

Office of Administrative Hearings (OAH)	Transmittal Number: 00-14
Procedures Transmittal	Date: June 12, 2000
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Distribution:	Subject: New Agency
ALB OAH Staff [x]    UPS ALJs/ [ ]    Upstate LDSS [ ]	Office of Domestic
	Violence and Emergency
	Intervention Services
	(NODV)
NYC OAH Staff [x]    NYC ALJs/ [x]    NYC Agencies [x]	
	SUP ALJs [x]    NDHS/NODV Only

Effective immediately, we have been asked to notify the Office of Domestic Violence and Emergency Intervention Services (ODV) concerning any requests for hearings from or on behalf of a client whose placement in a domestic violence shelter is at issue. These requests can be identified as cases where placement in a domestic violence shelter is denied or terminated, or any adequacy issue related to the client's placement in a domestic violence shelter. Staff in the Multiple Task Unit will be responsible for processing these requests once they are identified by Communications Intake Unit staff as domestic violence-related shelter issues.

Based on the information provided by the appellant at the time of request, Communications Intake Unit staff should utilize the coding set forth below to ensure proper notification to the ODV agency. While these cases will be scheduled on the NDHS (Department of Homeless Services) calendar for administrative reasons, it is important that "NODV" be coded in the secondary Agency field, as follows:

Agency: NDHS/NODV  
Category: EA  
Subcategory: None  
Issue Code: Primarily 675 (General Emergency Issue-Not Covered by Code)  
Action: DISC, REDU, INAD, or DENY  
Aid Status: Aid-Continuing or Non-Aid, as appropriate  
Hearing Site: 80 Centre Street (NDHS Calendar)

Proper coding of these cases will ensure notification to the following individual who will coordinate preparation for the hearing and representation from the appropriate domestic violence shelter:

Ms. Cecile Noel, Executive Director  
Office of Domestic Violence  
180 Water Street, 24th Floor  
New York, New York 10038

Telephone: (212) 331-4535  
Fax: (212) 331-4488

These NODV requests will be processed by staff in the Multiple Task Unit within five to seven days of the request. The NDHS calendar will be noted with "(NODV)" next to the name to distinguish them from NDHS homeless shelter issue cases.

Fair hearing requests which concern a denial of a request for a domestic violence waiver to allow for delayed implementation of the Public Assistance employability requirements should continue to be set up against the Income Support Center for scheduling on the NYC HRA Public Assistance calendar; however, NODV should be coded in the secondary agency field, since it is this agency which makes the determination whether or not to grant the waiver. A representative from NODV will appear at the hearing in addition to the representative from the appropriate Income Support Center.

A replacement page has been issued for the Issue Code/Desk Reference Guide which reflects this new coding.

If you have any questions regarding this transmittal, you may contact your supervisor or Sue Fiehl at (518) 473-4779 or via email 90J029@dfa.state.ny.us.

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Mark Lacivita, Director of Administration  
Office of Administrative Hearings