
Housing Court Judgments and HCVP

What happens when HCVP receives a housing court judgment?

- Once CMHA has been provided a judgment in which the court has made a decision in favor of the landlord granting possession of the unit/damages/rent arrearages against a participant, that decision is forwarded to the HCVP Integrity Division to ensure a final determination (i.e., appeals) has been rendered.
- If judgment is rendered against the participant, and the reason for the judgment is a violation of family obligations, the HCVP will generate a Notice of Housing Assistance Termination Letter for the proposal for termination of the family from the Housing Choice Voucher Program. This Notice will be provided to the participant and the participant's current landlord (if currently under contract). The participant will also be provided an Informal Review Request Form.
- The participant will have 15 calendar days from the date of the Notice of Housing Assistance Termination Letter to request an Informal Hearing by filling out and returning the Informal Hearing Request Form to CMHA.
- If the participant does not return the Informal Hearing Request Form, program participation will be terminated on the date indicated on the Notice of Housing Assistance Termination Letter.
- If the participant returns the Informal Hearing Request Form by the specified deadline, CMHA will initiate the hearing process where an Informal Hearing is scheduled and conducted by a hearing officer who will review evidence from the HCVP and the family in support of or in objection to the proposed termination.
- The hearing officer will render a decision to affirm or overrule the HCVP's proposal for termination within 15 calendar days from the date of the Informal Hearing.
- If the termination is affirmed, the tenant has the right to appeal the hearing officer's decision. Directions on how to do that are included on the hearing officer's decision.

Please note:

If you are not the current landlord of the participant family, CMHA *will not* provide information concerning the participation status of the family.

Committing a serious lease violation, including non-payment of rent or owing damages to a landlord while under HAP contract, is a violation of the family obligations. Family obligations are the policies the participant is required to uphold to remain in good standing in the program. For any violation of the family obligations, a housing authority may initiate the termination process. The termination process a participant goes through gives them the right to appeal, be heard by a hearing officer and provides other due processes at their disposal.

It is true the participant may choose to remedy the housing authority's termination process by executing a repayment agreement or paying the balance in full to the owner at any time during the termination/hearing process. Documentation of this must be submitted to the housing authority so we may determine the matter resolved, however, please understand that payment to the owner is a byproduct (not the purpose) of the housing authority termination process.

If the participant does not choose to execute payment to the owner, CMHA will continue its process, which generally results in the termination of assistance to the participant. If a participant wins a hearing or a subsequent appeal and the owner has not been issued the payment to which they feel they are entitled, the participant will remain part of the HCVP.



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