

# **St. Johns County Community Development Block Grant — Disaster Recovery Appeals Process Policies and Procedures**

Revised December 21, 2021



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## VERSION HISTORY

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### St. Johns County CDBG-DR General Policies and Procedures

Version	Date	Page	Description
#1	02/15/2019	N/A	N/A
#2	09/26/2019	Various	See Program and Policy Change Tracking Ledger
#3	05/20/2020	Various	See Program and Policy Change Tracking Ledger
#4	12/21/2021	Various	See Program and Policy Change Tracking Ledger

## VERSION POLICY

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Version history is tracked in the table above, with notes regarding version changes. The date of each publication is also tracked in this table. The first version of this document is 1.0.

Substantive changes within this document that reflect a policy change will result in the issuance of a new version 2.0, an increase in the primary version number. Future policy changes will result in additional revision and issuance of a new primary version number. Non-substantive changes within this document that do not affect the interpretation or applicability of the policy (such as minor editing or clarification of existing policy) will be included in minor version updates denoted by a sequential number increase after the primary version number. Such changes would result in a version number such as 2.1, 2.2, etc.

## POLICY CHANGE CONTROL

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Policy review and changes for the St. Johns County Appeals Process Policies and Procedures are considered through a change control process.

1. When policy clarifications, additions, or deletions are needed to more precisely define the rules by which the Appeals Process for the Homeowner Repair, Elevation, and Reconstruction and the Buyout Programs will operate, Program staff will discuss potential changes with the Program and Policy Review Committee (Review Committee). The Review Committee will determine whether the change is a **policy change** or a **process change**.

The Review Committee includes the following representatives:

- Housing Program Supervisor
  - CDBG-DR Grant Administrator (who will be the Chair)
  - Chief Engineer (Vice-Chair)
  - Environmental Specialist
  - CDBG-DR Project Specialist.
2. Policy changes require review and determination by the Review Committee. The Review Committee will discuss the policy change at an internal committee meeting. The Review Committee will approve the change, deny the change, or defer action on the request.
    - a. If the change is approved, the Review Committee will communicate its decision to the Program Manager. The Program Manager will disseminate the new policy in a communication via email to all Program staff and instruct

- the Policy Analyst/Planner, or other designee, to reflect the change in the next revision to written policies and procedures.
- b. If the change is denied, no further action is taken.
  - c. If a change is deferred, the Review Committee will request additional supporting information as necessary and place the item on the agenda for consideration at the next meeting

The Review Committee meets as needed, to consider all pending requests but may meet as frequently as necessary to consider critical policy decisions.

The Review Committee has authority to review and approve policy changes, render decisions on individual case appeals, and review waiver requests to the existing program cap to be submitted to the Department of Economic Opportunity (DEO) for review and consideration.

## **APPEAL POLICY**

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### **Complaint and Appeal Process**

St. Johns County has developed this complaint and appeal process in accordance with 24 CFR 91 Citizen Participation Plan and 24 CFR 570.486(a) (7). The goal of this process is to provide an opportunity to resolve complaints—either formal or informal—in a timely manner.

Applicants have a right to participate in the complaint and appeal process. If an applicant believes a mistake has been made regarding his or her file, this complaint and appeal process provides the applicant with way to request further review regarding the file.

Information about the right to file a complaint and how to file a complaint shall be printed on all program applications and guidelines.

### **Complaints**

The goal of St. Johns County is to resolve complaints in a manner that is sensitive to the applicant's concerns and achieves fair results. Regardless of the complaint, Program staff members will treat the issue with respect, respond to the applicant about the status of the complaint, and handle the issue quickly (within 15 working days, if feasible).

The applicant will have the opportunity to fill out a formal complaint form that is accessible on the disaster recovery website. The complaint form includes the applicant's name, contact information and nature of the complaint being filed. Information on how to file a complaint will be available at the program offices and included on printed materials as well as be available on the disaster recovery website.

