

MAY 19 2010

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5-25-10

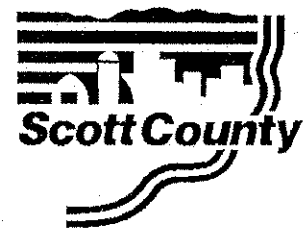
05-19-2010

This is to request an appeal
of the Scott county directors decision
on my prior appeal. I strongly feel
that my case should be further reviewed
by a higher office that I may be
subject to relief. For the following months
Kent. Jan, Feb, Mar,
April, May 2010

Humbly Submitted
Mr. Lance B. Vaughn
Lance B. Vaughn
(309) 292-0382

Community Services Department

600 W. 4th St.
Davenport, Iowa 52801



(563) 326-8723 Fax (563) 326-8730

May 6, 2010

Lance Vaughn
816 W. 2nd St. Apt #3
Davenport, IA 52801

**DEPARTMENT OF COMMUNITY SERVICES
GENERAL RELIEF DIRECTOR'S APPEAL
FINDING OF FACT**

RE: Lance Vaughn

The Director of the Scott County Community Services Department held hearing on 5/5/10 to consider an appeal by the above-mentioned client on the decision of a department Case Aide. The specific issue which is the subject of the hearing is:

Denial of Rental Assistance

Lance Vaughn appealed the decision of the Case Aide relating to denial of rental assistance from the General Assistance Program. Mr. Vaughn's rent has been paid by the county since 7/16/09.

There was an appeal hearing held on 4/6/10 at Mr. Vaughn's request as he felt he had completed "some of the requirements" and felt his February rent should have been paid. The following information addresses why the February rent was not paid:

Mr. Vaughn was a no-show for the Work Readiness Program on 3/1/10, 3/8/10 and 3/9/10. He came into the office on 3/10/10 with the landlord wanting to discuss his rent for the month of February as he was scheduled to work in the Work Readiness program from 2/25/10 to 3/18/10. The Case Aide explained that he had not worked all of his units as scheduled nor a job sheet. Mr. Vaughn claimed to be ill, although no doctor reports were brought in for the Case Aide. Mr. Vaughn stated he had doctor slips but never brought them in. He did bring in a doctor slip stating he could not work 3/8/10 and 3/9/10, but also turned in a pay stub from Labor Ready showing that he actually worked on 3/8/10 for Labor Ready.

Mr. Vaughn was then scheduled in the Work Readiness Program at United Neighbors from 3/11/10 to 3/16/10. His next appointment with the Case Aide was 3/17/10. Mr. Vaughn did not show up for his appointment on 3/17/10, nor did he work any units as scheduled or call the Case Aide.

Mr. Vaughn came into the office on 3/22/10 requesting an appeal form as he wanted to appeal the denial of rent for the month of February. When questioned why he didn't work, he stated he thought the landlord was going to evict him. The Case Aide then scheduled Mr. Vaughn in the

Work Readiness Program to work 3/24/10-3/29/10 for his March rent. On 3/25/10 Mr. Vaughn came into the office to drop off a Labor Ready pay stub. When questioned about the Work Readiness Program, he stated he hasn't been working his units at United Neighbors as he has been working at Labor Ready. He was told he needed to complete the work units in order for the county to pay his March rent. The program guidelines were explained again to Mr. Vaughn.

During the appeal hearing on 4/6/10, Mr. Vaughn was told that he had not worked the units required, he failed to communicate in a timely manner with the Case Aide and he failed to bring in documentation of doctor appointments and restrictions. Mr. Vaughn stated he would bring in the medical paperwork to the Director within 7 days. Mr. Vaughn was told he would be given one more opportunity in our program, but if he failed to work his units as scheduled, failed to communicate with Case Aide, or failed to follow through with appointments, he would be kicked off the program and we would no longer pay any rent on his behalf. He was also told to bring in the doctor paperwork so the Director could review it and his case. He said he would but never did.

