



# FAMILY INDEPENDENCE ADMINISTRATION

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Policy, Procedures and Training

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Office of Procedures

## POLICY BULLETIN #05-59-OPE

### PROVIDING COPIES OF ALL AGENCY-RELATED WRITTEN COMMUNICATION TO APPELLANTS' REPRESENTATIVES

<b>Date:</b> April 6, 2005	<b>Subtopic(s):</b> Fair Hearing
<p> This procedure can now be accessed on the FIAweb.</p>	<p>The purpose of this policy bulletin is to inform Job Center and Non-Public Assistance Food Stamp Site staff that all Fair Hearing-related written communication, which includes Mandatory Dispute Resolution (MDR) and non-MDR-related resolution actions provided to an appellant, must also be provided to the appellant's representative/attorney.</p> <p>In accordance with NYCRR 358-3.9, OAH 05-03 and OAH 98-17, once the Agency has been notified that a person or organization has been authorized as an appellant's representative, that representative must receive copies of all written communication sent or given to the appellant concerning the Fair Hearing, the MDR and any related conferences.</p> <p>The Worker can determine whether the appellant has a representative by reviewing the Office of Administrative Hearings Fair Hearing Request (<b>OAH-1891</b>) form to locate the name and address of the representative (see next page for a sample of the form).</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?  
Call 718-557-1313 then press 2 at the prompt followed by 765 or  
send an e-mail to *FIA Call Center*

OAH-1891

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** REQUEST FOR FAIR HEARING **      ** REQUEST FOR FAIR HEARING **      ** REQUEST FOR FAIR HEARING **
OAH - 1891      NEW YORK STATE OFFICE OF TENANT AND DISABILITY ASSISTANCE      DATE CREATED 01/09/05
NOTICE OF FAIR HEARING REQUEST      OFFICE OF ADMINISTRATIVE HEARINGS      PAGE 1
CASE # : 1000      CZN :      FAIR HEARING # : 6K      DISPOSITION:
OFFICE : CRO      UNIT :      WORKER : 00044
CODE NAME :      JEDGICA      REQUEST DATE : 01/01/00      REPRESENTATIVE:
STREET :      NEW YORK      REQUEST SOURCE : FAX      VALLONE      JENSWIPER
CITY :      ST NY 212 10008      HWTY/PAK DATE :      UNIVERSITY DISTRICT 144 REDBROOK ST
PHONE : 212      SEA # 000 05/25/1986      SOC SEC NUMBER :      NEW YORK      NY 10002
      212-503-1055

HEARING DATE: / /      TIME:      NO ASSIGNER:      OLD HEARING DATE/TIME: / /      OLR TR ASSIGNED:
LOCATION : 14 AVENUE PL.      HEARING TYPE:      SCHEDULE STATUS: 0      SCHEDULING RESTRICTIONS:
AGENCY : KORN      INTERPRETER :      ISSUE DATE:      M T W T F
CATEGORY : FA      SUB-CATEGORY:      COMPLIANCE COMPLAINT:      0M
      COMPLIANCE OBTAINED :      ALLOCATED OFFICE #      NOTICE DATE      REFRACTIVE DATE

CAN ACTION ISSUE
FA RECD 093 - FAILURE TO RECEIVE GRANT OR REDUCTION W/O NOTICE OR EXPLANATION      AC
FA RECD 428 - DISC/REDUCTION OF FOOD STAMPS - NO NOTICE      AC

COMMENTS: 04/03 RECD AFD CONTENDING RECD W/O NOTICE.
          05/03 RECD POKK RAC'D REQUESTING AC. NO NOTICE MATCH FOUND. 01/09/05
          05/03 RECD TO:

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The name and address of the appellant's representative

Effective Immediately

References:

- NYCRR 358-3.9
- OAH 98-17
- OAH 05-03