

**RESOLUTION
of the
HOUSING AUTHORITY OF THE
CITY OF LINDEN**

Resolution No. 2015-09

**RESOLUTION CONFIRMING THE GRIEVANCE PROCEDURE FOR THE HOUSING
AUTHORITY OF THE CITY OF LINDEN**

Board Meeting Date: January 21, 2015

Date Adopted: January 21, 2015

WHEREAS, the Housing Authority of the City of Linden (“Housing Authority”), a public entity organized and existing pursuant to Title 24 of the Code of Federal Regulations, the Department of Housing and Urban Development (HUD), and the laws of the State of New Jersey has determined that there is a need to clarify the Housing Authority’s Grievance Procedure; and

WHEREAS, the Housing Authority has reviewed the governing Federal Regulations in conjunction with counsel; and

WHEREAS, the Housing Authority and counsel have determined that the applicable Federal Regulations require that the Housing Authority’s tenant lease agreement state that certain tenant disputes must be resolved in accordance with the Housing Authority’s grievance procedures (24 C.F.R. § 966.4(n)); and

WHEREAS, the governing Federal Regulations go on to state that the Housing Authority’s grievance procedures must be in compliance with Subpart B of Part 966 of Chapter IX, Subtitle B, Title 24 of the Code of Federal Regulations (24 C.F.R. § 966.4(n)); and

WHEREAS, Subpart B of Part 966 of Chapter IX, Subtitle B, Title 24 of the Code of Federal Regulations, entitled Grievance Procedures and Requirements, provides that public housing authority grievance procedures must embody the following requirements:

1. "Any grievance shall be personally presented, either orally or in writing...so that the grievance may be discussed informally and settled without a hearing..." 24 C.F.R. § 966.54.
2. "A summary of such discussion shall be prepared within a reasonable time and one copy shall be given to the tenant and one retained in the PHA's [public housing authority's] tenant file. The summary shall specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefor, and shall specify the procedures by which a hearing under § 966.55 may be obtained if the complainant is not satisfied." 24 C.F.R. § 966.54.
3. If the complainant is not satisfied with the disposition of the grievance in the informal process, the complainant may request a hearing. 24 C.F.R. § 966.55.
4. To request a hearing, the tenant must submit a written request within a reasonable time after receiving the summary of the informal conference. 24 C.F.R. § 966.55(a).
5. The hearing "shall be conducted by an impartial person or persons appointed by the PHA, other than a person who made or approved the PHA action under review or a subordinate of such person." 24 C.F.R. § 966.55(b); and

WHEREAS, a review of the document entitled "Housing Authority of the City of Linden Grievance Procedure" reveals that this document is already in conformity with the aforementioned Federal Regulations; and

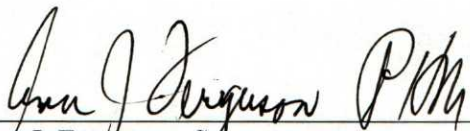
WHEREAS, the Board of Commissioners has determined that no changes are necessary to the Housing Authority's established Grievance Procedure or the document entitled "Housing Authority of the City of Linden Grievance Procedure";

NOW THEREFORE,

BE IT RESOLVED, that the Board of Commissioners of the Housing Authority of the City of Linden hereby confirms a Grievance Procedure for the Housing Authority that conforms with the above Federal Regulations, which provide for both an informal grievance conference and then a grievance hearing, if requested by the tenant; and

BE IT FURTHER RESOLVED, that no changes will be made to the document entitled "Housing Authority of the City of Linden Grievance Procedure", which already provides for a two-step grievance process, comprised of the informal settlement conference and the formal grievance hearing; and

BE IT FURTHER RESOLVED, that the Board hereby directs the Executive Director of the Housing Authority to take any and all necessary administrative actions to implement this resolution.



Ann J. Ferguson, Secretary
Housing Authority of the City of Linden