

6313 DECISION OF THE HEARING OFFICER

6313.1 The hearing officer shall prepare a written decision, together with the reasons therefor, within ten (10) working days after the close of the hearing. Copies of the decision shall be mailed to the complainant, DCHA and OFH.

6313.2 The decision of the hearing officer shall be binding on DCHA, which shall take all actions, or refrain from actions, necessary to carry out the decision, unless the Executive Director or an official delegated by the Executive Director does the following:

- (a) Determines that the complaint does not concern a DCHA act or failure to act as prescribed by the complainant's lease or DCHA rules, policies (established under § 6002 of this subtitle) or regulations, that adversely affect the complainant's rights, duties, welfare or status; or
- (b) Determines that the decision of the hearing officer is contrary to applicable federal or District of Columbia law or regulations or requirements of the Annual Contributions Contract between HUD and the DCHA.

6313.3 The Executive Director or designee of the Executive Director shall make the determination within the time provided in § 6316.1, and promptly notify all parties to the hearing of his or her determination.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8018 (December 26, 1986); as amended by: Notice of Final Rulemaking published at 35 DCR 4014, 4015 (May 27, 1988); Notice of Final Rulemaking published at 39 DCR 2291, 2293-2294 (April 3, 1992); and Notice of Final Rulemaking published at 49 DCR 2455, 2458 (March 15, 2002).