

**From:** OZ <zurawska@yahoo.com>

**Sent:** Thursday, November 21, 2019 1:08 PM

**To:** Michael Soloff <Michael.Soloff@SMGOV.NET>; James Kemper <James.Kemper@SMGOV.NET>; Loren Bloch <Loren.Bloch@SMGOV.NET>; Richard Hilton <Richard.Hilton@SMGOV.NET>; Leonora Camner <Leonora.Camner@SMGOV.NET>; Todd Flora <Todd.Flora@SMGOV.NET>; Rene Buchanan <Rene.Buchanan@SMGOV.NET>

**Cc:** Diane Glauber <dglauber@lawyerscommittee.org>

**Subject:** written comment - item 5a - 11/21/19 Housing Commission meeting

Hello,

This is my public input for the 11/21/19 Santa Monica Housing Commission meeting.

RE: 5a. Housing Authority Administrative Plan

**Question 1:** Doesn't HUD require that PHA's establish a Resident Advisory Board comprised of individuals who reflect and represent the residents assisted by the PHA? Where is that Advisory Board in Santa Monica? Surely the Housing Commission cannot be considered a replacement for such an Advisory Board.

From [Resident Advisory Board - Public Housing Agency \(PHA\) Plans - HUD | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#):

#### “RESIDENT ADVISORY BOARD - PHA PLANS

Forming the Resident Advisory Board

*What is required?*

The Resident Advisory Board (RAB) provides the PHA and the residents with a forum for sharing information about the Agency's Annual Plan. Section 511 of the United States Housing Act and the regulations in 24 CFR part 903 require that PHAs establish one or more Resident Advisory Board(s) (RAB) as part of the PHA Plan process. RAB membership is comprised of individuals who reflect and represent the residents assisted by the PHA. The role of the RAB is to assist the PHA in developing the PHA Plan and in making any significant amendment or modification to the Plan.

*What is the role of the RAB?*

The main role of the RAB is to make recommendations in the development of the PHA Plan. In order to facilitate collaboration, PHAs should encourage the RAB's participation from the inception of the planning process. PHAs are also required to request input from the RAB for any significant amendment or modification to the PHA Plan.

*When should the RAB be appointed?*

The RAB should be appointed well in advance of the date that the PHA Plan is due to HUD to ensure effective resident participation in the development of the plan.

*Who can participate on the RAB?*

If a jurisdiction-wide resident council is in place that complies with tenant participation regulations at 24 CFR Part 964, the PHA must appoint this group or its representatives

as the Resident Advisory Board. If the PHA does not have a jurisdiction-wide resident council, then it should appoint resident councils or their representatives to serve as one or more of the RABs. A PHA may require that the resident councils choose a limited number of representatives to serve as RAB members.

Where there are no resident councils that comply with the tenant participation regulations, then the PHA must appoint one or more RABs or board members as needed to adequately reflect and represent the residents assisted by the PHA. The PHA should give adequate notice of its intentions to the residents and encourage the residents to form resident councils that comply with the tenant participation regulations. PHAs have discretion in determining the method of appointment of RABs, as long as a PHA ensures that its RAB or RABs reflect and represent all the residents assisted by the PHA.

*What about Section 8 recipients?*

Because Section 8 residents do not have resident councils, PHAs with a significant sized tenant based assistance program must ensure that Section 8 residents are adequately represented or that reasonable efforts are made to secure their participation in the RAB. A significant sized tenant based assistance program is one where at least 20 percent of the total PHA's households receive tenant-based assistance.

Section 8-only PHAs are not exempt from the RAB requirement and must also appoint one or more RABs that adequately represent the population served. Given that there are no resident councils that comply with the tenant-participation regulations under the tenant-based assistance program, Section 8-only PHAs have discretion in the RAB appointment process. Participation in a RAB is limited to residents that are assisted under federally assisted public housing and the Section 8 tenant-based program.

