

**8908            INFORMAL HEARING PROCEDURES RELATED TO THE  
                     VIOLENCE AGAINST WOMEN ACT**

8908.1            This section supersedes any contradicting section in this chapter.

8908.2            Recommendation for Termination.

- (a)            DCHA shall issue a Recommendation for Termination to the family member alleged to have committed an act of domestic violence, dating violence, sexual assault, or stalking after determining such act has occurred.
- (b)            DCHA shall mail the recommendation for termination by—
  - (1)            Certified or registered mail; and
  - (2)            First class mail.
- (c)            All notices shall include:
  - (1)            The proposed action or decision of DCHA;
  - (2)            The date the proposed action or decisions will take place;
  - (3)            The basis for DCHA’s decision; and
  - (4)            The procedures for an informal hearing if the family disputes the action or decision.

8908.3            Informal Hearing and Notice.

- (a)            DCHA shall issue a notice of an informal hearing within five (5) business days of the issuance of the recommendation for termination.
- (b)            The date of the informal hearing will be not more than ten (10) business days after the date of issuance of the informal hearing notice;
- (c)            The Informal hearing notice shall contain—
  - (1)            The date and time of the informal hearing;
  - (2)            The location of the hearing;
  - (3)            The participant’s right to bring evidence, witnesses, and legal or other representation at the participant’s expense;

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- (4) The right to view, or have their counsel or other representative view, in accordance to the restrictions provided in Subsection 4907.13 of this title and subject to a timely request under Subsection 8903.4; and
  - (5) The notice that the participant must provide the Office of the General Counsel copies of any documents or evidence the participant intends to use at the Hearing at least three (3) business days prior to the scheduled hearing.
- (d) DCHA shall mail the Informal Hearing Notice and a copy of the recommendation for termination by—
- (1) Certified or registered mail; and
  - (2) First class mail.

### 8908.4 Request for an Extension.

- (a) Either party may request only one (1) extension to reschedule an Informal Hearing.
- (b) Extensions shall be granted for no more than five (5) business days from the hearing date that the party is seeking to reschedule.
- (c) No extension shall be granted beyond thirty (30) business days from the date of the notice recommending termination.

### 8908.5 Informal Hearing Procedures.

- (a) Except as provided in paragraphs (b) and (c) of this subsection, the informal hearing procedures of Section 8904 of this title shall apply.
- (b) The informal hearing shall concern only the issues for which the participant or applicant received a notice in conformance with Subsection 8908.3.

### 8908.6 Proposed and Final Decisions.

- (a) The hearing officer shall, within five (5) business days of the hearing, make a proposed decision in accordance with Subsections 8905.1 and 8905.2 of this chapter.
- (b) The proposed decision shall be sent by expedited mail to the participant.

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- (c) The proposed decision will become final on the fifth (5th) day following the postmark of the proposed decision unless one of the parties has submitted a written request to the Executive Director requesting the Executive Director to reconsider the proposed decision before issuing a final decision and stating the basis for such review.

### 8908.7 Final Decisions by the Executive Director.

- (a) The Executive Director shall render a final written decision within five (5) days of receipt of the request for a final decision pursuant to Subsection 8908.6, which shall include DCHA's reasons for the final decision.
- (b) The final decision shall include notification that:
  - (1) Final decisions by the Executive Director may be reviewed by the District of Columbia Court of Appeals; and
  - (2) Information on the deadline to submit a Petition for Review with the Court of Appeals from the date of the Final Decision.
- (c) The Executive Director may modify or set aside, in whole or in part, the decision of the hearing officer which
  - (1) Otherwise exceeds the authority of the hearing officer, or
  - (2) Is contrary to applicable HUD regulations or requirements, or is otherwise contrary to federal or local law, including the provisions of Title 14 DCMR and the HCVP Administrative Plan.

SOURCE: Final Rulemaking published at 67 DCR 9071 (July 24, 2020).