



Pathways Asset Management, Inc.

A Wholly Owned Governmental Instrumentality of the Housing Authority of the City of Austin

Grievance and Appeals Policy

Summary of Proposed Changes to be effective January 1, 2024.

References:

HUD Housing Notice H-2019-09 PIH-2019-23 (HA)- Rental Assistance Demonstration – Final Implementation, Revision 4. Supersedes: Notice PIH-201232 (HA) H-2017-03, REV-3 and Notice PIH 2018-11 (HA) H 2018-05 and Notice PIH 2018-22 H 2018-11. *Section I, Part 1.7 (B)(6)(a-b), and Attachment 1E- House Rules: Addendum A – Resident Procedural Rights*

U.S. Housing Act of 1937, Section 6, (k), *establish and implement an administrative grievance procedure.*

Summary of changes:

Stand-alone Grievance and Appeals Policy eliminated. The stand-alone policy is redundant and duplicative of the Grievance Process policies and procedures detailed in the Tenant Selection Plan (for applicants) and the House Rules (for residents). A stand-alone policy is not required.

Tenant Selection Plan- no changes. The process for Informal Hearings for PBRA applicants is outlined in the Tenant Selection Plan (TSP). No changes are being proposed for the Informal Hearing Process for PBRA applicants at this time.

House Rules- proposed changes. Per HUD's Housing Notice on RAD, specific Grievance Process topics must be included as part of the House Rules for PBRA residents. This is to incorporate resident procedural rights to comply with the requirements of Section 6 of the Act. Below is a high-level overview of the changes PAMI proposes:

- **Removal and/or condensing of multiple Sections.** In an effort to simplify and streamline procedures, while also meeting HUD's requirements, multiple sections have been removed, condensed, or combined. For example, definitions, and descriptions of the decision notice requirements and categories of evidence, have been removed. Sections on applicability and hearing procedures have been condensed and/or combined. Note- this is not an all-inclusive list.
- **Added a definition of adverse action.** Adverse action is now defined as:
 - o Placement on probation
 - o Termination of tenancy
 - o Termination of assistance
 - o Denial of a Reasonable Accommodation request
 - o Denial of a Violence Against Women Act protection or emergency transfer request



PAMI does not discriminate on the basis of disability status in admission or access to, or treatment or employment in, its federally assisted programs and activities. The following person has been designated to coordinate compliance with the nondiscrimination requirements contained in HUD's regulations implementing Section 504: Compliance Analyst, Low Income Housing Department, 1124 S. IH 35, Austin, TX 78704, (512)477-4488: TTY: (800) 735-2989 or 711 Voice Relay.



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- Discontinuance of the Informal Settlement of Grievance process. This process is not referenced in the HUD Housing Notice on RAD, or Section 6 of the Act. PAMI is choosing to discontinue this process. Residents and PAMI staff may still choose to have discussions in an attempt to settle or resolve an adverse action; however, a resident does not waive their right to a grievance hearing by not participating in informal discussions.
- Expanded the grievance hearing process to include all lease termination actions. The exclusion for lease terminations involving criminal activity that resulted in a felony arrest or conviction of a household member or that threatens the health, safety or right to peaceful enjoyment of the premises of other residents or employees of the owner, or for drug-related criminal activity on or off the premises, has been removed. A resident may request a grievance hearing for any of the five defined adverse actions.
- Updating and standardized timeframes. Deadlines have been updated and are all listed in calendar days. All references to business days have been removed.
- Removal of the 30-day comment process for future changes. The Grievance Process for PBRA residents is part of the House Rules, an attachment to the lease. PAMI will follow the 60-day resident notification process outlined in HUD Handbook 4350.3, Chapter 6, before implementing any changes to the House Rules. This includes providing the resident a written 60-day notice that includes a copy of the modifications.