*How many RABs are required?*

PHAs that do not have a jurisdiction-wide RC have discretion to determine the number of RABs that they may appoint. PHAs are required to institute at least one RAB; the number of RABs beyond that number will depend on the size and the complexity of the PHA or its developments. In deciding the number of RABs to be established, a PHA should consider how adequate representation of its entire resident population can be provided.

*How does the PHA fix the term of service?*

There is no fixed term for membership on a RAB. A PHA has discretion to establish its own policy regarding the duration of the appointments. In determining the tenure to be adopted, PHAs may consider the number of RABs and the number of residents who volunteered to serve. Greater RAB participation may be realized by rotating residents' tenure.

*What if the PHA cannot establish a RAB?*

If, after making all possible endeavors, a PHA is not successful in establishing a RAB, it may appoint all of the agency's assisted residents as members of the RAB. The PHA must notify all of its members that they have been appointed as members and inform them of their role and responsibilities regarding the development of the PHA Plan. The PHA must also provide residents with notification of meetings (at least 48 hours in advance) and provide copies of any materials for review.

Encouraging Participation in the RAB

Residents who volunteer to be part of the RAB can be excellent partners to the PHA during the development of the PHA Plan. Although PHAs are expected to make a significant effort to ensure adequate resident representation in the Resident Advisory Boards, securing participation by residents during the planning process may pose a challenge for some PHAs.

*How can a PHA encourage residents to take advantage of the RAB opportunity?*

Personal appeals are one strategy. Executive Directors may be more likely to get commitments from residents if they personally request their participation. Residents might also be hesitant to volunteer to work with a Resident Advisory Board if they do not really understand their role as a member of the RAB. The PHA provide adequate information to all residents regarding the RAB. The PHA should inform residents of the purpose and role of the RAB, as well as practical information such as the time commitment required. The PHA should make clear to residents and Section 8 participants that the partnership between the residents and the PHA is of benefit to both parties. The residents are provided with an opportunity to voice their concerns so that their needs are addressed and they can become involved in the planning process. The PHA also gains essential information from the residents about the improvements that need to be made at the agency's developments and residents' self-sufficiency needs. This information helps the PHA to set priorities for capital improvements and advises resident services programming.

PHA's Responsibility to the RAB

*What are the PHAs' Responsibilities?*

PHAs have the responsibility to ensure that the RAB can adequately serve its function including:

- PHAs must give the RABs sufficient time to review and make recommendations on the Plan. RABs will be able to contribute best if they are provided with adequate information regarding the PHA's programs and the policies included in the Five-Year and Annual PHA Plan.
- The PHAs should give RABs advance notice of meetings scheduled to discuss areas of the Plan (generally, at least 48 hours, or more depending on the meeting agenda).

RABs should also be provided with any existing documents that would assist them to make productive recommendations during the working meetings.

- PHAs should provide the RABs with reasonable means to carry out their functions such as making available a meeting place for discussing programs with the residents. RABs should also have access to any other communication tools such as a telephone, writing material, or computers that may facilitate their contacts with other resident households or to obtain further information on the programs.

*At what stage in the planning process must PHAs involve the RABs?*

The role of the RABs is to assist and make recommendations regarding the development of the PHA Plan and any significant amendments or modifications to it.

RABs should be involved in the planning process as soon as it is feasible and must be given sufficient time to fully participate in the process so that they can carry out their proper role and provide representation that is meaningful and relevant to the development of the Plan. The PHA and the RAB should develop a reasonable timetable to promote participation, including adequate notice of meetings. To facilitate productive meetings, PHAs may do preliminary work prior to involving the RABs, such as gathering and compiling data and materials to help residents participate in the process, including some initial recommendations. A PHA must consider the recommendations of the RABs and make revisions to drafts or to the Plan which it deems appropriate.

#### Public Notice and Comment Period Requirements

The PHA governing body is required to convene a public hearing to discuss their Five-Year and/or Annual Plan and to prompt comments from the public regarding their proposed activities. PHAs must consider, in consultation with the RABs, all the comments received at the public hearing.

