

**City of Longmont  
CDBG-DR Housing Assistance Program  
Appeals Procedure**

**Who Can Appeal**

Anyone who applied for the Housing Assistance Programs through the City's CDBG Disaster Recovery Assistance Programs and was found to be ineligible or believes that an error was made in their award amount may appeal their determination.

**What Can Be Appealed**

**Ineligibility for the Housing Rehabilitation and Reconstruction Programs:**

- Not in the Eligible Area: All eligible damaged property is required to be within the City of Longmont's city limits.
- Ownership/Occupancy: All applicants must be able to produce documentation that proves they owned the damaged property at the time of the flood and that it was their primary address.
- Structure Type: A damaged structure must be a single-family home, or single owner condominium, town home, or mobile home.
- Property Type: A damaged structure may not be commercial property.
- Determination of Work: Estimation of the cost of damage to determine whether the project will be rehabilitation or reconstruction.
- Budget Review: An applicant, if required to meet with a housing counselor, must demonstrate a household budget that supports receiving and/or repaying a rehabilitation loan or a replacement housing loan.
- Income Calculation: The terms of an eligible applicant's assistance (grant, forgivable loan, or repayable loan) are based on the household's income as calculated per regulation 24 CFR Part 5.
- Closing of application: An applicant must provide copies of requested documentation for their program eligibility to be determined. An application will be closed after three requests by the City for documentation.

**Ineligibility for the Housing Down Payment Assistance (DPA) and/or Temporary Rental Assistance Programs:**

- Not in the Eligible Area: All eligible damaged rental property is required to have been in the City of Longmont city limits and eligible replacement housing must be within 30 miles of City limits. All replacement property for down payment assistance is required to be in Boulder County.
- Ownership/Occupancy: All applicants must be able to produce documentation that proves they owned or rented a damaged unit at the time of the flood and that it was their primary residence.
- Income Eligibility: An applicant's household must meet the program income limits, as calculated per regulation 24 CFR Part 5.
- Budget Review: An applicant, if required to meet with a housing counselor, must demonstrate a household budget that supports receiving and/or repaying a down payment assistance loan.
- Closing of application: An applicant must provide copies of requested documentation to for their program eligibility to be determined. An application will be closed after three requests by the City for documentation.

## **Award Determination:**

- Home Value: Establishes pre-flood value of home via 2013 Boulder County Assessed Valuation System/Records.
- Duplication of Benefits (DOB) Amount: Amounts received from insurance, FEMA, Small Business Association (SBA), or other eligible DOB agency.
- Work Write-Up: An on-site inspection to determine an estimated cost of repair.
- Reimbursement: Verified costs for repairs completed on/in the home with funds exceeding other Federal, State, local, or personal insurance proceeds.

## **Requesting an Appeal**

If you believe the program's eligibility status or determination of your funding award determination is incorrect, you can request an appeal in writing to the City of Longmont's Housing and Community Investment Division.

You must appeal any issues with your ineligibility and /or award within 15 days of the determination as set out in the determination letter or from the date of your notification of the appeals process, whichever is later. After 15 days, the status is considered final and can no longer be appealed.

## **Where to Mail Your Appeal**

Housing and Community Investment Division  
ATT: Housing and Community Investment Housing Manager/Appeals Manger  
350 Kimbark Street  
Longmont, CO 80501

## **Instructions for Requesting an Appeal**

If you choose to formally appeal, you must submit your appeal in writing to the Housing and Community Investment Division within 15 days from the date of the determination letter or the date of your notification of the appeals process, whichever is later. The appellant will have an additional 15 calendar days to provide documentation to support the appeal request. A formal appeal related to your application or award can include more than one issue for consideration or review but must be submitted as one appeal. Only communication that is submitted in writing to the Housing and Community Investment Division will be accepted. A determination on the appeal will be made within 30 days after additional documentation is submitted or within 45 days of initial receipt of the Appeal Request.

Please use the attached Request for Appeals form.



## **Appeals Process**

1. You will officially submit your appeal in writing to the Housing and Community Investment Division.
2. The appeal will be logged on date of receipt.
3. Your appeal request will be received by Housing and Community Investment Appeals Manager.
4. The Program will then review your file and fill out a check sheet for items reviewed.
5. During the review, the applicant may or may not be contacted for further information.
6. The appeal and supporting documentation will be provided to an Appeal Committee that includes the City of Longmont Disaster Recovery Program staff. This Committee will consist of:
  - The applicable program coordinator
  - The other CDBG-DR program coordinators
  - The Housing and Community Investment Manager (or their designee)
7. The Applicant will be notified in writing of the Appeal Decision by the Housing and Community Investment Manager
  - A determination on the appeal will be made within 30 days after additional documentation is submitted or within 45 days of initial receipt of the Appeal Request.
8. If the applicant disagrees with the decision by the Housing and Community Investment Manager, the applicant may submit in writing the request for the appeal to be considered at the next meeting of the Longmont Housing and Human Services Advisory Board which meets on the 2<sup>nd</sup> Thursday of each month. The applicant will have 15 days to submit any additional information prior to their appeal being heard by the Advisory Board. The Housing and Community Investment Division Manager will present the applicant's written appeal to the Advisory Board. The applicant will also have the opportunity to address the Advisory Board. A determination on the appeal will be made by the Advisory Board at their meeting and a written decision will be issued within 10 business days of the meeting.
9. If the response provided by the Advisory Board is not acceptable, the applicant may submit an appeal to the State of Colorado, Department of Local Affairs in accordance with their Appeal Procedures.

## **Tracking Your Progress**

You may contact the Housing and Community Investment Division at any time during this process to get an update on the status of your appeal and answer any questions you may have.

## **Attachments:**

1. Formal Appeal Request Form
2. Appeal Committee Decision Form



Flood Recovery Housing Assistance Programs  
Formal Appeal Request form

Please provide in the space below your request to appeal the decision of your ineligibility and/or award determination made by the City of Longmont for your application to the Flood Recovery Housing Assistance program. Please explain your appeal listing the specific reasons of your ineligibility and/or award determination, as listed in your eligibility and/or award letter and the reasons why you disagree with each decision. Provide any necessary additional documentation to support your appeal and use additional pages if necessary.

Applicant Name: \_\_\_\_\_

Initial ineligibility determination or award amount: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reasons why you disagree with each of the above determinations (attach additional information to support your case, if any):



Attachment 2

**Appeal Committee Decision Form**

Applicant Name: \_\_\_\_\_

Reason for initial ineligibility determination or award amount: \_\_\_\_\_

Date written appeal received: \_\_\_\_\_

Appeal approved or denied: \_\_\_\_\_

Reason for appeal denial:

If appeal is approved, the applicant's next step in the process is:

\_\_\_\_\_  
Kathy L. Fedler  
Housing and Community Investment Division Manager

\_\_\_\_\_  
Date

