

Hohn, Marion

From: McClave, Chris (OCD) <chris.mcclave@state.ma.us>
Sent: Friday, May 29, 2015 6:53 PM
To: Walleigh, Adrian (OCD); Hohn, Marion
Cc: Malamut, Michael (OCD); Fiorini, Flavio (OCD); Temp Legal1 (OCD)
Subject: RE: Remand Request - ; #14-2071

Follow Up Flag: Follow up
Flag Status: Flagged

Because the Department has no objection to this case being remanded, the Hearings Division will remand it, but the following conditions apply:

1. The case will be remanded to the original Hearing Officer because she is most familiar with the facts.
2. The Hearing will be reopened ONLY for the purpose of taking evidence of "good cause" for being absent from the shelter placement.
3. The Hearings Division does not determine ADA issues. In this case, the Hearing Officer properly gave appellant the opportunity to request an ADA accommodation. The Hearing Officer, during the re-opened hearing will not be taking evidence related to or making a determination about whether the Department's ADA determination was warranted.

By cc of this e-mail, I will advise Flavio and Maya to schedule another hearing in this matter.

Christine McClave
Deputy General Counsel/Hearings Manager
Department of Housing and
Community Development
100 Cambridge Street Suite 300
Boston, MA 02114
(617) 573-1503 (phone)
(617) 573-1515 (fax)
Chris.McClave@state.ma.us

-----Original Message-----

From: Walleigh, Adrian (OCD)
Sent: Friday, May 29, 2015 9:43 AM
To: McClave, Chris (OCD)
Cc: Hohn, Marion; Malamut, Michael (OCD)
Subject: RE: Remand Request -

The Department is amenable to a remand.

-----Original Message-----

From: McClave, Chris (OCD)
Sent: Thursday, May 28, 2015 6:24 PM
To: Walleigh, Adrian (OCD); Malamut, Michael (OCD)
Cc: Hohn, Marion
Subject: RE: Remand Request -

Would the Department like to respond to Ms. Hohn's request for remand?

If so, please do so by close of business Tuesday, June 2, 2015.

Thank you,

Christine McClave
Deputy General Counsel/Hearings Manager
Department of Housing and
Community Development
100 Cambridge Street Suite 300
Boston, MA 02114
(617) 573-1503 (phone)
(617) 573-1515 (fax)
Chris.McClave@state.ma.us

-----Original Message-----

From: Hohn, Marion [<mailto:MHohn@cla-ma.org>]
Sent: Thursday, May 28, 2015 4:54 PM
To: Walleigh, Adrian (OCD); Malamut, Michael (OCD); McClave, Chris (OCD)
Subject: Remand Request -

Please find attached my remand request on behalf of [redacted]. Please let me know if you have any questions.

Thank you,

Marion Hohn
Community Legal Aid
One Monarch Place, Ste 400
Springfield, MA 01144
p: (413) 686-9015
f: (413) 746-3221

Please note that my new email address is mhohn@cla-ma.org