PHAs are required to carry out the following steps at least forty-five (45) days prior to the scheduled public hearing:

- Publish a notice indicating that a public hearing to present the Plan and further public comments will be held including time, date and location. The notice should also indicate where the Plan and pertaining documents will be available for their review. The documents should be maintained at an accessible place such as the PHA's central office.
- Conduct outreach activities to promote comprehensive participation in the public hearing.

Any significant amendment or modification to the plan is subject to the public hearing and RABs' assessment requirements.

#### Incorporating Comments into the Plan

PHAs are required to consider the RAB's recommendations to the Plan but are not required to agree with them. The recommendations received must be submitted by the PHAs as a required attachment to the Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations. It is prudent for PHAs to acknowledge those recommendations that conform to the programs and the mission of the PHA. If the RABs do not provide recommendations to the Plan, the PHA must document that in the attached narrative.

#### Announcement of Membership of the RAB

PHAs must provide an attachment to the PHA Plan listing the members of its Resident Advisory Board(s). If the number of participants is too large to reasonably list, then the attachment should include a list of the organizations represented on the RAB or other description sufficient to identify how members were chosen.

#### RAB Notification of Plan Process

To ensure that the RAB is fully engaged in the full plan process, PHAs are required to promptly provide a copy of the HUD award letter (identifying formula share allocations for Capital Fund and Drug Elimination Programs), plan approval letter and at least one copy of the approved plan to each RAB."

**Question 2:** Where is the actual SMHA grievance procedure spelled out, what does it say exactly and how is it made available to the public and especially the participants of SMHA programs? Is the procedure objective and does it afford due process?

When I asked Ms. Topolewski what the SMHA procedure is, she first responded that I could email my grievance to SMHA. Well, that is not a grievance procedure. When I pressed, Ms. Topolewski referred me to the Administrative Plan, Chapter 16. The Administrative Plan is a 600+ page document that is difficult to navigate. After locating Chapter 16 of the Administrative Plan I am still not sure what the actual grievance procedure is.

Below are my email exchanges with Ms. Topolewski and a sample PHA grievance procedure that might be a good starting point in developing a clear and fair grievance procedure for SMHA. Obviously once a clear and objective grievance procedure is established it needs to be communicated to all the new program participants, included in every recertification packet and posted at the SMHA office and their web site.

**From:** OZ [<mailto:zurawska@yahoo.com>]  
**Sent:** Wednesday, January 31, 2018 12:47 PM  
**To:** Anna Topolewski <[Anna.Topolewski@SMGOV.NET](mailto:Anna.Topolewski@SMGOV.NET)>  
**Subject:** SMHA grievance procedure

Hello Ms. Topolewski,  
Please provide me with the SMHA grievance procedure available to program participants as required by 24 CFR Part 8, Section 8.53(b).  
Thank you.

Regards,  
Olga Zurawska  
**From:** Anna Topolewski <[anna.topolewski@smgov.net](mailto:anna.topolewski@smgov.net)>  
**To:** OZ <[zurawska@yahoo.com](mailto:zurawska@yahoo.com)>  
**Sent:** Thursday, February 1, 2018, 09:00:13 AM PST  
**Subject:** RE: SMHA grievance procedure

Good morning,  
You may submit your grievance in writing or by email.

Housing Authority/Section 8  
1901 Main Street, Suite A  
Santa Monica, CA 90405  
(310) 458-8740 (phone)  
(310) 264-7757 (fax)  
[Section8.Mailbox@smgov.net](mailto:Section8.Mailbox@smgov.net)

**Anna Topolewski**  
*Senior Administrative Analyst*  
Housing and Economic Development | Housing Division  
City of Santa Monica  
Office: 310-458-8743 ext 2646 | Fax: 310-264-7757

**From:** OZ [<mailto:zurawska@yahoo.com>]  
**Sent:** Thursday, February 01, 2018 5:10 PM  
**To:** Anna Topolewski <[Anna.Topolewski@SMGOV.NET](mailto:Anna.Topolewski@SMGOV.NET)>  
**Subject:** Re: SMHA grievance procedure

Ms. Topolewski,

Obviously anybody can send an email to SMHA about anything.

