

YUROK INDIAN HOUSING AUTHORITY



GRIEVANCE POLICY

Purpose

The purpose of the “Grievance Policy” is to establish the procedures by which the Yurok Indian Housing Authority shall insure that all residents and homebuyers are given the opportunity to dispute the YIHA action or failure to act, and to receive within a reasonable period of time a response to dispute.

Applicability

The Yurok Indian Housing Authority “Grievance Policy” shall be applicable to all individual disputes between an applicant, resident, homebuyer or other participant of YIHA. The policy shall not be applicable to disputes among residents or homebuyers not involving YIHA. **This policy is only applicable when YIHA staff has violated policy or policy enforcement.** It shall not be used as a method of initiating changes in YIHA policy. A copy of the Grievance Policy shall be given to each resident and homebuyer family. A copy shall be displayed in the YIHA Office.

Definitions

For the purpose of this procedure, the following definitions are applicable:

- 1. Grievance:** shall mean any formal written complaint which arises when there has been a violation of YIHA policy or procedure by staff.
- 2. Complaint:** shall mean a written statement, signed by the person filing the complaint.
- 3. Complainant:** shall mean the applicant, resident, homebuyer or other participant who is filing a complaint.
- 4. Applicant:** shall mean an enrolled member of a federally recognized tribe who has submitted an application to YIHA for housing assistance.
- 5. Tenant:** shall mean any lessee or head of the household of any resident family residing in a YIHA unit.
- 6. Homebuyer:** shall mean that member of a family whose signature appears on the Homeownership Agreement.
- 7. Grievance Hearing:** shall mean a formal presentation to the Board of Commissioners (BOC) of all facts pertaining to a grievance and decision by the Executive Director on the merits of the complaint.

Documentation

- YIHA shall keep a record of all complaints, requests for assistance, or other communications requesting a review of YIHA action or failure to act.
- A written statement shall be completed and signed by the complainant whenever there is a complaint.
- All action taken to respond to a complaint shall be recorded.
- Prior to a BOC grievance hearing, an Agenda Action Item Request will be prepared by the Executive Director with all pertinent information attached.
- All Grievance Hearings scheduled before the BOC of YIHA will be recorded in the minutes.

Informal Settlement of Complaints

- 1. The YIHA staff shall make every effort to respond to complaints, problems, requests for assistance, and requests for action.**

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2. Staff shall, if required, assist complainants to complete written statements.
3. Staff shall respond to a written complaint within 3 working days of receipt, if the complainant with staff's response they may appeal the decision to the Executive Director.
4. The Executive Director will respond to the complainant within 3 working days.
5. If the Executive Director determines that no violation of policy has occurred by staff, his/her decision will be final.
6. The complaint shall only be scheduled for a grievance hearing if YIHA staff was found to be in violation of the policy.

Grievance Hearing

At a formal Grievance Hearing before the Board of Commissioners, the following procedures will be followed:

1. The Board shall only hear the grievance set forth in the original written complaint.
2. The Board shall allow up to 30 minutes per grievance hearing and will issue their final decision in writing within 10 working days. The decision shall be binding.
3. The hearing will take place after all other business to be conducted at a meeting has been completed unless it has been added to the scheduled Agenda.
4. All visitors and guests other than the Executive Director, the complainant and the complainant's advocate and the staff person recording minutes shall be requested to leave the meeting room while the hearing is in process.
5. There will be an opportunity for both the YIHA and the complainant to make an opening statement, present witnesses and documents, and ask questions of or cross-examine the other party.
6. The purpose of the hearing is to present all information required in order to allow a decision by the Board based on the merits of the grievance.

Payment and Deposit of Rent or Monthly Payments

Where a grievance involves payment of rent or monthly payments, the resident or homebuyer may not withhold payment pending a Grievance Hearing by the Board. The complainant must make rent payments, monthly payments, and payments for other charges when due. The Authority shall place these moneys in its accounts, and shall not use them for any purpose until a Grievance Hearing is held and a final decision is rendered.

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This is to certify the Grievance Policy of the Yurok Indian Housing Authority was approved at a duly called meeting of the Board of Commissioners on March 1, 2011 at which a quorum was present, and was adopted by a vote of 6 For, 0 Against, 1 Abstentions, 0 Not Present.



Betty Brown, Chairperson
Yurok Indian Housing Authority Board of Commissioners

ATTEST:



Kerri Malloy, Secretary
Yurok Indian Housing Authority Board of Commissioners