

6307 RIGHTS OF COMPLAINANTS

6307.1 The complainant shall be afforded a fair hearing providing the basic safeguards of due process, which shall include the following:

- (a) The right to be represented by counsel or another person chosen as a representative;
- (b) The right to a private hearing, unless the complainant requests a public hearing;
- (c) The opportunity to examine, before the hearing, documents, records, and regulations of DCHA that are relevant to the hearing. Any document not so made available after a request for the document has been made by the complainant may not be used as evidence by DCHA at the hearing;
- (d) When requested, DCHA shall provide to the complainant, at no charge, fifty (50) pages of documents, records, and unpublished regulations of DCHA relevant to the hearing. A reasonable charge of not more than twenty five (25) cents per page may be assessed for reproducing material in excess of fifty (50) pages requested by the complainant;
- (e) The right to present evidence and arguments in support of his or her complaint, to controvert evidence relied on by DCHA, and to confront and cross-examine all witnesses on whose testimony or information DCHA relies;
- (f) The right to a decision based solely upon the facts presented at the hearing;
- (g) The right to arrange, in advance, and at his or her expense, to receive a transcript of the hearing;
- (h) The right to request a reasonable accommodation for a disability.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8015 (December 26, 1986); as amended by Notice of Final Rulemaking published at 49 DCR 2455, 2457 (March 15, 2002).