

# Denver Emergency Rental Assistance Program (ERAP) Appeal Policy

## OVERVIEW

The Denver Emergency Rental Assistance Program (ERAP) provides applicants with an opportunity to contest any determinations or denials based on program policy or calculations. However, an applicant may not challenge the use of federal statutory requirements. You are eligible to appeal only after you have received an official determination or denial.

<i>When to Appeal</i>	<p>You can file an appeal petition if you think you have:</p> <ul style="list-style-type: none"> <li>• An error with program eligibility determinations.</li> <li>• An error with your program award/assistance calculation.</li> <li>• An initial appeal determination subsequent determination. Up to two appeals are allowed.</li> <li>• An appeal should not be submitted to request a change to the ERAP guidelines.</li> </ul>
<i>What is Required to Appeal</i>	<ul style="list-style-type: none"> <li>• Provide individual facts and/or circumstances to justify their petition; and</li> <li>• Provide any other supporting documents to justify their petition.</li> </ul>
<i>How Long Do I Have to Appeal</i>	<ul style="list-style-type: none"> <li>• An applicant must submit an appeal by email or physical mail directly to the program within <b>twenty-one (21) calendar days</b> of the determination.</li> <li>• If an Applicant fails to file an appeal within the time allotted, said inaction will be deemed as an acceptance of the program determination.</li> </ul>
<i>How to File an Appeal</i>	<ul style="list-style-type: none"> <li>• To submit an appeal, complete the form on the following page and send it electronically to <a href="mailto:DenverERAP@Denvergov.org">DenverERAP@Denvergov.org</a> with “ERAP Appeal_{LastName}” in the subject line. If you do not have access to email, there is a mailing address at the end of this form to send the appeal letter.</li> <li>• Appeals submitted by mail must be dated/postmarked within the <b>twenty-one (21) calendar days</b> of the determination.</li> </ul>
<i>What Happens After My Appeal is Submitted</i>	<ul style="list-style-type: none"> <li>• The Program will review and address the Program-based Appeal within <b>fourteen (14) calendar days</b> of its receipt. Applicants will be notified of the Program’s determination, including a brief statement of the reasons for the final decision.</li> <li>• The program has the discretion to accept or reject new documentation based upon its relevance to the circumstances of the appeal. Appeals may be denied or approved in whole or in part after a thorough review of the circumstances, the information already included in an Applicant’s file, and relevant new documentation submitted.</li> <li>• Applicants who have been denied assistance may <i>not</i> submit new applications at any time.</li> </ul>

# Denver Emergency Rental Assistance Program (ERAP) Appeal Form

Date
Case #
Full Name
Property Address Line 1
Property Address Line 2
Current Mailing Address <i>(N/A if same as above)</i>
Current Mailing Address <i>(N/A if same as above)</i>
Applicant Submitting the Appeal <input type="checkbox"/> Tenant <input type="checkbox"/> Landlord

Select any of the following options for which you are requesting appeal:

- Eligibility Determination
- Award/Payment Amount of Rent
- Appeal Denial Determination
- Other: \_\_\_\_\_

Provide an explanation of the basis for the appeal:

### **FIRST APPEAL**

Please include any supporting documentation to justify the petition for the appeal with submission of this form.

### **SECOND APPEAL**

After an original appeal determination has been filed and results have been shared with you as the applicant, you may submit a second appeal to the first appeal denial determination, sending it to the following address or email. Please include the appeal denial determination letter you received and any additional supporting documentation. Second appeals will only be considered if new information is provided.

**Please submit appeals via email electronically to:**

[DenverERAP@Denvergov.org](mailto:DenverERAP@Denvergov.org)

Subject Line - “ERAP Appeal\_{LastName}”

**If needed, Written appeals can be mailed to:**

**Dept of Housing Stability-ERAP**

201 W. Colfax Ave

6<sup>th</sup> Floor, HOST

Denver, CO 80202

### **APPEAL REVIEW**

- Your appeal information will be reviewed by a staff person of the Denver Department of Housing Stability who was not involved in the original application decision.
- This staff person will consult with the original Application Reviewer as needed.
- If the Application Reviewer and the staff person agree with the appeal, the application will be processed.
- If the staff person determines that the appeal should be denied, the case will be presented to the Appeals Committee, made up of at least two Department of Housing Stability staff who are part of the ERAP management team. The Appeals Committee will make the final decision.