

BRIDGES WEST HANDBOOK-ATTACHMENT #2

APPEAL PROCEDURE NON-COMPLIANCE

- A. Client has a right to appeal his or her termination prior to being required to vacate the unit. **Note:** The right to appeal is limited in situations where the Client is creating a clear and present danger. In those limited circumstances, Section 14 governs.
- B. Under no circumstances will a Client's appeal be heard or decided by the person (or a subordinate or superior of the person) who made the initial termination decision.
- C. If the Client fails to request an appeal within 3 working days/business days after service of the termination notification, the Client will be required to exit the premises as instructed in the termination notice. **CLIENTS DO NOT HAVE A RIGHT TO APPEAL UNDER THIS SECTION ANYTIME AFTER 3 WORKING/BUSINESS DAYS FROM SERVICE OF THE TERMINATION NOTIFICATION.**
- D. Any Client wishing to appeal must complete the appeal process in accordance with the following:
1. **Appeal Request – Attachment #1 of this Handbook**
 - i. If a Client feels that s/he has unfairly received notification of termination from Center Apartments, LLC/Bridges West Transitional Housing Program, s/he must orally or in writing **request** an appeal of the decision. The Client must: (1) call the Executive Director/authorized representative at 712-252-1861, ext. 12 to orally request an appeal; **or** (2) complete the Appeal Request Form provided in his/her copy of the Bridges West Handbook, Attachment #1 and hand deliver it to the Executive Director/authorized representative at 715 Douglas Street, Sioux City, IA 51101.
 - ii. All such requests must be received by the Executive Director/authorized representative within 3 working/business days after service of the termination notification.
 - iii. When making the request for an appeal, the Client must indicate whether he or she wishes to present his/her objections orally at a hearing or in writing.
 2. **Appeal Procedure – Attachment #2 of this Handbook**
 - i. *Written Appeals:* If the Client chooses to make his/her objections in writing, s/he must fill out and submit the Appeal Form Non-compliance provided in his/her copy of the Bridges West Handbook, Attachment #3 and hand deliver it to the Executive Director/authorized representative. The Client may also provide any other written documentation which s/he has to support his/her argument. All information must be received by the Executive Director/authorized representative at 715 Douglas Street, Sioux City, IA 51101 within 3 working/business days after service of the termination notification.
 - ii. *Oral Appeals:* If the Client informs the Executive Director/authorized representative that s/he wishes to present an oral appeal, a hearing will be scheduled within 3 working/business days after the Executive Director receives notification from the Client that s/he wished to present an oral appeal.
 - a. The Client will be given a minimum of 48 hours advance notice of the hearing date and time. At this hearing, the Client will be able to orally present his/her reasons for filing the appeal and will be encouraged to bring any documentation or witnesses to support his/her argument. In advance of the hearing, the Case/Property Manager will provide information about the events leading up to the filing of the Appeal Form and the reasons for his/her decision. The Executive Director/authorized representative will preside over the hearing.
 - b. Notice of the hearing date and time will be served in the manner provided in Section 9 of the Occupancy Agreement.
 3. The Executive Director/authorized representative will make the decision to uphold or reverse the termination decision within 1 day of the hearing or receipt of written appeal materials. Notice of the Executive Director/authorized representative's written determination will be served in the manner provided in Section 9 of the Occupancy Agreement.
 4. The Executive Director/authorized representative's written response will contain:
 - i. Date of Response.
 - ii. The Client's name and address.

- iii. Subject heading (“Re: Decision on Termination”).
 - iv. The Executive Director/authorized representative’s decision to either reverse or uphold the termination.
 - v. Date of Termination and exit (if applicable).
- E. During any stage in the appeal process, if requested, appropriate accommodations will be made for Clients who are handicapped; sight, hearing, or writing impaired; or who use another language as a primary language.