## ***Informal Complaints***

Complaints that are brought forward in an informal manner—orally or revealed in the process of addressing another issue—will be addressed where possible regardless of the source of the complaint. Informal complaints or appeals can be made by applicants by phone at (904) 209.1280 or in person with a Case Manager at the Restore St. Johns office located at:

*Health and Human Services Building  
200 San Sabastian View  
Room 2206 (Egret Conference Room)  
St. Augustine, FL 32084*

1. When responding to an informal complaint, the county or Restore St. Johns staff will obtain all pertinent information from the individual, including:
  - a. The issue raised.
  - b. The name of the individual reporting the complaint (if possible) and associated contact information; if no name or contact number is provided, then that will be noted and placed in an informal complaint file—either electronic or hard copy.
  - c. Any other information regarding the complaint.
2. The Case Worker will determine whether the issue can be addressed through verbal discussion without necessitating a formal complaint process. The Case Worker will also inform the Applicant of formal complaint process and indicate in the file that the Applicant was informed of how to file a formal complaint.
3. If a resolution cannot be met through the informal process and an applicant believes that the Program's determination of their funding award calculation, eligibility status, or construction workmanship is incorrect/does not meet standards, they can request a Formal Appeal Form from their Case Worker.

## ***Formal Complaints***

Formal complaints must be submitted utilizing the Formal Complaint Form (Exhibit One) available through the Restore St. Johns Office. The applicant will be informed of the complaint process and the availability of the Formal Complaint Form.

Formal Complaints require the name and contact information of the individual submitting the complaint. All complaints must originate from the individual seeking assistance from the program as a registrant, applicant, contractor, or other direct party. Any complaint forwarded to St. Johns County from the U.S. Department of Housing and Urban Development (HUD) and or Department of Economic Opportunity (DEO) will also be considered a formal complaint and processed in accordance with this policy.

Complaints may be submitted in the following ways:

**Mail:**

St. Johns County

Restore St. Johns, Room 2206  
200 San Sebastian View  
St. Augustine, FL 32084

**Email:** cdbgdr@sjcfl.us

**Hand Deliver:** St. Johns County  
Restore St. Johns, Room 2206  
200 San Sebastian View  
St. Augustine, FL 32084

1. Every formal complaint will be entered into the project tracking system and maintained as either an electronic or hard copy file. The project tracking system will note any complaints and their potential resolution.
2. Once the complaint is entered in the tracking system, the Program Manager or their designee will determine if the complaint has standing by determining the following:
  - a) The individual filing the complaint is a registrant or applicant, contractor, or direct party.
  - b) Associated contact information has been provided.
  - c) The complaint is relevant.
3. If the complaint is valid, the Program Manager or a designee will perform the following steps:
  - a) Review and/or investigate the complaint.
  - b) Once the complaint has been resolved, or if it needs more work than can be done at the local program level, refer the complaint to the Review Committee to seek resolution.
  - c) Provide documentation regarding the final result and resolution to St. Johns County if applicable.
  - d) Provide a copy of this Policy relating to investigation and resolution to the complainant and to each person who is subject of the complaint.
  - e) Notify the complainant of the results, or if longer than 15 working days, provide a status of the review process.
  - f) Close the complaint.

### ***Fair Housing Complaints***

Persons alleging a violation of fair housing laws will be referred to St. Johns County's local contact and process to file a complaint. St. Johns County will retain a log and record of all fair housing inquiries, allegations, complaints, and referrals. In addition, St. Johns County will report suspected non-compliance to HUD.

## Appeals

Throughout the process, Program Staff will make decisions on an application and/or project to be delivered. The decisions are made based on statutes, Codes of Federal Regulation, local administrative code, and state and local guidelines as they are interpreted by the Program Staff. This policy guides the process for an applicant or contractor appealing decisions made by the Program Staff.

### **Appeals Process:**

1. This appeal process is available to an Appealing Party under the following grounds:
  - a. Eligibility Determination
  - b. One of the inputs that influences the Award Determination, such as Duplication of Benefits (DOB)
  - c. Scope of Work
  - d. Quality of Construction
2. An Applicant must submit a Formal Appeal Form within:
  - a. 15 working days from the date of the Award Letter or Ineligibility Letter; or
  - b. 10 working days from receipt of the Scope of Work; or
  - c. 3 working days from interim or final inspection approving quality of construction.
3. A Contractor may only appeal the issues related to one of more of the following:
  - a. Draw payment
  - b. Failure to meet benchmark construction deadlines

Any appeal that does not include the contact's name and associated contact information will not be treated as a written appeal.

Any appeal must originate from a person attempting to register with the program with standing in the program as an applicant, contractor, or other direct party. Any complaint forwarded to St. Johns County from U.S. Department of Housing and Urban Development (HUD) will also be considered a written appeal.

