



When you disagree

Nova Scotia Provincial Housing
Agency Appeal Process

If you disagree with a decision

If you disagree with a decision made on your application for public housing, your application to transfer to another public housing unit, the size of your unit, rent calculations, unit or tenant charges, you can request an appeal of that decision.

An appeal is a request by an applicant or tenant to have a decision made by the Nova Scotia Provincial Housing Agency (the “NSPHA”) reviewed.

Decisions that can be appealed

Decisions that can be appealed include:

- Application approval decisions, including decisions related to priority access
- The size of a public housing unit given
- The calculation of rent payments
- Declined requests to transfer to another public housing unit
- Transfer decisions made by the NSPHA
- Decisions made about tenant charges

Decisions that cannot be appealed

Decisions that cannot be appealed include:

- Changes to policy
- Decisions that do not relate directly to you or your household
- Complaints about staff members
- Building and property maintenance
- Cancelled applications due to:
 - Incomplete information at time of application or annual eligibility check
 - No response
 - Requests from applicant
- Matters that fall under the applicable Act
- Matters involving criminal activity
- Situations where a higher court is involved
- Initiation of a lease termination process*

*Appeals related to lease termination can be brought forward to the Residential Tenancies Board. For more information, [click here](#).

URL: <https://beta.novascotia.ca/programs-and-services/residential-tenancies-program>

THE APPEAL PROCESS

There are two steps in the appeal process. The first is a Decision Review made by a District Director who was not involved in making the initial decision. The second is an Appeal Hearing before an Appeals Committee.

Note: A Decision Review must occur before you can continue to an Appeal Hearing. If your issue gets resolved at any point, you can stop the process.

How the process works

Discuss the decision

NSPHA staff contact you in writing with a decision on your case. If you disagree with the decision, or have any questions or concerns, you can contact your district office to learn more about how the decision was made.

1 Ask for a Decision Review
You can request a “Decision Review”

2 Ask for an Appeal Hearing
You can request an “Appeal Hearing”

Timeline: You have 10 business days from the date of the letter explaining the decision to request a Decision Review.

Remember: You have the right to request a review of a decision you disagree with.

Discuss the decision

If you receive a decision in writing that you do not understand or do not agree with, you can use the contact information provided in the decision letter to discuss the decision with district staff. This is a good time to ask district staff any questions you have about the decision.

For example, you can talk to district staff about:

- Why you disagree with the decision
- How and why the decision was made
- If new information you can provide could change the decision
- Any changes to your personal circumstances

WHAT'S NEXT?

If you agree with the decision after talking to district staff, you do not need to do anything else.

If you talk to district staff and still disagree with the decision, you can request a Decision Review.

STEP 1 ASK FOR A DECISION REVIEW

The first step of the appeal process is to request a **Decision Review**.

The District Director will assess your request to review the decision and learn more from staff about how and why the decision was made.

The District Director who reviews the decision made in your case is an NSPHA employee who was not involved in making the original decision.

Getting Started:

You must request a Decision Review in writing within 10 business days after notice of a decision.

The Decision Review period starts on the day the letter that let you know of the decision was written.

To start the process, you must complete the Decision Review Request form available at your district office or on the Agency's website: www.nspha.ca.

Decision Request forms must be mailed, dropped off or emailed to your district office. Contact information for each district office can be found at the end of this brochure.

If you need help completing the Decision Review Request form, or have any questions or concerns, please contact your district office.

WHAT'S NEXT?

Within **10** business days of receiving your Decision Review Request form, the District Director will review your request and any new information you provided. This review will ensure that the correct rules, policies and procedures were followed in your case.

Based on the rules that must be followed, the District Director will assess whether the original decision was right. By the end of **10** business days, they will write to you to tell you if the original decision has been upheld or overturned.

STEP 2

ASK FOR AN APPEAL HEARING

If you disagree with the outcome of the Decision Review, you can ask for an **Appeal Hearing** to be carried out by the Provincial Housing Appeal Committee (the “Committee”). Committee members are NSPHA staff and are trained to avoid any conflict of interest.

Getting Started:

To request an Appeal Hearing, you must resubmit a Decision Review Request form, and check the box “**Step 2: Appeal Committee Hearing**”. This form must be either mailed, emailed, or dropped off at your district office within 10 business days following receipt of your Decision Review decision.