My question was about the actual grievance procedure with the due process described in detail from beginning to end: who, what, when, how, where.

I believe the grievance procedure should be readily available.

Thank you.

Olga

**From:** Anna Topolewski <[anna.topolewski@smgov.net](mailto:anna.topolewski@smgov.net)>

**To:** OZ <[zurawska@yahoo.com](mailto:zurawska@yahoo.com)>

**Sent:** Monday, February 5, 2018, 06:44:53 AM PST

**Subject:** RE: SMHA grievance procedure

If your grievance is related to an action taken by the SMHA you can find the procedures in the Administrative Plan, Chapter 16.

[https://www.smgov.net/uploadedFiles/Departments/HED/Housing\\_and\\_Redevelopment/Affordable\\_Housing/SMHA\\_Admin\\_Plan\\_2018\(2\).pdf](https://www.smgov.net/uploadedFiles/Departments/HED/Housing_and_Redevelopment/Affordable_Housing/SMHA_Admin_Plan_2018(2).pdf)

**Anna Topolewski**

*Senior Administrative Analyst*

Housing and Economic Development | Housing Division

City of Santa Monica

Office: 310-458-8743 ext 2646 | Fax: 310-264-7757

-----

Sample public Housing Grievance Procedure as found in Appendix V (pages 18-21 of the document located at [https://www.hud.gov/sites/documents/DOC\\_10768.PDF](https://www.hud.gov/sites/documents/DOC_10768.PDF))

“Appendix V

SAMPLE PUBLIC HOUSING GRIEVANCE PROCEDURE

(for a Due Process State)

1. Definitions applicable to the grievance procedure: (§ 966.53)

A. Grievance: Any dispute a Tenant may have with respect to PHA action or failure to act in accordance with the individual Tenant's lease or PHA regulations that adversely affects the individual Tenant's rights, duties, welfare or status.

B. Complainant: Any Tenant (as defined below) whose grievance is presented to the PHA (at the central office or the development office) in accordance with the requirements presented in this procedure.

C. Elements of due process: An eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required: (1) Adequate notice to the Tenant of the grounds for terminating the tenancy and for eviction; (2) Right of the Tenant to be represented by counsel; (3) Opportunity for the Tenant to refute the evidence presented by the PHA, including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the Tenant may have; (4) A decision on the merits of the case.

D. Hearing Officer: A person selected in accordance with 24 CFR § 966.550 and this procedure to hear grievances and render a decision with respect thereto.

E. Hearing Panel: A three member panel selected in accordance with 24 CFR § 966.55 and this procedure to hear grievances and render a decision with respect thereto.

F. Tenant: The adult person (or persons other than a Live-in aide): (1) Who resides in the unit, and who executed the lease with the PHA as lessee of the dwelling unit, or, if no such person now resides in the unit, (2) Who resides in the unit, and who is the remaining head of the household of the Tenant family residing in the dwelling unit.

G. Resident Organization: An organization of residents, which also may include a resident management corporation.

II. Applicability of this grievance procedure (966.51) In accordance with the applicable Federal regulations (24 CFR § 966.50) this grievance procedure shall be applicable to all individual grievances (as defined in Section I above) between Tenant and the PHA with the following two exceptions:

A. Because HUD has issued a due process determination that the law of the State that requires that a Tenant be given the opportunity for a hearing in court which provides the basic elements of due process (as defined above) before eviction from the dwelling unit, the grievance procedure shall not be applicable to any termination of tenancy or eviction that involves:

(1) Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of the PHA, or Appendix V - Sample Public Housing Grievance Procedure: Page 304

(2) Any violent or drug-related criminal activity on or off such premises; or

(3) Any criminal activity that resulted in felony conviction of a household member.

