

## RENTAL ASSISTANCE APPEALS PROCEDURES

The Rental Assistance programs are funded through the Maine Department of Health and Human Services - Office of Behavioral Health (OBH). These programs are administered by the Central Administrative Agent (CAA) and a network of Local Administrative Agencies (LAA). The goal of these programs is to empower consumer choice, independence, and control by helping to provide safe and decent housing, a foundation of recovery and hope. The Department recognizes that you may not agree with a program decision, and in these cases, you have the right to appeal.

*In lieu of an appeal, informal CAA and/or LAA review and mediation is available anytime throughout the process. Any individual filing an appeal has the option to have a designated representative or advocate of their choice throughout the entire process.*

### **Below is a one-page overview of the Rental Assistance Appeals Procedure:**

1. The applicant or program participant makes a written request via mail or email, called a Level I Appeal, to the designated program representative at the LAA within ten (10) business days from the date of the decision or action the applicant or program participant is appealing. The Level I Appeal should include the date the appeal is being filed; the specific policy, procedure, decision, or action being appealed; suggestions of possible ways the situation might be resolved; and where and how the applicant or program participant may be reached.

#### **Designated Program Representative and LAA Information**

Agency Representative

Agency Address

City, State, Zip Code

Email

2. Within ten (10) business days, the designated program representative at the LAA responds in writing to the Level I Appeal. The program representative may request an extension of an additional five (5) business days, if necessary.
3. If the applicant or program participant is not satisfied with the outcome of the Level I Appeal, the applicant or program participant may appeal the Level I decision within ten (10) business days by filing a written Level II Appeal via mail or email to the designated program representative at the CAA.

#### **Designated Program Representative and CAA Information**

Anthony Giarratano, Statewide Subsidy Manager, Shalom House

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4. The designated program representative at the CAA investigates and provides a written response to the applicant or program participant within ten (10) business days from the date that the program representative receives the appeal. The program representative may request an extension of an additional five (5) business days, if necessary.
5. If dissatisfied with the Level II response, the applicant or program participant may appeal to the Office of Behavioral Health Director or Director's designee. The appeal must be submitted in writing by either postal or electronic mail within ten (10) business days from

the date on the letter of the Level II decision. Appeals shall be sent to: Office of Behavioral Health, Housing Program, 41 Anthony Avenue, 11 State House Station, Augusta, Maine 04333-0011, phone (207) 287-2595, fax (207) 287-9152, TTY: Maine Relay 711.

6. The Director may decide to refer this appeal, called a Level III Appeal, to the Department of Health and Human Service's Division of Administrative Hearings within five (5) business days. The Division of Administrative Hearings will provide notice of a fair hearing to the applicant or program participant.
7. The Director receives an impartial recommended decision from the Division of Administrative Hearings based upon the facts found with the dispute. The Director may adopt, modify, or overturn the decision. The Director's decision is the final agency action within DHHS.
8. If the applicant or program participant remains dissatisfied with the outcome of the Level III Appeal ruling, the applicant or program participant may appeal to the Maine Superior Court pursuant to Rule 80C of the Maine Civil Rules of Procedure and the Maine Administrative Procedures Act at 5 M.R.S.A. §§ 11001 et Seq.
9. Under no circumstance shall the remedies requested be denied nor shall the processing of an appeal be refused due to the availability of an appeal procedure. Accommodation is available for individuals who may not have the ability or access to mail such documents and can be requested.

Filing a Grievance is another option for you. If you believe there has been a possible violation of the Rights of Recipient of Mental Health Services, you may file a Grievance by following the DHHS Grievance process Guide for Recipients of Mental Health Services. A copy of this guide is available to you upon request or by clicking: [Rights of Mental Health Services-Adult Grievance Process Guide](#).