Complaints may be submitted in the following ways:

**Mail:**

St. Johns County  
Restore St. Johns, Room 2206  
200 San Sebastian View  
St. Augustine, FL 32084

**Email:** cdbgdr@sjcfl.us

**Hand Deliver:** St. Johns County  
Restore St. Johns, Room 2206  
200 San Sebastian View  
St. Augustine, FL 32084

1. **Appeal of Local Program Decision.** An individual filing an appeal must complete and submit a Formal Appeal Form with the Program Manager to request a meeting with the Program and Policy Review Committee before the Program and Policy Review Committee within 10 working days from date of the staff response.

This Formal Appeal Form should be sent to:

Restore St. Johns  
200 San Sebastian View, Room 2206  
St. Augustine FL, 32084

The Formal Appeal Form must include specific information relating to the challenge of the Local Program Decision. The Formal Appeal Form and the Application file shall be made available to the Program and Policy Review Committee upon receipt of an Appeal. The Program and Policy Review Committee shall respond in writing to the Appeal not later than the fifteenth (15) working day after the date of receipt of the Appeal. The response may take one of the following actions:

1. Concur with the Appeal and make the appropriate adjustments to the Local Program Decision; or
2. Disagree with the Appeal and provide the basis for rejecting the Appeal to the Appealing Party.

The response may exceed the fifteen (15) day maximum when an applicable program policy is currently under review for revisions, and those revisions may impact the decision of the appeal. In those instances, the written response to the Appeal will be provided no later than the fifteenth (15) working day after a substantial revision of a policy is complete. S

2. **Appeal of Program and Policy Review Committee Decisions.** If the grievance is not resolved to the satisfaction of the individual filing the appeal at this level, the individual can submit a written request for a meeting with the St. Johns County Assistant County Manager within 10 working days from date of the Program and Policy Review Committee response.

This written request should be sent to:

Restore St. Johns  
200 San Sebastian View, Room 2206  
St. Augustine FL, 32084

The individual filing the appeal party is entitled to a meeting before the St. Johns County, Assistant County Administrator. This meeting represents the final level of appeal at the local level.

# Exhibit One : Formal Complaint Form



**SUBMIT FORM**

Restore St. Johns – St. Johns County Hurricane Housing  
Recovery Program  
Formal Grievance/Complaint Form

Please provide the following information so that we may properly serve you!

Full Name: \_\_\_\_\_

Date: \_\_\_\_\_

Email Address: \_\_\_\_\_

Home Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Applicant ID (If known): \_\_\_\_\_

Complaint Information:


Please email complaint form to [gdbgdr@sjcfl.us](mailto:gdbgdr@sjcfl.us)

200 San Sebastian View, St. Augustine, FL 32084 | P: 904.209.1280 | [www.sjcfl.us/Restore/Contact](http://www.sjcfl.us/Restore/Contact)

## Appeals Process Policy and Procedures Program and Policy Change Tracking Ledger

Page # (subject to)	Section	Change in Detail	Policy Change Effective Date
1-9	All	Various formatting, grammatical, and spelling corrections not affecting the content or intent of the policy	9/26/2019
3	Version Policy	Added language to clarify non-substantive changes	9/26/2019
3	Policy Change Control	Updated language to provide list of programs the appeal policy is applicable to, added list of participants in the Review Committee and the process of holding meetings to discuss proposed policy changes	9/26/2019
4	Appeal Policy	Added steps 1-2 to the process of responding to informal complaints to clarify and organize the process previously described in a narrative form	9/26/2019
4	Appeal Policy	Added language to clarify the submission process of formal complaints	9/26/2019
7	Appeals	Added duplication of benefits as a ground for appeal, added contractor appeals to section	9/26/2019
8-9	Appeal of Local Program Decision	Added description of process to file a Formal Appeal Form	9/26/2019
8-9	Appeal of Local Program Decision	Added language to allow appeal response after the 15 day maximum when a policy change is under review that would potentially impact the appeal response and established a 15 day maximum response after a policy change goes into effect	9/26/2019
1-9	All	Various formatting, grammatical, and spelling corrections not affecting the content or intent of the policy	5/20/2020
4	Policy Change Control	Removed "biweekly" from meeting schedule for Review Committee and replaced with "as needed"	5/20/2020
6	Formal Complaints	Added "working" to number of days referenced to clarify working days vs. calendar days	5/20/2020
7	Appeals Process	Added "working" to number of days referenced to clarify working days vs. calendar days	5/20/2020
4	Appeal Policy	Updated the complaint section with instructions on filing a complaint on the disaster recovery website	12/21/2021
4	Appeal Policy	Added a phone number for filing of complaints	12/21/2021