[966.51 (2)(i) (A) (B) and (C)]

B. The PHA grievance procedure shall not be applicable to disputes between Tenants not involving the PHA or to class grievances. The grievance procedure is not intended as a forum for initiating or negotiating policy changes between a group or groups of tenants and the PHA's Board of Commissioners. [966.51 (b)]

This grievance procedure is incorporated by reference in all Tenant dwelling leases and will be furnished to each Tenant and all resident organizations. [966.52 (b) and (d)] Any changes proposed in this grievance procedure must provide for at least 30 days notice to Tenants and Resident Organizations, setting forth the proposed changes and providing an opportunity to present written comments. Comments submitted shall be considered by the PHA before any revisions are made to the grievance procedure.

[966.52 (c)] III. Informal settlement of a grievance [966.54] Any grievance must be personally presented, either orally or in writing, to the PHA's central office or the management office of the development in which the complainant resides within ten days after the grievable event.

Grievances related to complaints about operational matters that are received by the PHA's central office will be referred to the person responsible for the management of the development in which the complainant resides. Grievances involving complaints related to discrimination, harassment, or disability rights will be referred to the Civil Rights Administrator or Director of Operations. As soon as the grievance is received, it will be reviewed by the management office of the development or the Civil Rights Administrator (if applicable) to be certain that neither of the exclusions in paragraphs

II.A or II.B above applies to the grievance. Should one of the exclusions apply, the complainant will be notified in writing that the matter raised is not subject to the PHA's grievance procedure, with the reason therefor. If neither of the exclusions cited above apply, the complainant will be contacted to arrange a mutually convenient time within ten working days to meet so the grievance may be discussed informally and settled without a hearing. At the informal hearing the complainant will present the grievance and the person in charge of the management office or the Civil Rights Administrator will attempt to settle the grievance to the satisfaction of both parties. Within five working days following the informal discussion, the PHA shall prepare and either hand deliver or mail to Tenant a summary of the discussion that must specify the names of the participants, the 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 formal hearing under this procedure may be obtained if the complainant is not satisfied. A copy of this summary shall also be placed in Tenant's file. A receipt signed by the complainant or a return receipt for delivery of certified mail, whether or not signed, will be sufficient proof of time of delivery for the summary of the informal discussion. [966.55 (a)]

#### Formal Grievance Hearing

If the complainant is dissatisfied with the settlement arrived at in the informal hearing, the complainant must submit a written request for a hearing to the management office of the development where Tenant resides no later than five working days after the summary of the informal hearing is received. The written request shall specify: The reasons for the grievance; The action of relief sought from the PHA; and Several dates and times in the following ten working days when the complainant can attend a grievance hearing. If the complainant requests a hearing in a timely manner, the PHA shall schedule a hearing on the grievance at the earliest time possible for the complainant, PHA and the hearing officer or hearing panel, but in no case later than ten working days after the PHA received the complainant's request. If the complainant fails to request a hearing within five working days after receiving the summary of the informal hearing, the PHA's decision rendered at the informal hearing becomes final and the PHA is not obligated to offer the complainant a formal hearing unless the complainant can show good cause why he failed to proceed in accordance with this procedure.

[966.55 (c) and (d)] Failure to request a grievance hearing does not affect the complainant's right to contest the PHA's decision in a court hearing. [966-54 (c)]

#### V. Selecting the Hearing Officer or Hearing Panel [966.55 (b)(2)(ii)]

A grievance hearing shall be conducted by an impartial person or persons appointed by the PHA after consultation with resident organizations, as described below:

A. The PHA shall nominate a slate of impartial persons to sit as hearing officers or hearing panel members. Such persons may include PHA Board members, PHA staff members, residents, professional arbitrators, or others. The initial slate of nominees should be at least nine persons. The PHA will check with each nominee to determine whether there is an interest in serving as a hearing officer or panel member, whether the nominee feels fully capable of impartiality, whether the nominee can serve without compensation, and what limitations on the nominee's time would affect such service. Nominees will be informed that they will be expected to disqualify themselves from hearing grievances that involve personal friends, other residents of developments in

which they work or reside, or grievances in which they have some personal interest. Nominees who are not interested in serving as hearing officers or whose time is too limited to make service practical will be withdrawn and other names will be substituted. B. A slate of potential hearing officers or hearing panel members nominated by the PHA shall be submitted to the PHA's Resident Organizations. Written comments from the organizations shall be considered by the PHA before the nominees are appointed as hearing officers or panel members. C. When the comments from Resident Organizations have been received and considered, the nominees will be informed that they are the PHA's official grievance hearing committee.

The PHA will subsequently contact committee members in random order to request their participation as hearing panel members or hearing officers. VI. Escrow deposit required for a hearing involving rent [966.55 (e)] Before a hearing is scheduled in any grievance involving the amount of rent which the PHA claims is due under this lease, the complainant shall pay to the PHA an amount equal to the rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The complainant shall, thereafter, deposit the same amount of the monthly rent in an escrow account monthly until the complaint is resolved by decision of the hearing officer or hearing panel. This requirement will not be waived by the PHA unless the complainant is paying minimum rent and the grievance is based on a request for a hardship exemption or the tenant's welfare benefits have been reduced for welfare fraud or failure to comply with economic self sufficiency requirements. In these cases only, rent need not be escrowed.

VII. Scheduling hearings [966.55 (f)] When a complainant submits a timely request for a grievance hearing, the PHA will immediately contact three members of the hearing committee to schedule the hearing within the following ten working days on one of the dates and times indicated by the complainant. If three committee members can agree on a date and time for the hearing, the complainant will be so notified. If two of the panel members can meet on a date convenient for the complainant, the PHA will approach another member of the hearing committee to find a third member to complete the panel. If only one member of the hearing committee can meet on a date named by the complainant, that single committee member shall serve as the hearing officer. Once the hearing panel or hearing officer have agreed upon the hearing date and time, the complainant, the manager of the development in which the complainant resides, and hearing panel members or officer shall be notified in writing. Notice to the complainant shall be in writing, either personally delivered to complainant or sent by mail, return receipt requested. The written notice will specify the time, place and procedures governing the hearing.

VIII. Procedures governing the hearing [966.56]

The hearing shall be held before a hearing panel or hearing officer as described above in Section VII. The complainant shall be afforded a fair hearing, which shall include:

A. The opportunity to examine before the hearing any PHA documents, including records and regulations, that are directly relevant to the hearing. The Tenant shall be allowed to copy any such document at the Tenant's expense. If the PHA does not make the document available for examination upon request by the complainant, the PHA may not rely on such document at the grievance hearing.

B. The right to be represented by counsel or other person chosen as the Tenant's representative and to have such person make statements on the Tenant's behalf.

C. The right to a private hearing unless the complainant requests a public hearing. The right to present evidence and arguments in support of the Tenant's complaint to controvert evidence relied on by the PHA or project management, and to confront and cross examine all witnesses upon whose testimony or information the PHA or project management relies; and Appendix V - Sample Public Housing Grievance Procedure: Page 307

D. A decision based solely and exclusively upon the fact presented at the hearing. [966-56 (b)] The hearing panel or officer may render a decision without proceeding with the hearing if they determine that the issue has been previously decided in another proceeding. [966-56 (c)] At the hearing, the complainant must first make a showing of an entitlement to the relief sought and, thereafter, the PHA must sustain the burden of justifying the PHA action or failure to act against which the complaint is directed.

[966.56 (e)] The hearing shall be conducted informally by the hearing panel or officer. Oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. [966.56 (f)] The hearing panel or officer shall require the PHA, the complainant, counsel and other participants or spectators to conduct themselves in an orderly fashion.

