

## **SECTION 6**

### **CLIENT SERVICES**

#### **Appeals and Hearing Procedures**

Effective Date: 10/01/2020

##### **PURPOSE/POLICY**

This policy provides guidance to individuals requesting assistance from NICA.

##### **PROCEDURES**

1. If you are denied assistance or believe that your assistance amount was not accurately determined, you have 10 calendar days from the date of your approval or denial letter to appeal this decision.
2. If your applications are neither approved nor denied within 10 days, you may consider the failure to act as a denial. You have 10 days to appeal to North Iowa Community Action Organization (unless the delay was caused by your lack of cooperation in providing necessary information).
3. To appeal you must write to North Iowa Community Action Organization at the address below and tell us why you want to appeal, and what action you would like taken (how you feel the situation should be resolved).

North Iowa Community Action Organization  
PO Box 1627  
Mason City, IA 50402-1627  
Attn: Lori Wink, Public Information Officer

4. We will act on your request and notify you of the result within 7 calendar days of the date you request an appeal (postmark date if sent by mail).
5. If you still do not agree with the decision reached, you may write us again within 10 calendar days of the decision date (postmark date if notification is sent by mail) and request that a hearing be held. Explain why you disagree with our decision and include any information that might affect the hearing decision.
6. We will then forward all information about your request for a hearing to the Chairman of our Board of Directors and a hearing will be scheduled. You will receive written notice of the scheduled hearing. The notice will include the date, time, and place of hearing and the following rights which you have before and at the hearing. Hearings may be held by telephone conference call at a mutually convenient time. Prior to the hearing, we will provide an opportunity for you to review the case file and any written evidence that will be used during the hearing. If you wish, you may request an informal conference with the Executive Director of the agency for the purpose of discussing actions taken and resolving issues raised in your request for hearing.

7. A representative may accompany you to the hearing; you and/or the representative are allowed to:
  - present oral and written statements and other evidence
  - have witnesses subpoenaed
  - cross examine witnesses
  - bring an interpreter if needed
8. All testimony is given under oath. The hearing is recorded, and the decision is based on the record. Hearings shall be conducted before the Chairman of the Board of Directors unless delegated to and administrative hearing officer pursuant to Iowa Code 17A.11. You will receive notification of any final or proposed decision.
9. If you still do not agree with the decision reached, you may request within 10 days of issuance of the Board Chairman or hearing officer's decision. Your request must state the specific grounds for requesting a rehearing and must be addressed to the Board Chairman, c/o North Iowa Community Action Organization, PO Box 1627, Mason City, IA 50402-1627. If a request is not received within 10 days, the case shall be considered closed.