If the Appeal Committee upholds the Client’s termination, the Client will be required to exit the Bridges West Transitional Housing Program within the longer period of either 2 days after service of the decision or within 10 days after the Client received the initial termination notice (as described in Section 11 of the Occupancy Agreement).

SAMPLE

BRIDGES WEST HANDBOOK-ATTACHMENT #4
APPEAL PROCEDURE CLEAR AND PRESENT DANGER

- A. The Client has a limited right to appeal his or her termination prior to being required to vacate the unit if the Client is creating a clear and present danger.
- B. Under no circumstances will a Client's Appeal be heard by the person (or subordinate or superior of the person) who made the initial termination decision.
- C. If the Client fails to request an appeal within 1 working day/business day after service of the termination notification, the Client will be required to exit the premises as instructed in the termination notice.
CLIENTS DO NOT HAVE A RIGHT TO APPEAL UNDER THIS SECTION ANYTIME AFTER 1 WORKING/BUSINESS DAY FROM SERVICE OF THE TERMINATION NOTIFICATION.
- D. Any Client wishing to appeal must complete the appeal process in accordance with the following:
1. **Appeal Request – Attachment #1 of this Handbook**
 - i. If a Client feels that s/he has unfairly received notification of termination from Center Apartments, LLC/Bridges West Transitional Housing Program, s/he must orally or in writing **request** an appeal of the decision. The Client must: (1) call the Executive Director/authorized representative at 712-252-1861, ext. 12 to orally request an appeal; **or** (2) complete the Appeal Request Form provided in his/her copy of the Bridges West Handbook, Attachment #1 and deliver it to the Executive Director/authorized representative at 715 Douglas Street, Sioux City, IA 51101.
 - ii. All such requests must be received by the Executive Director/authorized representative within 1 working/business day after service of the termination notification.
 - iii. When making the request for an appeal, the Client must indicate whether he or she wishes to present his/ her objections orally at a hearing or only in writing.
 2. **Appeal Procedure – Attachment #4 of this Handbook**
 - i. **Written Appeals:** If the Client chooses to make his/her objections in writing, s/he must fill out and submit the Appeal Form Clear and Present Danger provided in his/her copy of the Bridges West Handbook, Attachment #5. The Client may also provide any other written documentation which s/he has to support his/her argument. All information must be received by the Executive Director/authorized representative at 715 Douglas Street, Sioux City, IA 51101 within 1 working/business day after service of the termination notification.
 - ii. **Oral Appeals:** If the Client informs the Executive Director/authorized representative that s/he wishes to present an oral appeal, a hearing will be scheduled within 1 working/business day after service of the termination notification.
 - a. The Client will be given a minimum of 24 hours advance notice of the hearing date and time. At this hearing, the Client will be able to orally present his/her reasons for filing the appeal and will be encouraged to bring any documentation or witnesses to support his/her argument. In advance of the hearing, the Case/Property Manager will provide information about the events leading up to the filing of the Appeal Form and the reasons for his/her decision. The Executive Director/authorized representative will preside over the hearing.
 - b. Notice of the hearing date and time will be served in the manner provided in Section 9 of the Occupancy Agreement.
 3. The Executive Director/authorized representative will make the decision to uphold or reverse the termination decision within 1 day of the hearing or receipt of written appeal materials. Notice of the Executive Director/authorized representative's written determination will be served in the manner provided in Section 9 of the Occupancy Agreement.
 4. The Executive Director/authorized representative's written response will contain:
 - i. Date of Response.
 - ii. The Client's name and address.
 - iii. Subject heading ("Re: Decision on Termination").The Executive Director/authorized representative's decision to either reverse or uphold the termination.
 - iv. Date of Termination and exit (if applicable).

- E. During any stage in the appeal process, if requested, appropriate accommodations will be made for Clients who are handicapped; sight, hearing, or writing impaired; or who use another language as a primary language.

If the Appeal Committee upholds the Client's termination, the Client will be required to exit the Bridges West Transitional Housing Program within 1 day after service of the Executive Director/authorized representative's decision.

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