



## GRIEVANCE PROCEDURE



### Foothill Family Preservation

If an Applicant or a Resident feels any representative of management has acted in a discriminatory manner with respect to lease requirements, disability status, accommodation request, application processing, management policies, etc., which has adversely affected the rights of the complainant, the first step should always be informal discussion of the incident between the complainant and management. Day-to-day contact and honest communication between the manager and the residents or applicants are the most successful way to avoid misunderstandings and develop mutual respect. If this fails to resolve the grievance, the following steps should be taken:

#### 1. Informal Grievance Review

The goal of the informal review is to settle the problem without the need for a formal review. If the resident or applicant has a complaint and requests a review, they will have an informal review with the Property Manager or Regional Manager of The John Stewart Company.

- Company management office at Foothill Family Apartments, 6946 Foothill Blvd, Oakland, CA 94605, so that management may discuss The resident or applicant must personally present their grievance, either orally or in writing, to The John Stewart the grievance with them informally. While they can present their grievance orally, it is better to state the grievance in writing. The grievance may be simply stated, but must specify both the specific ground(s) for the grievance and the action or relief sought.
- The resident or applicant must present their grievance within a reasonable time, not to exceed ten (10) working days following the incident or action upon which the grievance or dispute is based.
- Once requested, an informal review will be held between the resident or applicant and management within five (5) working days following management's receipt of the request.
- Management will prepare a written, dated, and signed summary of the discussion and its response to the grievance within a reasonable time, not to exceed fourteen (14) working days. Management will mail or deliver one copy to the resident or applicant and keep one in its file. Management's answer shall specify 1) the name of the review participants, 2) the date of the review, 3) the nature of the grievance, 4) Management's decision on the grievance (and the specific reasons for Management's decision), 5) the resident or applicant's right to request a formal review, and 6) the procedure to request such a formal review (if the resident or applicant is not satisfied with the Management's decision).

## 2. Formal Grievance Review

If the resident or applicant is dissatisfied with management's decision after the informal review, they can request a formal review. The formal review will be heard by a Vice President/504 Coordinator or Senior Vice President of The John Stewart Company.

- If the resident or applicant desires a formal review, they may submit a written request to [formalreview.sf@jSCO.net](mailto:formalreview.sf@jSCO.net) within five (5) working days after receiving management's written summary of the informal review. A reasonable accommodation request can be made for those who are unable to request in writing. If the resident or applicant does not have access to e-mail, then the information may be delivered to the property or the John Stewart Company Regional Office at:

The John Stewart Company  
1388 Sutter St Fl 11  
San Francisco, CA 94109  
Attention: Regional Vice President

- As with the informal review, the resident or applicant must state the nature of their complaint or grievance, the reasons why they disagree with Management's decision resulting from the informal review, and the action or relief they seek.
- The assigned John Stewart Company officer will review the information provided by the resident or applicant and the management staff and make a written determination with ten (10) working days, which shall be final.
- At any time, the resident or applicant has the right to file a complaint with HUD's Office of Fair Housing and Equal Opportunity.

### **Additional HUD rules for RAD conversion (only for former public housing residents)**

In addition to program rules that require that tenants are given notice of covered actions under 24 CFR Part 245 (including increases in rent, conversions of a project from project-paid utilities to tenant-paid utilities, or a reduction in tenant paid utility allowances), HUD is incorporating resident procedural rights to comply with the requirements of section 6 of the Act. RAD will require that:

- i. Residents be provided with written notice of the specific grounds of the Project Owner's proposed adverse action, as well as their right to an informal hearing with the Project Owner;
- ii. Residents will have an opportunity for an informal hearing with an impartial member of the Project Owner's staff within a reasonable period of time;
- iii. Residents will have the opportunity to be represented by another person of their choice, to ask questions of witnesses, have others make statements at the hearing, and to examine any regulations and any evidence relied upon by the Project Owner as the basis for the adverse action. With reasonable notice to the Project Owner, prior to hearing and at the residents' own cost, resident may copy any documents or records related to the proposed adverse action; and

- iv. Project Owners provide the resident with a written decision within a reasonable period of time stating the grounds for the adverse action, and the evidence the Project Owner relied on as the basis for the adverse action.

The Project Owner will be bound by decisions from these hearings, except if the:

- i. Hearing concerns a matter that exceeds the authority of the impartial party conducting the hearing.
- ii. Decision is contrary to HUD regulations or requirements, or otherwise contrary to federal, State, or local law.

If the Project Owner determines that it is not bound by a hearing decision, the PHA must promptly notify the resident in writing of this determination, and of the reasons for the determination.

•

San Francisco Regional Office of FHEO  
U.S. Department of Housing and Urban Development  
One Sansome Street, Suite 1200  
San Francisco, California 94104  
(800) 347-3739, TTY (415) 436-6594

*TDD Telephone device for the deaf only (415) 345-4470 or California Relay Service (711).*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**To be attached to all applications and resident files.**