

6303 REQUEST FOR HEARING

6303.1 If the complainant is not satisfied with the proposed disposition of his or her complaint, he or she may submit in person or by mail a written request for a hearing. Upon request, DCHA will assist a complainant in putting his or her complaint in writing. The written request shall be provided:

- (a) To the Office of Fair Hearings (OFH); or
- (b) To the OFH through the office of the property in which the complainant resides.

On determinations of ineligibility for applicants for public housing, the notice will include the complaint form by which families can request a hearing and return it to DCHA. The complaint form will also be available to applicants and residents at all DCHA offices.

6303.2 A complainant's request for a hearing, which shall be in writing, shall be filed as follows:

- (a) If the complainant is a resident, within seven (7) working days from the date the answer is served; or
- (b) If the complainant is an applicant, within ten (10) working days from the date the answer is mailed.

6303.3 If the complainant does not request a hearing within the specified time, DCHA's disposition of the complaint under § 6302.4 shall become final. This shall not constitute a waiver of the complainant's right to contest DCHA's actions in an appropriate judicial proceeding.

6303.4 Upon receipt of a request for a hearing, OFH shall assign a hearing officer to the complaint from the hearing panel, on a rotating basis to the extent possible.

6303.5 Within fifteen (15) working days, the hearing officer shall schedule a hearing time, date and place, reasonably convenient to both the complainant and the DCHA, and shall notify the complainant and DCHA.

6303.6 Within thirty (30) days of the date the hearing is scheduled, OFH shall convene the hearing, unless rescheduled for good cause by the assigned hearing officer.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8013-14 (December 26, 1986); as amended by Final Rulemaking published at 39 DCR 2291, 2292 (April 3, 1992); and Notice of Final Rulemaking published at 49 DCR 2455-56 (March 15, 2002).