

Chain of Command for Resolving Problems

If you live in public housing and are having a problem it is important to know how to “go up the chain of command” to address it. How you do this depends upon whether it is an individual problem or a “systemic” problem that impacts more people.

What is an **individual** problem? Here are some examples:

- Apartment needs repairs (leaky faucet, broken smoke detector, etc.)
- Rent miscalculation
- Refusing a transfer to another unit
- Unfair imposition of LHA fees
- Another tenant violates lease and LHA does not act

What is **not** an individual problem?

- Anything having to do with the operation of the Local Tenant Organization
- Common area conditions
(hall cleaning, grass mowing, snow removal, extermination, etc.)
- Housing authority staff is consistently disrespectful to all tenants or specific groups of tenants
(for example, a housing authority is not even-handed when two groups of tenants disagree over use of the common space)

Keep A Paper Trail!

It is always best to put your requests in writing!



Chain of Command for Individual Problems

When facing an **individual problem**, you can contact people in the following order to go up the chain of command:

1. Requests for Maintenance Repairs and Other Issues
 - a. Maintenance Requests: If your apartment needs repairs - **File a Work Order** with the Housing Authority. If you do not hear back within a reasonable time, contact the **Administrative Staff** at your Housing Authority and ask them what the status of the work order is.
 - b. All Other Issues: For all other issues, contact your **Local Tenant Organization (LTO)**, to see if they can help you.



2. If there is an inadequate response from the Administrative Staff after a reasonable time, contact the **Executive Director** and ask to discuss the issue.
3. If there is an inadequate response from the Executive Director after a reasonable time, you can **file a request for a grievance hearing**. (See page 14 of Grievance Booklet)
 - a. After a grievance has been filed, a housing authority must “promptly” schedule an **informal settlement conference** to discuss the grievance informally in an attempt to settle it without a hearing.

No Local Tenant Organization (LTO)



If there is no Local Tenant Organization,
contact **Administrative Staff**

DO NOT reach out to individual Housing Authority Board members (tenant or non-tenant). A Housing Authority Board member should not be involved with day-to-day operations, and should not act on behalf of an individual tenant. This may cause a conflict or if the problem comes before the Housing Authority Board that Board member may have to step out of the decision (“recuse” themselves).

b. If the problem is not solved through an informal conference or you are not satisfied with the solution the housing authority is proposing, you may continue to the **grievance hearing** stage. Your grievance will be heard at a hearing by an **impartial hearing officer or a hearing panel of three people**.

If there is not a grievance panel or hearing officer:

- ✓ First contact your LTO, if there is one,
- ✓ Then your Executive Director, and
- ✓ Then the Board

If no action is taken by your LHA to establish a panel or hearing officer, then contact DHCD at 617-573-1150 and ask to speak with the Housing Management Specialist (HMS) for your community.

4. The next step depends upon whether you are a state or federal resident:
- a. **STATE** - Under state regulations you can appeal a grievance decision to the **Housing Authority's Board** within 14 days of receiving it if you believe that the decision was not supported by the facts or did not correctly apply applicable law, regulations, rules or policies, or if told the issue is not grievable. (Sample Appeal letter in Grievance Booklet, page 36)
 - The only time that you cannot appeal a grievance hearing is if a hearing officer or panel approved the termination of your lease. You do not have to move, however, unless the housing authority takes you to court and the court orders you out.
 - If a Housing Authority Board makes a significant change in the hearing decision, you have a right to ask **DHCD to review the Board's decision**. (Sample letter in Booklet, page 37)
 - b. **FEDERAL** - Under federal regulations, there is no clear process for a tenant to appeal a grievance to the Board of Commissioners or after that to HUD. But a tenant can make a **written request to the Board of Commissioners to set aside the decision**. DHCD cannot review decisions regarding tenants in federally subsidized housing.

Make sure you have a **Using Your Public Housing Grievance Procedure** booklet available from Mass Union of Public Housing Tenants and online at www.masslegalhelp.org/housing/grievances

Chain of Command for Systemic Problems

When there are **systemic** problems such as bad conditions that impact many tenants in the development or bad conditions in the common areas, policies not being followed, or violation of the tenant participation regulations,¹ you can contact people in the following order:

1. Contact your **Local Tenant Organization**, if you have one, to see if they can help you. Every tenant in state public housing has the right to file a grievance so long as each tenant individually files his or her own grievance. In federal public housing, tenants cannot file a grievance together.
2. Contact the **Mass Union of Public Housing Tenants** to see if they can provide you with information or support or direct you to the right regulation.
3. Write a **letter to the Executive Director** about what the systemic problem is, what you feel the solution is or the law is, and a request a meeting. (Do not yet send a copy to the Board.)
4. If the Executive Director does not respond within a reasonable time or you are not satisfied with the solution the Executive Director is proposing, write a **letter to the Housing Authority Board** with a copy to the Executive Director. Ask to be put on the monthly Housing Authority Board Meeting agenda.
5. The next step depends on whether you are a state or federal tenant:
 - a. For **state** public housing tenants, if there is no adequate response from the Housing Authority Board contact the **Department of Housing and Community Development (DHCD)**. Contact DHCD through you Housing Management Specialists for your community. Put your request in writing and send a copy to the Executive Director and the Chair of the Housing Authority Board of Commissioners.
 - b. For **federal** public housing tenants, if there is no adequate response from the Housing Authority Board of Commissioners, contact **HUD**.

¹ Tenant Participation regulations are not grievable through a Grievance Hearing, but go to the Board then DHCD.

