

CITY OF IOWA CITY HMGP APPEALS PROCEDURE



CITY OF IOWA CITY

410 East Washington Street
Iowa City, Iowa 52240-1826
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Right to appeal. You have the right to appeal the City's determination of the market value of your property in the City's offer to buy your property through the Hazard Mitigation Grant Program (HMGP). The written purchase offer to the homeowner and the appeals process will not start until Iowa City has been allocated HMPG funds and HMPG agreements have been signed.

Owner at the time of the flood. If you owned the property at the time of the flood, the amount of the purchase offer is the pre-market value of the property less any deductions. The City's pre-flood market value is 112% of the 2008 assessed value. This valuation method is based on comparing the assessed value to the sale price of properties in Parkview Terrace that were sold between June 2006 and June 2008. You have the right to appeal the amount of the pre-market value.

Duplication of benefits/deductions. Please note that the amount you will receive at closing is not necessarily equal to the amount of the pre-market value of the property. In arriving at the final purchase price, the City is required by federal law (42 U.S.C. §5155, 44 C.F.R. 80.9, and 44 C.F.R. 206.191) to ensure that there is not a "duplication of benefits" between HMGP and other forms of government assistance. FEMA will provide to the City the amount of duplication of benefits. You do not have the right to appeal the amount of any deductions.

Purchased the property after the flood. If you purchased the property after the flood, the amount of the purchase offer is the current market value of the property. A determination of market value in such cases will be made on a case-by-case basis.

Deadline to appeal. All appeals must be submitted within thirty (30) days from the date of the offer. Please use the attached form to submit the appeal. The written appeal should be addressed to:

City Attorney
City Hall
410 E. Washington Street
Iowa City, IA 52240

Hearing date. The appeal hearing will be at a date and time convenient to you. You will get written notice of the date, time, and place of the hearing. After receiving notice of your appeal, the City may choose to obtain its own appraisal which may require additional time before the hearing can be scheduled.

Hearing procedure.

- The appeal will be heard by a hearing officer.
- You may have anyone attend the hearing that you believe will help you. You have the right to be represented by legal counsel or other representatives in connection with your appeal at any time, but that representation is solely at your expense. The City of Iowa City will have staff in attendance as well.

- Both you and the City of Iowa City will be given full and equal opportunity to be heard, and both may present oral and written information on an informal basis without regard to the rules of evidence. Both also may object to information presented and question those presenting information.
- You may inspect and copy all materials that the City of Iowa City has pertinent to your appeal.

Decision on appeal. The hearing officer will make a written decision within thirty (30) days and mail it you. The decision will summarize all the information considered including a list of the documents submitted and the records reviewed. The decision will explain the rationale underlying the decision.

Hearing officer's decision is the only appeal. If you are dissatisfied with the decision of the hearing officer, there is no further appeal. However, you have the right not to sell the property to the City of Iowa City. The HMGP is a voluntary program.

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