

HEARING OFFICER SAMPLE INTRODUCTORY SCRIPT

It is helpful to introduce yourself and the hearing in a way that everyone knows what to expect. Feel free to use sample language below. You may need to work with PHA management to use a sample script. Review it carefully beforehand to ensure it follows the PHA's procedures. When you use an introductory script such as the one below, become familiar with it so that you're not simply reading it.

- Introduce yourself and everyone present.
- I am the [name and title] of the housing authority. I was not involved in making or approving the housing authority's determination, nor am I a subordinate of the person who made or approved the decision.
or
I am an independent contractor, under contract by the housing authority, to hold these hearings as an impartial decision-maker. [You could state your occupation if that is helpful.] That means I am not an employee of the housing authority, not supervised by anyone here, so my decisions are independent.
- One of my responsibilities is to ensure that both parties have a full and fair hearing. I must ensure that the hearing runs smoothly and without disruptions. The hearing officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the hearing officer and guidelines for conduct.
- Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the hearing officer. In extreme circumstances, I have the authority to end the hearing and make my decision on written evidence and testimony presented up to that time.
- We are here because you filed a timely appeal of a housing authority decision.
- The purpose of the hearing is for me to determine whether the housing authority decision was in accordance with the law, HUD regulations and housing authority policies, and whether the housing authority followed all due process requirements.
- I have the authority to uphold the decision, overturn it or send it back for more information. While these proceedings are informal, meaning this is not a trial, you still have important rights and there are procedures we must follow.
You have:
 - The right to representation-but I see you are here on your own, so I presume you choose to go forward...
 - The right to review the evidence and documents the housing authority uses at the hearing. Were you given the opportunity to review the housing authority documents before this hearing?

- The right to present your own testimony and documents.
- The right to question housing authority witnesses.
- The right to a decision based only on the evidence I hear today, meaning I will not talk to anyone about the case without both parties present, or permission from the absent party.
- The right to a written decision, which means I will not issue an oral decision today, but will issue my written decision within [days in policy] days.

As for procedure:

- I will swear everyone in who is giving testimony, so testimony will be under oath. (If you do not put people under oath, you could say: I expect everyone to tell the truth. I will be evaluating everyone's credibility when I make my decision.)
- I will identify the documents used by the housing authority to reach my decision.

or

Alternative:

I normally identify all the documents in a packet. But because there are so many, I will not take everyone's time to do that. Instead, I will address a few items in the packet in a minute. (Confirm the family member's signature on documents describing family responsibilities and obligations, like the lease.)

- Because the housing authority made the original determination in this case, the housing authority will go first to present its case. [Name person and title of PHA representative] is presenting the case for the housing authority. You will have the opportunity to question each witness after his/her testimony. Please just ask questions at this point if you have them. You will have a full opportunity to tell me what you want me to know when it is your turn to present your case. After you do present your case, the housing authority will be able to ask you questions. I may have questions as well at any time.
- If housing authority procedure is to allow each party to make a closing statement, state this, and say something like, "Your closing statement should be no more than about two minutes."
- My decision must be based on a preponderance of the evidence, that is, the evidence which is more convincing for one position than the evidence offered for the opposite position. (or more likely to prove the facts for one party as opposed to the other party).
- I will also evaluate whether the housing authority notified you of and provided you all your rights.
- Again, I will issue a decision in writing within [state days in PHA policy].

A few ground rules:

- An important ground rule is that no one interrupts anyone.
- Only one party at a time questions another party.

Any questions before we begin?