Failure to comply with the directions of the hearing panel or officer to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate. [966.56 (f)] The complainant or the PHA may arrange in advance, at expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript. [966.56 (g)]

The PHA must provide reasonable accommodation for persons with disabilities to participate in the hearing. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants. If the Tenant is visually impaired, any notice to the Tenant which is required under this procedure must be in an accessible format. [966.56 (h)] If a hearing panel member or officer fails to disqualify himself/herself as required in Section V.A., the PHA will remove the panel member or officer from the hearing committee, invalidate the results of the hearing and schedule a new hearing with a new hearing panel or officer.

IX. Failure to appear at the hearing If the complainant or the PHA fails to appear at the scheduled hearing, the hearing panel or officer may make a determination to postpone the hearing for not to exceed five business days, or may make a determination that the party has waived his right to a hearing. [966.56 (d)] Both the complainant and the PHA shall be notified of the determination by the hearing panel or officer; Provided, that a determination that the complainant has waived his right to a hearing shall not constitute a waiver of any right the complainant may have to contest the PHA's disposition of the grievance in court. [966.56 (d)]

X. Decision of the hearing panel or officer [966.57] The hearing panel or officer shall prepare a written decision, together with the reasons for the decision within ten working days after the hearing. A copy of the decision shall be sent to the complainant and the PHA. The PHA shall retain a copy of the decision in the Tenant's folder. A copy of the

decision with all names and identifying references deleted, shall also be maintained on file by the PHA and made available for inspection by a prospective complainant, his representative, or the hearing panel or officer. Appendix V - Sample Public Housing Grievance Procedure: Page 308”

It is my belief that the SMHA grievance procedure should be created with the participation of the participants of the SMHA programs, not imposed on the participants by the SMHA.

**Question 3:** As for the SMHA waitlist priorities, why isn't there a priority category for families whose child is enrolled in a Santa Monica school? Even if there are not many such families on the waitlist why not have such a category?

**Question 4:** What recourse or access to advocacy do participants with disabilities have if the City does not employ an ADA Coordinator? What is the procedure for filing ADA complaints regarding the SMHA? Individuals with disabilities literally have no-one to turn to in this city. Legal Aid is not an answer to this problem.

In closing, I believe that any amendments to the Administrative Plan should be presented to, reviewed and discussed by the participants of the SMHA programs first and foremost. I do not believe that is the case right now. Where is the Santa Monica Housing Authority Resident Advisory Board?

Regards,  
Olga Zurawska

**From:** zinajosephs@aol.com <zinajosephs@aol.com>

**Sent:** Thursday, November 21, 2019 1:48 PM

**To:** Michael Soloff <Michael.Soloff@SMGOV.NET>; Loren Bloch <Loren.Bloch@SMGOV.NET>; Richard Hilton <Richard.Hilton@SMGOV.NET>; Leonora Camner <Leonora.Camner@SMGOV.NET>; Todd Flora <Todd.Flora@SMGOV.NET>; Rene Buchanan <Rene.Buchanan@SMGOV.NET>; James Kemper <James.Kemper@SMGOV.NET>

**Cc:** Diane Glauber <dglauber@lawyerscommittee.org>; zinajosephs@aol.com

**Subject:** Housing Commission -- 11/21/19 agenda item 5(a)

Dear Commissioners,

Regarding 11/21/19 agenda item 5(a) -- Housing Authority Administrative Plan, I have the following two questions:

- 1) Given that HUD requires that Public Housing Agencies establish a "Resident Advisory Board" made up of residents who receive PHA assistance, **where is the Santa Monica Resident Advisory Board?**
- 2) **Where is the Santa Monica Housing Authority grievance procedure posted?** What does it say, is it objective, does it afford due process, and how is it made available to the public, in particular, to participants in the SMHA programs?

Thank you for clarifying these two topics.

Zina Josephs

50-year Santa Monica resident

former Santa Monica Arts Commissioner (1998-2002)