

**IOWA DEPARTMENT OF HUMAN RIGHTS
DIVISION OF COMMUNITY ACTION AGENCIES
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM
APPEAL AND HEARING PROCEDURE**

An applicant may initiate an appeal if the application was denied, or incorrect facts or improper procedures were used to determine eligibility, assistance amounts, or services. The applicant has 30 calendar days from the date of the approval or denial letter to appeal that decision by mailing or delivering the request for appeal to the local administering agency (LAA) at which the application was made.

If the LAA neither approves nor denies the application within 30 calendar days of receipt of a complete application, the applicant may treat the failure to act as a denial. The applicant then has 30 additional calendar days to appeal.

To appeal, the applicant (claimant) must submit a written appeal to the LAA at which they applied, and include the action the applicant would like taken, and any other information which might affect the decision. Those claimants unable to read or write shall have the LAA assist them in reading, writing, or understanding appeals, hearings, and their associated procedures.

The LAA will act on the claimant's request and notify the claimant of the result in writing within seven calendar days of the date an appeal was requested (postmark date if sent in mail).

If the claimant does not agree with the decision reached, the claimant may write the LAA within 14 calendar days of the decision (postmark date if sent in mail) and request that a state hearing be held with the Division of Community Action Agencies (DCAA). The claimant must explain in writing why the agency's decision is being appealed and include any information which might affect the decision.

The LAA will forward all information about the request for a hearing to the DCAA and a hearing will be scheduled within 14 calendar days of receipt of the appeal and request for a hearing. The claimant will receive written notice of a state scheduled hearing from the division. The notice will include the date, time, and place of the hearing. State hearings may be held by telephone at a mutually convenient time or in person. During the hearing, all information will be reviewed and a decision will be rendered by the division within 7 calendar days.

The client may appeal the decision of the DCAA to the Iowa Department of Inspection and Appeals (DIA). The client must submit a written appeal to the DCAA within 7 calendar days (postmark date if sent in mail) of receiving the division's decision. The division will follow the appeal procedures outlined in 481 – Chapter 10 of the Iowa Administrative Code.