



## Missouri Balance of State Continuum of Care Appeal Policy

Missouri Balance of State Continuum of Care (MO BoS CoC) strives to create a fair and transparent process for all funding recommendations of the MO BoS CoC Rank and Review Subcommittee. Upon review, some project applications may not be recommended for funding, funding may be reduced or reallocated, an agency is an ineligible applicant, or the proposed activities are ineligible under the Notice of Funding Opportunity (NOFO). To ensure due process and enable MO BoS CoC Rank and Review Subcommittee to address concerns from agencies related to funding recommendations, agencies have an opportunity to appeal decisions based on the following policy.

### **A. Appeal Criteria**

Eligible appeals will be reviewed by the MO BoS CoC Rank and Review Subcommittee, and the Subcommittee may, but is not required to, overturn its original decision on the following factors:

1. Rank and Review Subcommittee mistakenly used false or significantly incomplete information submitted by the applicant to make decisions and additional information presented as part of the appeal addresses the deficiencies in the application that affected the decision. Appeals will not be considered that present information that applicants simply neglected to include in the original application or when applicants submitted an incomplete/inaccurate application, except in extenuating circumstances, as outlined below.
  - a) The deficiencies in the application were due to extenuating circumstances that will not affect long-term viability or performance of the project. For instance, the organization experienced a fire that prevented it from thoroughly completing the application.
  - b) Rank and Review Committee did not follow the local competition process as advertised to the MO BOS CoC or did not follow requirements established by the funding source.
2. A member of the Rank and Review Subcommittee is shown to have a conflict of interest that affected the funding decision; or
3. A member(s) of the Rank and Review Subcommittee discriminated against the applicant due to the applicant's race, ethnicity, religion, national origin, sexual orientation, gender, gender identity, disability, or familial status.
  - a) If an appeal alleges either a conflict of interest (2) or discrimination as described above and the allegation is substantiated, the Rank and Review Committee must conduct a new full review that does not include the member(s) of interest or member(s) who engaged in discriminatory conduct or had a conflict of interest. This full review does



not guarantee the Rank and Review Committee's original funding decision will be overturned.

**B. Appeal Procedure**

1. MO BoS CoC project applicants must submit appeals in writing to the [moboscoc@gmail.com](mailto:moboscoc@gmail.com) and the Rank and Review Subcommittee Chair. Appeals must be submitted within two business day following notification of the project's funding recommendation, reduction or rejection. Failure to follow the appeal procedure will result in denial of the appeal.
2. The MO BoS CoC Rank and Review Subcommittee Chair must confirm receipt of the appeal in one business day, by responding by email to the project applicant and MO BoS CoC Board Chair.
3. The MO BoS CoC Rank and Review Subcommittee Chair will convene the Rank and Review Subcommittee to review appeals pursuant to the CoC NOFO timeline.
4. MO BoS CoC project applicants unsatisfied by the response of the MO BoS CoC Rank and Review Subcommittee Chair may appeal the resolution to the MO BoS CoC Board by emailing their decision to appeal, the rationale for the appeal, and all supporting documentation to the MO BoS CoC Board Chair at [moboscoc@gmail.com](mailto:moboscoc@gmail.com) within 24-hours in one business day following the response from the MO BoS CoC Rank and Review Subcommittee Chair. Appeals to the MO BoS CoC Board will not be accepted if the basis of the appeal is different from the Project Applicant's original appeal submitted to the Rank and Review Subcommittee.
5. The MO BoS CoC Board must respond to the appeal pursuant to the local competition deadlines. Written responses to applicants from the MO BoS CoC Board are considered the official and final response of the MO BoS CoC.

**C. Housing and Urban Development (HUD) Continuum of Care Competition Appeals**

The provision at 24 CFR part 578 set forth the following types of appeals:

1. Applicants whose project was rejected and the applicant believes it was denied the opportunity to participate in the local CoC competition process in a reasonable manner, may appeal the MO 606 CoC's final decision directly to HUD as a 'Solo Applicant,' as detailed in the Notice of Funding Opportunity (NOFO). (24 CFR part 578)
2. Eligible applicants, including project applicants and Collaborative Applicants, that submitted an application to HUD in response to the NOFO, that were either not awarded funds by HUD, or that requested more funds than HUD awarded, may appeal to HUD as detailed in the NOFO.