



Kickapoo Tribe in Kansas Housing Authority

Grievance Policy

Kickapoo Housing Authority (KHA) recognizes the need to establish procedures to resolve disputes between participants to KHA in a fair and independent manner. The purpose of these grievance procedures is to establish the general principals by which KHA provides for hearing grievances and formal complaints by its program participants.

This policy and procedure are intended to provide due process to everyone involved along with being in compliance with all state, federal, and tribal laws, which have preference. Nothing contained in this grievance procedures shall waive any sovereign immunity that KHA may have.

This grievance process does not apply to KHA employees except as they may file a grievance as a participant, nor does it apply to vendors or contractors.

This policy and procedure shall be provided to all Participants upon request. It shall be made available on KHA Website and shall be posted in the KHA office.

Procedure

1. To facilitate the process, the participant may first present his/her case in writing to the Executive Director in an attempt to resolve the issue before it goes to a formal hearing.
2. The grievance may be simply stated, but shall specify at least the following:
 - a. The grounds upon which the grievance is based on; and
 - b. The action requested.
3. Any grievance must be in writing and signed by the participant and personally delivered to the KHA office or designated KHA employee or sent by certified mail no later than **5 working days** after the KHA decision, action or inaction occurs.



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4. The Executive Director and the participant shall make every effort to attempt to resolve a grievance prior to the participant requesting a grievance hearing.
5. The Executive Director shall respond in writing within **2 working days** after receiving a grievance. The response shall be personally delivered or delivered by certified mail to the participant. A copy of the response shall be attached to participants grievance.
6. The response shall specify:
 - a. The proposed action to be taken to resolve the grievance.
 - b. The right of the participants to a hearing before the Housing Board of Commissioner and
 - c. The procedure for requesting such a hearing.
7. If the participant is dissatisfied with the proposed action to resolve the grievance, the participant may request a hearing before the Housing Board of Commissioner. The request for a hearing must be made within **5 working days** of the date on KHA's written response. The request for a hearing must be in writing and personally delivered to the KHA office or sent by certified mail.
8. If the participant does not request a hearing within **5 working days** after receiving KHA's response to the grievance, the participant waives his/her right to a hearing and the KHA's proposed disposition of the grievance shall become final.

Hearing

1. If the participant requests a hearing within **5 working days** of the date of KHA's written response, the Executive Director shall notify the Housing Board of Commissioners (BOC) in writing of the request and shall schedule the hearing to be held within **5 working days** of the participants request for a hearing.
2. Written acknowledgment of the request and notice of the scheduled Grievance Hearing date, time, and place shall be provided by the Executive Director to the participant at



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least **10 working days** prior to the hearing date. The written acknowledgement may be personally delivered or sent by certified mail.

3. The participant has the right to review all files and documents that were used by KHA in its original decision. This includes name of witnesses or parties who have made complaints if such parties' statements were used by KHA in its original decision.
4. After due consideration is given to a grievance, a final decision will be made by the Housing Board of Commissioners whether to sustain, reverse or modify the decision, action or inaction challenged. A written decision shall be promptly given to the participant no later than **10 working days** after the hearing. **The BOCs' decision will be the final decision in the matter.**
5. Failure to follow any requirement of these grievance procedures shall allow the Housing BOC to dismiss the grievance with no further consideration.
6. Filing a grievance shall not suspend, negate, delay or disrupt the implementation of an KHA decision or action.
7. The provisions of these procedures shall not apply when any grievance concerns:
 - a. Any criminal activity that threatens the health or safety of, or right to peaceful enjoyment of by other participants, neighbors or KHA employees, or
 - b. Any criminal activity, including drug-related activity, by participants, their household members, guests or invitees affecting premises, or rights or well-being of any participant's neighbors.
8. Should the participant fail to appear at the Grievance Hearing, the Housing BOC may:
 - a. Dismiss the Grievance
 - b. Proceed without the participant, or
 - c. Reschedule the hearing one time if the participant has provided a valid reason for failing to appear



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Task	Responsible Party	Timing
Grievance provided in writing to the ED)	Program Participant	Within 5 working days of a decision, action or inaction by the KHA
Response in writing provided to the Program Participant	Executive Director	Within 2 working days of receipt of written grievance.
Request a Hearing	Program Participant	Within 5 working days of receipt of Executive Director's response.
Hearing Date	BOC	Hearing must be set 10 working days after receiving request.
Notify Program Participant of Hearing date.	Executive Director	At least 5 working days prior to Hearing.
Written decision given to Program Participant & KHA).	BOC	Within 10 working days after Hearing.