

**DHCD**  
**ADJUDICATORY HEARING**  
**DECISION INDEX**  
**VOLUME II**

Includes all decisions made between May 13, 1997 and November 6, 1997.  
Requests for copies of cases should be made by case number.  
All identifying information will be deleted from copies provided.

From 05/13/1997 To 11/06/1997

Dates	Case #	Type	Outcome	Summary
05/13/1997	585	Unqualified	Upheld LHA	Applicant had 14 convictions over 21 years. 8 were motor vehicle. 1 drug possession. 5 other convictions, all within the past 4 years, were for Disorderly, Receiving Stolen Property, Threats, and Harrassing Telephone calls.
05/19/1997	644		Dismissed	Applicant withdrew request for review.
05/23/1997	639	Unqualified	Upheld LHA	Applicant left two previous tenancies under agreements in eviction cases. Most recent was in private housing for nonpayment of rent. Prior to that was eviction for cause from same LHA.
06/09/1997	508	Unqualified	Remanded to LHA	Case remanded to LHA for further proceedings with regard to the issue of whether Applicant's misrepresentations were intentional
06/24/1997	647		Dismissed	Applicant failed to appear at DHCD hearing.
06/25/1997	646	Unqualified	Remanded to LHA	LHA disqualified applicant for poor credit reference. Applicant also failed to list two prior tenancies on her application.
06/25/1997	655	Unqualified	Remanded to LHA	Applicant had 3 pending drug charges, no landlord reference for next to last tenancy where she was evicted for nonpayment, poor credit reference, and current landlord said man was living with her who wasn't listed on application. Docket sheet provided at DHCD hearing showed criminal charges dismissed, but applicant had admitted sufficient facts.
07/10/1997	495		Dismissed	Applicant failed to appear at DHCD hearing.

From 05/13/1997 To 11/06/1997

Dates	Case #	Type	Outcome	Summary
07/14/1997	645		Dismissed	LHA reversed its decision and placed Applicant on waiting list.
07/15/1997	668		Dismissed	Settled.
07/29/1997	649	Withdrawn	Remanded to LHA	Applicant dropped to bottom of waiting list for refusal of unit offer.
07/31/1997	504	Unqualified	Dismissed	Applicant has been housed by LHA under another program.
07/31/1997	654	Unqualified	Remanded to LHA	Applicant failed to supply landlord references on LHA forms.
07/31/1997	557	Priority	Remanded to LHA	Applicant did not receive notice of private conference. Remanded to LHA for private conference and new decision.
08/04/1997	552	Unqualified	Remanded to LHA	Applicant had 5 criminal charges in 1985, all motor vehicle offenses, and none resulting in convictions. LHA had also found that Applicant did not meet the definition of handicap, because he did not certify the duration of the impairment or that it would remain stable or improve if provided suitable housing. Evidence indicated that mental illness was at least for 12 years. Regulation had changed, no longer required improvement or stability of impairment.
08/04/1997	544	Withdrawn	Remanded to LHA	Applicant did not receive notice of private conference. LHA should conduct a private conference and render new decision.
08/07/1997	661		Dismissed	Case moot. LHA reversed decision.

From 05/13/1997 To 11/06/1997

<b>Dates</b>	<b>Case #</b>	<b>Type</b>	<b>Outcome</b>	<b>Summary</b>
08/20/1997	546	Withdrawn	Upheld LHA	Applicant didn't receive notice of private conference, but she had moved several times and didn't inform LHA of her address.
08/20/1997	615	Unqualified	Upheld LHA	Applicant had 17 year history of criminal activity, most recent offenses took place after application date. She also misrepresented her criminal history on her application. Criminal activity included prostitution, disorderly person, threats to commit a crime and common nightwalker.
08/21/1997	662	Unqualified	Upheld LHA	Applicant lived in LHA unit 18 months before. Left owing rent which she didn't pay until she reapplied.
08/25/1997	685		Dismissed	Applicant requested that his appeal be withdrawn.
09/08/1997	641	Unqualified	Upheld LHA	Bad landlord reference. Applicant served with notice to quit for cause by former landlord. They then called Board of Health and stopped paying rent. In court, they agreed to vacate, dismiss counterclaims and pay rent in installments. Case upheld based on nonpayment as grounds for disqualification.
09/11/1997	561	Unqualified	Upheld LHA	Applicant had criminal record of Assault & Battery with a Dangerous Weapon, Drugs, and OUI between 1986 and 1995.

From 05/13/1997 To 11/06/1997

Dates	Case #	Type	Outcome	Summary
09/24/1997	675	Withdrawn	Overtured LHA	Application dropped to bottom of waiting list for failure to accept unit offer. Applicant had notified the LHA that she was going to be out of the U.S. The LHA sent her a unit offer while she was gone. The offer letter was defective and therefore invalid. LHA also failed to follow its own policy regarding extensions, and misled the Applicant when she called on the telephone.
09/26/1997	553	Unqualified	Upheld LHA	Applicant's boyfriend had been selling heroin from her apartment. She continued to associate with the boyfriend and there were complaints of loud and disruptive behavior in the Applicant's apartment.
09/26/1997	676		Dismissed	Applicant failed to appear at hearing.
09/30/1997	681	Withdrawn	Upheld LHA	Applicant failed to provide documentation of disposition of pending criminal charges or to request an extension of time.
09/30/1997	671	Withdrawn	Remanded to LHA	Applicant's landlords did not return references. Applicant failed to provide alternative references.
09/30/1997	618	Ineligible	Dismissed	Applicant withdrew request for review.
10/02/1997	541	Unqualified	Upheld LHA	Applicant had 30 year criminal history including armed robbery, assault & battery, carrying a dangerous weapon, but no convictions for the past 10 years.
10/09/1997	538	Withdrawn	Overtured LHA	Applicant refused unit offer. Applicant had not been notified that refusal of a unit without good cause would result in losing his place on the waiting list.

From 05/13/1997 To 11/06/1997

Dates	Case #	Type	Outcome	Summary
10/14/1997	565	Unqualified	Upheld LHA	Applicant owed the LHA for constable fees and court costs, moving, storage, and unpaid rent due to his eviction for cause in 1994.
10/21/1997	684	Withdrawn	Upheld LHA	Applicant had been staying with friends on a rotating basis for 13 months at the time of the hearing. The LHA requested the identity of the property owners, and "neighbor" references verifying her occupancy. The Applicant refused to provide the information.
10/28/1997	688	Ineligible	Dismissed	Applicant failed to appear for hearing.
10/29/1997	674		Dismissed	Applicant withdrew request for review.
10/30/1997	653		Dismissed	Applicant failed to appear at hearing.
11/04/1997	635	Unqualified	Upheld LHA	Applicant had bad landlord references for her two most recent tenancies. References included nonpayment of rent, unauthorized occupants, pets, damage and disturbances.
11/05/1997	660		Dismissed	Applicant withdrew request for appeal.
11/05/1997	680	Unqualified	Overtured LHA	Applicant found unqualified based on CORI. He requested Private Conference, and LHA Hearing Officer overturned decision. LHA disqualified Applicant a second time on the same basis. Applicant requested private conference, and LHA hearing officer upheld decision. Applicant appealed to DHCD. There being no error in the first decision, and no LHA procedure for overturning a hearing officer's decision, the first private conference decision must stand.

