

*South Carolina
Office of Economic Opportunity*

**STATEWIDE APPEAL AND
FAIR HEARING PROCEDURES**

Section 2605(b) (13) of the LIHEAP statute (42 U.S.C. § 8624(b) (13)) requires that each applicant be given an opportunity to have a fair administrative hearing if he/she is denied assistance or if his/her application is not acted upon with reasonable promptness.

LEVELS OF APPEAL

- Applicants should first file a written appeal with the Community Action Agency in which he/she applied for service(s), requesting a formal hearing within 30 calendar days of the agency's Notice of Denial of Assistance/Services.
- If the appeal is denied at the Community Action Agency, the applicant may file a written appeal to the Office of Economic Opportunity (OEO) within 20 calendar days of the agency's notification of their hearing decision. The written appeal shall be submitted to:

Attention: Legal Counsel
The South Carolina Department of Administration
Office of Economic Opportunity
1205 Pendleton Street, Suite 366
Columbia, SC 29201

- If the appeal is further denied by OEO, the applicant may file a written appeal within 20 calendar days of the applicant's receipt of OEO's written hearing decision. The Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within 30 days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act.

Funds in question must be obligated (set aside) until a final decision is reached. If the applicant is successful, the funds or services will be provided to the applicant. If the applicant is unsuccessful, funds are to be made available to eligible participants.