After the appeal hearing on 4/6/10, the Case Aide scheduled Mr. Vaughn one more time with the Work Readiness Program. He was told he had to complete the work units and that if he worked somewhere else, such as Labor Ready, he would be expected to turn that money over to his landlord so it can be applied to his rent.

Mr. Vaughn was scheduled to work in the Work Readiness Program from 4/12/10 to 4/21/10. He worked 4/12/10, 4/13/10, and 4/14/10. He reported for work late on 4/15/10 and was sent home. On 4/16/10 Mr. Vaughn brought in a doctor's slip stating he could not work on 4/16/10 and could not return to work until 4/19/10. On 4/19/10, Mr. Vaughn was complaining of pain and didn't want to work. He came to the office and spoke to the supervisor, Wade Stierwalt. The supervisor made a doctor appointment for him for 4/20/10 as he stated he wanted to go to the doctor. He was told to bring in the doctor's report after his appointment. He never came in on 4/20/10. On 4/21/10 Mr. Vaughn was a no show, no call for work and for his appointment with his Case Aide. Mr. Vaughn completed 4 units of the 8 scheduled. His landlord was notified. On 4/22/10 Mr. Vaughn came into the office asking to see the supervisor. Mr. Vaughn stated he was sick when questioned why he didn't show up for work or his appointment yesterday. He stated he didn't have a telephone to call in either. Mr. Vaughn was questioned about the doctor appointment scheduled for 4/20/10 and he stated he didn't go. Mr. Vaughn was told he was being kicked off the program due to repeated no call-no shows, failure to follow through and failure to provide documentation. Later that day Mr. Vaughn dropped off the doctor report dated 4/20/10. The report indicated he saw the doctor on 4/22/10.

Mr. Vaughn requested another appeal hearing stating he had "a back injury and doctors notes stating he was in no condition to work". The hearing was held on 5/5/10. During the hearing the Director pointed out that Mr. Vaughn repeatedly failed to work when scheduled, failed to follow directions and failed to bring in documentation from his doctor when asked. The Work Readiness program guidelines had been reviewed with him and he signed off on the form acknowledging he understood the rules and expectations. The Director verified with Mr. Vaughn that it was his signature on the rules form and that he had read the form. The Director told Mr. Vaughn he was off the program as he could not follow the rules and work the units as scheduled.

It is the decision of the Director to uphold the decision of the Case Aide regarding denial of rental assistance for several reasons: repeated failure to work units required in the Work Readiness Program, failure to follow directions, failure to communicate with the Case Aide, and failure to bring in documentation his doctor. Mr. Vaughn is suspended from the General Assistance program for ninety (90) days.

The Director finds that the decision of the caseworker is upheld. This decision relates to current circumstances and does not necessarily prevent you from reapplying and/or receiving assistance in the future. This decision may be appealed to the Scott County Board of Supervisors by written request within 20 days of the Director's decision.

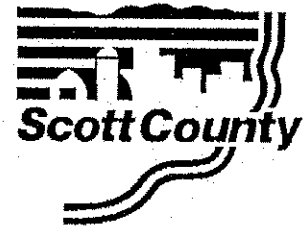


Lori A. Elam, Director

5/16/10

Date

Community Services Department
600 W 4th Street
Davenport, Iowa 52801



(563) 326-8723 Fax (563) 326-8730

MAR 23 PAID

NOTICE OF APPEAL

TO DIRECTOR OF COMMUNITY SERVICES:

My complaint is that My rent is not being paid for the month of (Feb⁰²) and I am quite sure I completed some obligations in order to have rent paid.

Date: March 22, 2010

Signature: J. B. [Handwritten Signature] # 499-2962

Address: 816 W. 2nd St Apt (3) Davenport IA 52802

Community Services Department
600 W 4th Street
Davenport, Iowa 52801

APR 28 2010



(563) 326-8723 Fax (563) 326-8730

NOTICE OF APPEAL

TO DIRECTOR OF COMMUNITY SERVICES:

My complaint is that.