Next, you will receive a letter from the Committee telling you the date and time of your appeal hearing at least 10 business days in advance of the hearing.

Appeal Hearings are held virtually, with a choice to join on the telephone. At the appeal hearing, you may:

- Appoint a 3rd party representative to speak on your behalf
- Bring a support person or persons
- Ask for interpretation, translation, and any accessible devices you may need

If you need help planning your appeal or to attend the appeal hearing at a district office by telephone or virtually, please let staff at your district office know.

What happens at the appeal hearing?

The Committee will listen to your point of view and reasons for the decision provided by NSPHA staff. The Committee will ask questions of clarification and consider any new information. Your hearing will take about 25 minutes in total.

After the Appeal Hearing, the Committee will decide whether the original decision was right based on the rules and the law. You will receive a letter with the Committee’s decision within 5 business days of the hearing date. Decisions made by the Committee are final.



Preparing for the appeal hearing:

The hearing is your chance to explain why you think the original decision is incorrect and should be changed.

To prepare for the appeal hearing, you can:

- Tell staff in advance if you need an interpreter or any assistive devices for the hearing - you also have the right to attend your hearing by phone
- Collect and bring forward any documents or letters that can help explain your side of the story
- Bring a list of points you want to discuss at the hearing
- Ask someone to help you make your case
 - » This could be a representative or lawyer
 - » To make sure you can bring a third party to the Appeal Hearing to stand for you, complete the Consent for Third-Party representation section on your Decision Review Request form

Who is at the hearing?

- You and anyone you bring to help you present your position, such as a friend, family member or lawyer
- One or more people from the NSPHA, such as a manager or a supervisor, who can explain why the original decision was made
- Appeal Committee members

To protect your privacy, the hearing is NOT open to the public and recording devices are not allowed.

WHAT'S NEXT?

The decision of the Committee is final.

If you disagree with the outcome of the Appeal Hearing, you may be able to go to the Supreme Court of Nova Scotia to argue that an error in law was made. It would help to have a lawyer aid you with this.

Where can I get more information?

For more information about the appeal process, contact your district office. You can also check our website at: www.nspha.ca.

Nova Scotia Provincial Housing Agency Offices

CAPE BRETON ISLAND DISTRICT OFFICES

Includes Cape Breton, Richmond, Inverness & Victoria Counties

Sydney Office

18 Dolbin Street,
P.O. Box 1372
Sydney, NS B1P
6K3

Phone: (902) 539-8520
Toll Free: 1-800-565-3135

NORTHERN DISTRICT OFFICES

Includes Antigonish, Guysborough & Pictou Counties, Cumberland & Colchester Counties

New Glasgow Office

7 Campbell's Lane
New Glasgow, NS
B2H 2H9
Phone: (902) 752-1225

Amherst Office

144 Victoria East
P.O. Box 753
Amherst, NS
B4H 1Y1
Phone: (902) 667-8757
Toll Free: 1-800-934-2445

Truro Office

9 Church Street
Truro, NS
B2N 3Z5
Phone: (902) 893-7235
Toll Free: 1-877-846-0440

WESTERN DISTRICT OFFICES

Includes the Counties of Annapolis, Kings, part of Hants, Lunenburg and Region of Queens Municipality, Digby, Yarmouth and Shelburne

Head Office - New Minas

25 Kentucky Court
New Minas, NS
B4N 4N1
Phone: (902) 681-3179
Toll Free: 1-800-441-0447

Middleton Office

101 Magee Drive,
P.O. Box 1000
Middleton, NS
B0S 1P0
Phone: (902) 825-2922
Toll Free: 1-855-825-2230

Bridgewater Office

99 High Street
Bridgewater, NS
B4V 1V8
Phone: (902) 543-8200
Toll Free: 1-888-845-7208

Yarmouth Office

10 Starrs Road, 2nd Floor
Yarmouth, NS
B5A 2T1
Phone: (902) 742-4369
Toll Free: 1-800-306-3331

METRO DISTRICT OFFICE

Includes all of Halifax Regional Municipality / HRM and East Hants

3770 Kempt Road
Suite 3
Halifax, NS
B3K 4X8

24-hour Switchboard: (902) 420-6000
For Applications: (902) 420-6017
Toll Free: 1-800-565-8859