

 <p>HURRICANE HARVEY RELIEF PROGRAM FOR TEXAS SMALL BUSINESS</p>	<p><b>New American Strategies, Inc.</b></p>	Procedure Number	P13-2019
		Procedure Owner	Amy Piatt
		Effective Date	President's Signature Date
		Revisions	

## Procedure Title: Appeals Policies and Procedures

### Purpose

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It is the policy of the New American Strategies, Inc. (NASI) to respond to citizen appeals in accordance with the provisions under the Texas General Land Office (GLO)'s most recent Harvey Disaster Recovery Action Plan and other authority set forth below.

### Scope

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The procedure provides direction to NASI staff who will process any appeals submitted to NASI, where such request has been submitted; particularly with respect to an application denial. These procedures are written in accordance with day-to-day operations performed by NASI staff.

### Means by which appeals are received into NASI

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First appeals will be received as follows:

- (1) By email at: [appeals@texasbackinbusiness.com](mailto:appeals@texasbackinbusiness.com)
- (2) By United States mail to NASI's Offices at: 1001 West Loop South, Ste 600, Houston, Texas 77027

### Authority

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The authority for this procedure includes, but may not be limited to:

Federal Register dated February 9, 2018

NASI's Standard Operating Procedures and Guidelines for the Economic Revitalization Program (ERP)

President's Signature	Date
	Dec 1, 2018

## Overview of First Appeal from Standard Operating Procedures

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If an application is denied under the program or a grant recipient's Grant Agreement is terminated for any reason, as indicated in the attached form letter, the applicant business or grant recipient may file a first appeal with NASI, stating its reason(s) why the denial was unwarranted. An appeal must be submitted within ten (10) days of receiving the denial notice.

NASI shall respond to each appeal within 3-5 business days of receipt of the appeal, if practicable, acknowledging receipt of the submitted appeal. NASI must review each appeal and issue a written determination by email or first-class mail within ten (10) business days of receipt of the appeal that either supports the denial of the application or approves the application to continue its progress through the ERP process. All documentation, including communication attempts, relating to the appeal will be noted in NASI's system of record.

NASI shall grant or deny each appeal. If NASI determines that an earlier decision relating to an applicant business was incorrect, NASI shall grant the appeal and resume processing the application. If an appeal regarding the amount of the grant award is granted, NASI shall recommend a new award amount to the GLO for approval. If NASI determines that an earlier decision relating to an applicant business was correct, then NASI shall deny the appeal. In its letter of denial to an appellant, NASI shall inform the applicant business of its option to file a final appeal with the GLO.

Below are NASI 's internal procedures for receiving first appeals in writing, through one of the following options:

- by e-mail at [appeals@texasbackinbusiness.com](mailto:appeals@texasbackinbusiness.com);
- by first class mail to: Texas Back in Business  
1001 West Loop South, Suite 600  
Houston, TX 77027

### Final Appeal to the GLO

Applicant businesses or grant recipients that have filed unsuccessful first appeals with NASI, may file a final appeal with the GLO to receive a final determination regarding business's participation in the ERP using one of the following options:

- Submission of an online appeals form as instructed on the GLO's website at <https://recovery.texas.gov/individuals/contact/index.html>;
- Call to GLO's Community Development and Revitalization division at 844-893-8937;
- E-mail of a written appeal to [cdr@recovery.texas.gov](mailto:cdr@recovery.texas.gov); or
- Submission of a written appeal to by mail to:     ATTN: GLO-CDR  
Texas General Land Office  
P.O. Box 12873  
Austin, TX 78711-2873

Upon receipt of an appeal request by the GLO, GLO-CDR customer relations staff will respond to the appellant within 3-5 days acknowledging receipt of their submitted appeal. When practical, a written decision to the appellant will be sent within ten (10) days; however, some cases may require additional time for the review. GLO-CDR will keep a record of each appeal that it receives in the GLO system of record.

The GLO will notify NASI of its determination for each appeal in writing. If the GLO overturns NASI's decision to deny the original appeal, then NASI shall continue progressing the application through the process.

## **Appeals Procedures**

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The procedures below outline the steps required to process appeals pursuant NASI's Standard Operating Procedures under the Economic Revitalization Program for Small Businesses. The appeals process is required under the authority listed hereinabove. These Appeal Procedures require such appeals to be submitted in writing to the President, by means stated above; and for a timely written response to be provided within ten (10) working days. These procedures cover special grant programs which include, but are not limited to, CDBG-DR. If an applicant disagrees with NASI's final written determination, he or she can appeal the decision to the Texas GLO at:

Texas General Land Office  
 Community Development and Revitalization  
 P.O. Box 12873  
 Austin, TX 78711-2873  
 Email: [cdr@recovery.texas.gov](mailto:cdr@recovery.texas.gov)

Funding for applications under appeal will be reserved until a final determination is issued.

## **NASI's Procedures**

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The following steps will be followed in the processing of an appeal with NASI's operations.

### Step 1

- Upon receipt of an appeal request as described above, President's designee will verify that the request is an appeal as to distinguish it from general inquiries, correspondence, or concerns that may be unrelated. The appeal document is logged into the spreadsheet (The Appeal Log), attached hereto.

### Step 2

- Within 3 to 5 business days of receiving the correspondence as an appeal, staff will prepare a general letter of acknowledgment to send to the applicant making the appeal, indicating that the NASI will make every effort to provide a final determination of the appeal within (10) working days from the receipt of the request. All appropriate parties will be copied on this letter, a copy of which can be accessed from the Cloud, in the Appeal Log.

### Step 3

- All appeals will be numbered in chronological order on the Appeals Log that is maintained by designated staff.

### Step 4

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Appeals Procedures Developed 9-1-2019 for NASI

- Designated staff will submit the appeal to the Consultant, who will work with designated staff and the underwriters, as may be necessary, to provide the official response to the business applicant filing the appeal.

Step 5

- Designated staff will prepare the response based on feedback from the Consultant and Chief Underwriter.

Step 6

- Once the response is prepared, designated staff will obtain the President's signature, make two sets of all documents, and update the Appeals Log with all pertinent information.

Step 7

- Once the President's signature is obtained, NASI's designated staff will send the original with attachments, as may be necessary, applicant business making the appeal, by certified mail return receipt requested, unless they only provide an e-mail address. NASI staff will send batches to the GLO by email or certified mail, if required by the GLO.

Step 8

- NASI Designee will ensure both physical files and cloud files are properly documented and maintained; and that the GLO receives reports, at least monthly. NASI also understands that NASI staff may need to access other systems as may be requested by the GLO. Back-up documents will be filed in each applicant's application file, in the miscellaneous section of NASI's proprietary system that can be accessed by GLO staff.

**Responsible Parties**

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**Dan Slane, CEO**

**Amy Piatt, Executive Administrative Assistant**

**Brenda Arnold-Scott, Consultant**