

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
COMMUNITY DEVELOPMENT DIVISION

Subject: COMPLAINT PROCEDURE

Effective Date: September 1, 2015

The purpose of this policy bulletin is to outline requirements for CDD Grantees to establish a client complaint procedure for consistent resolution of conflicts. Complaints may come from applicants for assistance, owners, or tenants dissatisfied with work, participating contractors, or other interested parties. This policy covers the following processes:

- The grantee's client complaint procedure
- Referrals to Dispute Resolution Services
- MSHDA review of complaint
- Resolution determined by MSHDA

A GRANTEE'S CLIENT COMPLAINT PROCEDURE MUST

1. **Be outlined in Grantee's Program Guidelines.** Clients and contractors must be informed of the complaint procedure when they are selected to participate in the program or upon receipt of a written complaint.
2. **Establish a timely response.** Ensure that a client's initial complaint is responded to by the program administrator within 15 working days of the date of the complaint.
3. **Require that the Chief Executive Officer (CEO) or Executive Director** of the grantee be informed of any complaint the program administrator fails to resolve. The grantee (at its option) may ask the CEO to review the case and recommend a resolution.
4. **Provide for the establishment of a review committee,** to be comprised of at least three people, which must hear all cases that cannot be successfully resolved by the program administrator (and CEO if he/she is part of the complaint procedure). It is recommended that the committee members serve a specified number of years.

The review committee should be comprised of:

- A person with building/construction expertise (completely separate from the contractor who is part of the complaint);
- A local community representative; and
- A representative of the grantee (but should not be administrator or staff member of housing program)

The claimant may choose to make a presentation or submit a written description (including documentation) to the committee for review.

5. **Establish process to notify the client in writing of the review committee's decision** within 15 working days of the date of the hearing.

REFERRAL TO DISPUTE RESOLUTION SERVICES REQUIRED IF CONFLICT NOT SATISFACTORILY RESOLVED

Should the above-listed efforts fail to resolve all outstanding issues, grantees must seek the services of the closest Dispute Resolution/Mediation Program. The costs, if any, for using mediation to seek resolution of the dispute are eligible administrative costs under MSHDA's Community Development Division grant agreements.

A list of Community Dispute Resolution Program (CDRP) Mediation Centers may be found at <http://courts.mi.gov/administration/scao/officesprograms/odr/pages/community-dispute-resolution-program.aspx> . Attached is a process map for a typical complaint procedure (**Attachment A, *Client Complaint Procedure***).

MSHDA will review complaints only after the above process is complete and dispute is still unresolved.

In the event that MSHDA is contacted directly by a complainant, he/she will be referred to the grantee for implementation of policy procedures. After all previously outlined steps have failed to resolve the complaint, the grantee may contact MSHDA in writing, detailing the complaint and verifying its compliance with the above listed steps.

NOTE: All liability to third parties, loss or damage as a result of claims, demands, costs, or judgments arising out of activities, such as direct service delivery, to be carried out by the Grantee in the performance of its CDD-funded grant agreement shall be the responsibility of the Grantee, and not the responsibility of the Authority, if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Grantee, any subcontractor, anyone directly or indirectly employed by the Grantee, provided that nothing herein shall be construed as a waiver of any governmental immunity that has been provided to the Grantee or its employees by statute or court decisions.

If you have questions, contact your CD Specialist at 517-373-1974.

Attachment

A. Client Complaint Procedure Chart