



APPEALS PROCESS

DEFINITION

The purpose of the appeals procedure is to settle disagreements between an applicant and/or grantee and the Mississippi Balance of State Continuum of Care (MSBoS CoC) as quickly and as fairly as possible. Where the appeal arises as a result of a project applicant objecting to actions and/or decisions taken by the Rank and Review Committee or the full Mississippi Balance of State Continuum of Care Governing Council (CoC Council), the appeal process must proceed as expeditiously as possible to assure an equitable and efficient Continuum of Care Program Consolidated Application (CoC Application) process. In order to reach this goal, the MSBoS CoC Governing Council Executive Committee shall review, respond to and adjudicate appeals. The Executive Committee shall have the authority to make all decisions concerning appeals and its decisions are final.

POLICY

An appeal may be filed by any CoC-funded renewal project or any agency applying for a new project that claims it has been adversely affected by:

1. The Rank and Review Committee overlooked critical information about the project contained within the application that would have caused the project to be scored higher. No additional (meaning new) information may be submitted.
2. There is evidence of a lack of fairness in evaluating and scoring the application. Evidence of a lack of fairness will be considered and reviewed on a project-by-project basis.

Appeals may be made whenever a decision has been made that may have an adverse effect on an applicant. This includes the score received by a renewal or new project application, a reduction in the grant amount of renewal grants, or the ranking in the project priority list of new and renewal applications. An appeal can only be made by an applicant regarding the scoring of its own application.

Ineligible Appeals

1. Applicants may not appeal a late application submission.
2. Applicants that have been found not to meet the threshold requirements are not eligible for an appeal.
3. Appeals cannot be based solely upon the decision of the CoC Review and Ranking Committee.

All notices of appeal must be based on the information submitted by the application due date. No new or additional information will be considered. Omissions to the application cannot be appealed.

The applicant filing a complaint will be free from restraint, coercion, discrimination, or reprisal.

PROCEDURE

Step 1

In order to be considered, an appeal must be filed in writing with the MSBoS CoC within two (2) business days of the project ranking announcement. Appeals must be submitted via email to the CoC Council Chair with the term "Appeal" in the subject line. The appeal must be based on one of the two criteria for an appeal and include facts that support the appeal.

The Executive Committee has three (3) business days from receipt of the appeal to investigate, contact the applicant/grantee if necessary, and respond in writing.

Step 2

When all steps as outlined in the Appeals Process are exhausted and the complaint has not been resolved to the appellant's satisfaction, the applicant may apply to HUD directly for funding according to **24 CFR 578.35**.