I was removed from the program
Because I had a Back injury, Doctors notes
stating I was in no condition to work, none the
less walk. I had no help moving and I had
no access to a phone, I can prove this...

Date: April 28, 2010

Signature: [Signature] (499-2962)

Address: 816 W 2nd St. Apt 3 Davenport IA 52802

SECTION II. INELIGIBILITY

General Assistance shall be denied or discontinued under the following circumstances:

- A. Client is not eligible if resources and/or income are available to client to meet needs at the General Assistance standard.
- B. Client refuses to rely on such resources and/or income.
- C. Applicant chooses to discontinue or withdraw application.
- D. There is a transfer of property or other assets within one (1) year with the intent to qualify for General Assistance or a refusal to complete and sign a Deed of Trust on client-owned property.
- E. Client refuses to cooperate in providing required information or refuses to meet program requirements as outlined in these policies.
- F. Client refuses to participate in, is uncooperative with, or is discharged from the Work Readiness Program. Clients are expected to follow all rules under the Work Readiness Program.
- G. Client fails to adhere to an established employability plan.
- H. Client knowingly provides false information on an application for General Assistance, or provides false information to the Case Aide during the determination of the applicant's eligibility for assistance. The client will also be ineligible if they knowingly provide false information on Work Readiness job sheets, doctor reports or GED forms.
- I. The Director determines that a client has made no effort to repay previous grants when an applicant has the ability or means to do so. General Assistance will not be denied solely due to failure to repay a previous grant.
- J. Client or client household, through action or inaction, has created an ineligibility for assistance or a reduced level of assistance from any federal/state financial assistance programs, which would, absent the client's action or inaction, provide financial assistance at or in excess of general assistance guidelines. Such action or inaction shall include receipt of the maximum allowable TANF benefits (60 months). Clients would also be ineligible for assistance if under a sanction due to fraudulent practices or felony charges with the Social Security Administration.
- K. The assistance requested is under the purview of another entity for funding and determination of need.
- L. Client lives in a residential setting as a part of participation in an organized program.
- M. Client has voluntarily become unavailable for full time employment. Example: Students are not eligible for general assistance.
- N. Client has created the need for assistance by use of income/resources for non-basic needs.
- O. Client has voluntarily left a subsidized living arrangement which would have provided the basic assistance need requested.

SECTION VII. APPEALS

A. Right to a Hearing.

1. Applicants/recipients are entitled to a hearing on the following:
 - a. Denial of assistance.
 - b. Failure to determine applicant's eligibility, and if found eligible, grant assistance within five (5) working days of application, provided the client has met eligibility requirements, including participation in the Work Readiness Program.
 - c. Amount of assistance granted.
 - d. Discontinuance of assistance in whole or part.

B. Informing of Decision and a Right to Appeal.

1. Applicants/recipients shall be informed orally and in writing at the time of any decision relating to their application or level of assistance of:
 - a. The decision made, including a written notice of the basis of the decision.
 - b. Their right to an appeal and that a clear written communication to the department requesting a review of a decision shall constitute an appeal.
 - c. That they may be represented by themselves or a representative of their choice.
 - d. The availability of community legal services to assist them.

C. Appeal Request.

1. Any clear written communication to the department by or on behalf of an applicant/recipient requesting a review of a decision shall constitute a request for an appeal hearing if made within fifteen (15) days of the decision (date of notice of decision) for which the review is requested. The written communication shall specify the applicant's position as to why the Case Aide's decision merits review.
2. The request for an appeal hearing cannot be denied except where the applicant/recipient has abandoned or withdrawn the request in writing.
 - a. A request shall be considered withdrawn only upon receipt of a written statement before or on the day of the appeal hearing.
 - b. A request may be considered abandoned if neither the appellant or representative appears at the agreed time and place for the appeal hearing.
 - c. If appellants inform the Case Aide that they are satisfied and no longer wish to pursue their request for an appeal hearing, they will be advised that a written withdrawal of the request must be made.
3. Requests for an appeal must be given to the client's Case Aide. If the Case Aide is unavailable, the request for an appeal shall be given to the Case Aide's Supervisor.

