



Washoe Tribe of Nevada & California

Native TANF Program

ADMINISTRATIVE OFFICE
1246 WATERLOO LANE
GARDNERVILLE, NV 89410

APPEALS AND HEARINGS

Right to Appeal

All participants and applicants have the right to appeal decisions made by the Washoe Native TANF Program (WNTP) that affect an eligibility determination or calculation of a cash assistance payment.

Appeal of Notice of Action

WNTP provides a Notice of Action (NOA) for all decisions to deny, reduce, suspend, sanction, or terminate assistance.

The NOA is mailed to the participant's address on file, at least 10 business days prior to the effective date of the action. The NOA identifies the reason for the action, the effective date of the action, and provides a description of the appeals process.

Enforcement Pending Review of an Appeal

Filing of an appeal will temporarily suspend an adverse action to a cash aid grant. As a result, the suspension may create an overpayment. An adjustment will be made to collect this overpayment if the final decision is against the appellant.

WNTP Administrative Appeal Process

Level 1: Submission of Written Appeal

All appeals must be submitted in writing to the WNTP headquarters office within 10 business days of the postmark date of the NOA. Submit to:

WNTP Appeals
Attn: Program Compliance Officer
1246 Waterloo Lane
Gardnerville, NV 89410

Appeal Content

Appeals must include the following information:

- Decision being appealed;
- Name of the WNTP staff member who issued the NOA;
- Reasons for the participant's disagreement with the action;
- Participant's current mailing address and telephone number; and
- Appeal must be signed and dated by the participant.

Level 1: Appeal Review

Reviews of appeals are conducted by the Program Compliance Officer (PCO), or designee. All relevant documentary evidence is reviewed. WNTP staff members who made the decision are consulted to describe the reason(s) for the decision. The appellant may be requested to provide additional information.

Level 1: Decision

Within 10 business days of receipt of the appeal, the PCO or designee renders a written decision which must include:

- The name of the appellant, the NOA appealed, the factual basis for the NOA, and the basis for the appeal;
- A description of the decision;
- Specification of the WNTP policies, procedures, and/or regulations relied upon in making the decision; and
- Identification of the evidence relied on and the reason for the decision.

The decision is mailed to the participant with notification that they have the right to request a review of the Level 1 decision by the WNTP Executive Director (ED).

Level 2: Submission of Written Appeal

A participant who is not satisfied with the Level 1 decision is entitled to request a review by the ED or designee. An appeal of the Level 1 decision must be in writing and postmarked within 10 business days from the postmarked date of Level 1 decision. Submit to:

**WNTP Appeals
Attn: Executive Director
1246 Waterloo Lane
Gardnerville, NV 89410**

The participant must include reasons for the disagreement with the decision. Written requests need to be confined to the existing record, and must state whether the participant is seeking a hearing.

Level 2: Appeal Review

Reviews of Level 2 appeals are conducted by the ED, or designee. All relevant documentary evidence is reviewed. WNTP staff members who made the original decision or the Level 1 decision may be consulted to describe the reason(s) for the decision. The ED or designee may contact the appellant for additional information. The ED may, at ED discretion, hear oral arguments and receive additional written statements. In the event the ED hears oral arguments, the length of oral arguments is set prior to the hearing and an electronic recording of the administrative hearing may be made.

Level 2: Appeal Decision

The Level 2 appeal decision is mailed to the participant within 20 business days of the receipt of the appeal or within 10 business days of the hearing, whichever is later.

Level 3: Appeal to TANF Appeals Board

Only NOAs resulting in the termination of benefits or removal of an individual from the Assistance Unit (AU) can be appealed to the third level.

Level 3: Written Appeal

Petitions for a Level 3 review must be in writing and postmarked within 10 business days from the postmarked date of the Level 2 decision and submitted to:

**WNTP Appeals
Attn: Appeals Hearing Officer
1246 Waterloo Lane
Gardnerville, NV 89410**

Level 3 appeals must include reasons for disagreement of the action, current mailing address, and contact telephone number.

Level 3: Appeal Review

Reviews are conducted by the Appeals Hearing Officer (AHO) and are confined to the existing record. The entire record (including applicable electronic recordings) are reviewed by the AHO. At his/her discretion, the AHO may request additional written documents or oral arguments. Rules guiding the submission of written documents and oral arguments are established by the AHO. In the event the AHO hears oral arguments, an electronic recording of the administrative hearing will be made.

Level 3: Appeal Decision – Final

The AHO makes a decision and notifies the individual within 45 business days of receipt of the Level 3 appeal or within 10 business days of any Level 3 hearing, whichever is later. The AHO's decision is final.