

Save Our Home AZ Program

Appeal and Protest Process Policies

This document discusses the policies and procedures that govern how the Save Our Home AZ Program will accept and respond to appeals or protests regarding program participation decisions.¹ The Save Our Home AZ Program is a program of the Arizona Home Foreclosure Prevention Funding Corporation (AHFPFC), a nonprofit organization. Grievances regarding the Save Our Home AZ will only be accepted through this process for program decisions of the AHFPFC. Decisions that were made by or communicated by the Applicant's Loan Servicer are not appealable through this process. Dissatisfaction regarding Loan Servicer actions must be directed to the Applicant's Loan Servicing Agent (the party to whom the Applicant makes Mortgage payments).

Who may Appeal?

Only an Applicant to the Save Our Home AZ program may file an appeal. An "Applicant" is considered someone who has completed the on-line program application found at www.azhousing.gov and who has been found ineligible or wishes to appeal the terms of an offer of assistance. Appeals will only be accepted once a program determination notification has been sent to the Applicant via email, and will only be accepted for the following:

1. A determination of program ineligibility made by AHFPFC that is believed to have been the result of the misapplication of program guidelines; or
2. An offer of assistance that outlines terms that the Applicant questions as correct within the terms of the program.

While no other aspect of the program is considered appealable, letters from the public addressing program concerns are always welcomed.

¹The Save Our Home AZ Program is funded through an award made available through the U.S. Department of Treasury (Treasury) Hardest Hit Fund. Treasury suggests that it is a best practice to provide an appeal process for Hardest Hit Fund programs, but does not require one, nor will it be a party to any protest or intercede in any individual decisions regarding the program on the local level. The Arizona Home Foreclosure Prevention Funding Corporation (AHFPFC), which is an Arizona nonprofit corporation, is the grantee that was awarded the funding from Treasury. The AHFPFC has in turn contracted with the Arizona Department of Housing (ADOH) to operate the day-to-day delivery of this program. The decisions of AHFPFC are being made on behalf of the nonprofit corporation, and are not considered Appealable Agency Actions as defined in A.R.S. § 41-1092. Many different terms are used to describe the type of action we're addressing here: appeal, grievance, and protest are all commonly used to describe this type of action. In this document we will refer to the initial appeal to the Save Our Home AZ Appeal Committee as an "Appeal", with the final appeal, which may ultimately be directed to the Arizona Home Foreclosure Prevention Funding Corporation (AHFPFC) Board of Directors as a "Protest".

How to file an Appeal

An Applicant may file an appeal with the Save Our Home AZ Appeal Committee by filling out the Save Our Home AZ Appeal Form that is available through the ADOH website at: www.azhousing.gov and is an attachment to this notice. The Appeal Form must be submitted to the Appeal Committee within 30 days of the date that determination notification was emailed to the Applicant (or postmarked no later than this date) or it will be rejected for review. The Appeal Form must be submitted to:

Attention: Save Our Home AZ Appeal Committee
Arizona Department of Housing
1110 W. Washington, Suite 280
Phoenix, AZ 85007

Upon receipt, the Appeal will be reviewed by the Committee. The Committee will compare the complaint against the original Application and supporting documentation and will issue a formal, written determination regarding the appeal. The written determination will be communicated to the Applicant in the form of a letter to be sent via the U.S. Postal Service, and will contain information on how to file a Protest of the Committee's determination.

It may be helpful in filing the Appeal for the Applicant to provide further documentation that they believe supports a claim of misunderstood information. The Committee may *only* overturn the program's decision if it is determined that the decision was made in error (e.g., numbers were calculated incorrectly, all information was not reviewed accurately, etc.) The Committee must apply all program requirements to their determination and does not have the authority to provide waivers regarding program parameters that are contrary to its contractual obligations under its agreement with the U.S. Department of the Treasury.

How to file a Protest

If the Applicant is not satisfied with the decision of the Committee, they may file a Protest that will be reviewed by the AHFPFC Chairman and potentially by the organization's Board of Directors. A Protest will not be considered until an Appeal has been filed and considered, as described above. The Protest must be in the form of a letter addressed to the Chairman of the Board and must provide information that simply and clearly details the factual and legal reasons why the Applicant believes the determination of the Committee is in error or why a waiver should be considered. The letter must be submitted to the AHFPFC within 15 days of the date of the Committee's notification letter (or postmarked no later than this date) or it will be rejected for review.

The Letter must be submitted to:

AHFPFC Chairman
c/o Assistant Deputy Director/Operations
Arizona Department of Housing
1110 W. Washington, Suite 310
Phoenix, AZ 85007

The Chairman will review the matter, and:

1. If it appears that the decision rendered by the Committee was correctly made and the applicant is ineligible based on the organization's agreement with the U.S. Department of the Treasury, the Chairman will provide a letter outlining this determination to the Protestor;
2. If, due to unusual circumstances not clearly delineated in any program policies, it appears that the matter falls within the organization's ability to provide a waiver at its discretion, then the matter will be scheduled to be reviewed by the AHFPFC Board of Directors at their next regularly scheduled meeting. The Board of Directors generally meets on a monthly basis on the second Tuesday of the month or as scheduled. An Applicant who indicates in their Protest letter that they wish to discuss their appeal with the Board, if scheduled for review, will be provided with an opportunity to do so via teleconference and will be notified of the date and time of the meeting and will be asked to provide a telephone number where they can be reached. An Applicant who fails to participate as scheduled, will not be provided with a second chance to discuss their appeal with the Board. In making their final determination about the disposition of the Protest, the Board will consider the parameters of the program as authorized under contract with the U.S. Department of the Treasury. The Board may only overturn such decisions which it believes were made in error or involving very minor policy issues which do not conflict with any of the terms of its agreement with the U.S. Department of the Treasury.

The determination of the Board of Directors will be final.

Save Our Home AZ Program

Appeal Form

Name of Applicant/Head of Household:

Street Address:

City/State/Zip

Daytime Telephone:

Email:

Servicer:

Reason for Appeal (you must circle at least one)

- 1. Misapplication of Program Guidelines**
- 2. Additional Information**

(Please explain as simply as possible why you believe an appeal is warranted regarding the program assistance that was denied you. In addition to your written explanation and supporting documentation, please enclose a copy of the assistance denial letter that you received from the Arizona Department of Housing which specifically outlines why your application was declined. If your written explanation requires more space than is available on this form, you may attach additional pages.):

Signature of Applicant:

Date:

Please refer to the *Save Our Home AZ Appeal and Protest Policies* for deadlines and appeal requirements. This form should be mailed (facsimiles and electronic copies will not be accepted) to: Save Our Home AZ Appeal Committee, Arizona Department of Housing, 1110 W. Washington, Suite 310, Phoenix, AZ 85007.