D. Director's Review.

1. Appeals will be heard as soon as possible and always within five (5) working days unless a greater amount of time is required by the client. At that review, the Case Aide's decision will be reviewed with the client.
2. The decision of the Director shall be made in writing. It shall be made as promptly as possible and within five (5) working days of the hearing date.
3. If the Case Aide's decision is upheld, the appellant has an option of continuing the appeal process by requesting an appeal to the Board of Supervisors within twenty (20) days of the Director's decision (date of written decision).

E. Any clear written communication to the Department of Community Services by or on behalf of an applicant/recipient requesting a review of the Director's decision shall constitute a request for an appeal hearing to the Board of Supervisors, if made within twenty (20) days of the decision of the Director for which the review is requested. The written communication shall specify the applicant's position as to why the Director's decision merits review.

F. Board of Supervisors Hearing

Appeals to the Board will be heard within fifteen calendar days of the request for appeal to the Board.

1. Written notice of the hearing shall be given to the appellant at the time the appeal is given to the Community Services Department. The notice shall inform the appellant:
 - a. Of the date and place of the hearing and the appellant's right to change them if necessary.
 - b. Of the specific issues which are the subject of the hearing.
 - c. Of the manner in which the hearing should be conducted, including means by which adjournment may be requested and granted, and the right to present evidence and witnesses and to cross-examine adverse witnesses.
 - d. The right of the parties to be represented by legal counsel or another person of their choice and the right to bring pertinent information with them.
 2. Appeals shall be heard by the Board of Supervisors at the regular Committee of the Whole sessions which occur every other Tuesday. Appeals received by the department before 5 p.m. of the Wednesday immediately preceding the Committee of the Whole session shall be heard on the following Tuesday. In those instances where a client requires more time to prepare an appeal, the hearing may be moved to the next Committee of the Whole session if requested by the client.
- G. The Community Services Department shall provide, at the appellant's request, all available pertinent information which the department intends to use at the hearing. This information may be granted to the appellant's representative also if the appellant so requests.

H. Conduct of Hearing-rights of parties:

1. The Board of Supervisors shall preside. An opening statement describing the nature of the proceeding, the issues and the manner in which the hearing will be conducted shall be made by the Board Chair.

2. All parties have a right to be represented by legal counsel or a person of their choice to testify and to bring pertinent information with them.
3. Technical rules of evidence shall not apply, but evidence must be relevant and material.
4. Appellants and their representatives (at appellants' request) shall have the right to examine the case record.
5. The Board's findings shall be based solely upon evidence openly presented at the hearing. The written decision of the Board shall include a statement of the basis and legal or policy authority upon which the decision is based.
6. General Assistance hearings before the Board shall be tape-recorded. In the event of appeal of the Board's decision, the tape or a transcript shall be made available by the County at the request of a participating party. The hearing recording shall be maintained in the General Assistance office for at least two (2) years following the decision.

I. Decision of Board

1. The decision shall be made in writing by the Board. It shall be issued as promptly as possible and within five (5) working days of the hearing date.
2. A copy of the decision shall be mailed to each of the parties involved, including representatives of the Community Services Department.

J. Decision without Board Hearing.

1. Appellants have the option to request that their appeal be decided by the Board without a hearing. In such cases, opportunity shall be afforded each party to submit written evidence and review and comment on evidence submitted by the other party.
2. If at any stage of an appeal, it clearly appears to the Board that the department's action is contrary to law, Board rule or policy, the Board may issue a decision directing specific actions for the benefit of the appellant.
3. When the appellant has emergency needs resulting from a departmental decision, the Board may issue an immediate decision directing action for the benefit of the appellant.