from the date of the hearing. The letter also describes the participant's right to additional appeal, a Formal Hearing, if they do not agree with the decision.

Formal Hearing Process:

1. If the participant does not agree with the decision made by the Hearings and Complaints Officer, they may request a Formal hearing within fourteen (14) days.

2. The Formal Hearing is requested through the THDA Office of the General Counsel, an appeal under the Uniform Administrative Procedures Act. An administrative law judge will hold a contested case hearing.

3. The administrative law judge will notify the participant of the hearing in writing. After the hearing, the administrative law judge will render an initial order under T.C.A. Section 4-5-314.

4. THDA may, on its own motion, seek review of the administrative law judge's initial order by the Executive Director or designee. If THDA seeks review, written notice will be sent to all other parties within fourteen (14) days after the initial order's entry. Other parties may seek review by the Executive Director or designee, if within fourteen (14) days after the initial order's entry, written notice is provided to THDA and other parties. The Uniform Administrative Procedures Act applies to the appeal to the Executive Director or designee and any subsequent actions taken after the final order's entry by the Executive Director or designee.

5. If at any point in the process, there is no proper appeal, the unappealed decision stands and can be enforced. A petition for judicial review will not stop enforcement of the decision unless ordered by a judge.