

DEPARTMENT: Human Services/HA

BY: Cheryle Rutherford-Kelly
PHONE: 966-2442

RECOMMENDED ACTION AND JUSTIFICATION:

Ms. Campise has appealed to your Board to overturn a decision rendered by the Human Services Department, Housing Unit. Please be advised that this matter was thoroughly reviewed within the Department through an informal hearing process at the request of Ms. Campise.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Please See Attached Memo.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Please See Attached Memo.

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? (X) Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		Board Memo (1 page) _____
Source:		Internal Review (3 pages) _____
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other		_____

CLERK'S USE ONLY:

Res. No.: 03-330 Ord. No. _____
Vote - Ayes: _____ Noes: _____
Absent: _____
() Approved
 Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

COUNTY ADMINISTRATIVE OFFICER:

_____ Requested Action Recommended
_____ No Opinion
Comments: _____

CAO: _____



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

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MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: CHERYLE RUTHERFORD-KELLY, Human Services Director
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: APPEAL OF HOUSING AUTHORITY CASE #15215;
LINDA CAMPISE, APPELLANT
Res. No. 03-330

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on September 16, 2003

ACTION AND VOTE:

11:04 a.m. Nancy Bell, HSD-Deputy Director, appeared on behalf of Cheryle Rutherford-Kelly, Human Services Director;

Appeal of Housing Authority Case #15215; Linda Campise, Appellant

BOARD ACTION: Nancy Bell presented the staff report, and she advised that since the appellant is an heir to her mother's estate, she can no longer receive tenant benefits and reside on the property as she has an interest in the property. She reviewed the history of this case and the changes in the regulations when the change was made from the certificate to the voucher program. Nancy responded to questions from the Board as to whether the claimant currently has a voucher and options for using the voucher for another property; and relative to clarification of changes in the regulations with the change from the certificate to the voucher program.

Input was provided by the following:

- Linda Campise, appellant, read her letter of September 13, 2003, into the record, and she advised that the deed for the property has not changed. The estate is run as a business, and she noted that she has tried to divide the property.

- Stan Saint stated he manages the property and at this point, his sister, Linda Campise, is not an heir of the estate.

Nancy Bell reviewed the recommendation to deny the appeal. She responded to additional questions from the Board relative to consequences if the decision of Human Services isn't upheld; and she clarified that determination has been made that the tenant has an interest in the estate.

Jeff Green, County Counsel, responded to questions from the Board relative to the status of the estate and ownership of the property; and he stated it is his opinion that there has been a change of ownership for purposes of the housing regulations and the appellant has an interest in the property as she is an heir and she is legally entitled to a distribution of the estate. He stated he does not know why the distribution has not been made for this estate. He also responded to questions from the Board relative to remedies that may be available to the appellant; relative to the appeal process for these matters; and whether the court has jurisdiction to move the estate forward.

Nancy Bell responded to an additional question from the Board as to whether anything was received in writing from HUD concerning the non-compliance.

Jeff Green responded to an additional question from the Board relative to the timeframes for the Board to make a decision on this matter; further clarification of whether the appellant would be able to rent the property if she did not have an interest in the property; and relative to the establishment of the estate.

(M)Bibby, (S)Stetson, Res. 03-330 was adopted upholding the determination of the Human Services Department for Housing Authority Case #15215/Ayes: Stetson, Balmain, Bibby, Pickard; Noes: Parker.

cc: Jeff Green, County Counsel
File