

MAMMOTH LAKES HOUSING  
TENANT AND HOMEOWNER GRIEVANCE PROCEDURES

The following shall be considered as the Mammoth Lakes Housing, Inc. (MLH) official grievance procedure. Staff and residents of our housing complexes and owners of owner occupied units shall be expected to abide by the terms and conditions outlined herein. These procedures shall be referenced in the Management Plan for all MLH apartment complexes, and shall also apply to homeownership units restricted by MLH.

- A. MLH staff are NOT first responders. Issues considered as an emergency or life threatening should be telephoned to the Police or 911.
- B. The MLH Executive Director is responsible for the day-to-day handing of owner grievances under the **resale restriction/deed restriction**. Pursuant to Section 4 of the Mammoth Lakes Housing, Inc. Purchasable Workforce Housing Policies and Guidelines Summary, owners of homeownership units restricted by MLH, can direct grievances related to decisions, determinations, or approvals made by the MLH Executive Director, directly to the MLH governing board. All complaints by owners will be documented by MLH and remain a part of that owner's file. These policies apply only with regards to grievances related to the implementation of the restrictive covenant documents and not with any homeowner's association grievances.
- C. At MLH **apartment complexes**, the site manager is responsible for the day-to-day handling of tenant relationships and grievances (in some instances MLH staff manage the apartment complex). If a grievance develops that the site manager or MLH staff are incapable of handling, he/she is required to immediately call MLH Management (MLH Executive Director or the director's designee) for help in solution of the problem. **Tenant** grievances and requests will be handled as expeditiously as possible, but if these are judged to be unreasonable or impracticable, the site manager will attempt to counsel the tenant in order to arrive at a reasonable solution. All complaints by tenants will be documented by the site manager and remain a part of that tenant's file. Information regarding the rights of tenants under HUD's Tenant's Grievances and Appeals Procedure are posted in conspicuous places in the apartment complex, such as the site manager's office and laundry facility.
- D. The grievance and appeal procedure does not apply if you have been given a notice to vacate because (1) you are causing or permitting substantial damage to your unit; (2) you are using your unit for unlawful purposes; (3) you have created or maintained an imminent threat to your health and safety or that of others. If you believe that MLH Management has acted so that your rights or status are adversely affected, or you believe that MLH Management has not complied with the terms of the residential lease or resale restriction (as applicable) it entered into with you, then you are entitled to a hearing in accordance with these grievance and appeal procedures.
- E. You may also request a hearing if you have a complaint about another tenant concerning your or others' health and safety or if the complaint in reference to the other tenant involves the maintenance and MLH Management of the project. If you applied for a unit and were rejected, you also have the right to request a hearing.

- F. Founded or unfounded complaints against any site manager or MLH staff will be handled on a case-by-case basis with the intent of MLH to create a good MLH-owner relationship, and management-tenant relationship in each apartment complex.
1. When a tenant or owner has cause to complain due to inappropriate treatment or a dispute with another tenant or with MLH staff, the grievance must be submitted in writing. The grievance shall outline the problem, date of occurrence, any person(s) involved, and be dated and signed by the resident. The letter should be hand-delivered to the site manager's office/MLH office during normal business hours, if possible, for the quickest resolution.
  2. MLH Management (MLH Executive Director or the director's designee) will review the grievance letter and clarify any missing or ambiguous issues with the resident.
  3. The resident filing the grievance may be called upon to attend a conciliation meeting with MLH Management staff and the other resident(s) or person(s) outlined in the grievance letter.
  4. Within 72 hours of receipt of a written complaint, MLH Management will investigate the complaint to determine the factual elements of the grievance and make a determination of the best approach to deal with the grievance.
  5. The outcome of the grievance will be documented by MLH Management and maintained as a part of the office records and will be placed in the **tenant files** or **owner occupant files**.
- G. If you are dissatisfied with MLH Management's decision at the above informal hearing, you have a right to request a formal hearing within five (5) working days of the decision.
1. An impartial person who is mutually agreeable to you and MLH Management will conduct the formal hearing. In the event you cannot agree on such a person, a three-person hearing panel will be selected. You will select one person, MLH Management will select another, and the first two panel members will jointly select the third person. These three individuals will comprise the hearing panel. If the members appointed by you and MLH Management cannot agree on a third person, such member shall be appointed by MLH's governing board.
  2. MLH will use best efforts to schedule the Hearing as soon as possible after the selection of the impartial third party. At the hearing, you will be required to present your side of the dispute and desired outcome. You may bring as much evidence to the hearing as you desire. You may bring someone to represent you at the hearing, but you must also be present—failure to be present at the hearing will invalidate the grievance. Those present at the hearing must conduct themselves in an orderly fashion.
  3. You and MLH can have witnesses to support your respective positions, with the right to cross-examine each other's witnesses.

4. The impartial third party will make a final decision regarding the grievance and will issue a written decision detailing their determination within seven (7) Working Days of the Hearing. This will be the final decision on the issue and there shall be no more appeals.
5. At any time during the grievance process, the resident should have a right to legal representation if requested and at the resident's expense.
6. Participation in any of the procedures described above will not waive, or affect in any manner whatsoever, any rights you or MLH may have to any judicial proceedings that may thereafter be brought on the matter.

**H. The procedures set forth in this Grievance & Appeal Policy may, at MLH's sole and absolute discretion, run concurrently with the time period required by any legal notice of termination of tenancy, the resale restriction, and with any legal procedures that may be initiated by either party.**

## INFORMAL GRIEVANCE HEARING PROCESS SUMMARY

The following informal grievance hearing process is adapted from the Board approved *Mammoth Lakes Housing Tenant and Homeowner Grievance Procedures*. For the complete Grievance Procedures please refer to the adopted policy.

Founded or unfounded complaints against any site manager or MLH staff will be handled on a case-by-case basis with the intent of MLH to create a good MLH-owner relationship, and management-tenant relationship in each apartment complex.

6. When a tenant or owner has cause to complain due to inappropriate treatment or a dispute with another tenant or with MLH staff, the grievance must be submitted in writing. The grievance shall outline the problem, date of occurrence, any person(s) involved, and be dated and signed by the resident. The letter should be hand-delivered to the site manager's office/MLH office during normal business hours, if possible, for the quickest resolution.
7. MLH Management (MLH Executive Director or the director's designee) will review the grievance letter and clarify any missing or ambiguous issues with the resident.
8. The resident filing the grievance may be called upon to attend a conciliation meeting with MLH Management staff and the other resident(s) or person(s) outlined in the grievance letter.
9. Within 72 hours of receipt of a written complaint, MLH Management will investigate the complaint to determine the factual elements of the grievance and make a determination of the best approach to deal with the grievance.
10. The outcome of the grievance will be documented by MLH Management and maintained as a part of the office records and will be placed in the **tenant files** or **owner occupant files**.