



Commonwealth of Massachusetts

EXECUTIVE OFFICE OF HOUSING & LIVABLE COMMUNITIES

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Edward M. Augustus Jr., Secretary

Noncompliance Process Change: June 10, 2024

Change to Noncompliance Request Supplemental Packet Submissions

Starting June 10, 2024, the noncompliance request process has changed. Previously, to request noncompliance, Providers were instructed to complete the Noncompliance Request tab of the ETO Touchpoint, print the Touchpoint and Supplement Packet, give to participants, then upload the completed Supplement into the second tab of the Touchpoint.

Now, Providers will wait until the NC Unit has reviewed the Touchpoint before printing and delivering materials to participants. Providers should follow the new process, which is outlined below. The part of the process that has changed has been highlighted in yellow. Please email the noncompliance unit question questions: EOHLCNoncompliance@mass.gov.

How to Request a Noncompliance

1. Establish if the participant may have any of the following:

- De Minimis
- Good Cause
- A relevant reasonable accommodation (RA) [Remember: you should also contact your ADA Coordinator to determine if there is an RA on file]

If yes to any, **stop the noncompliance process**.

1. Determine if the participant has received a Written Warning for the same violation.

- If it's the first time a participant has violated the rule and they have not received a warning, **stop the noncompliance process** and move to the Written Warning process.

2. UPDATED PROCESS STEP: Complete the “Noncompliance Request Form” Touchpoint in ETO.

- Complete the “Noncompliance Request” tab in one sitting.
- Upload as many documents as you have available.
- Write in English.

3. NEW PROCESS STEP: Finalize the Touchpoint Submission with the NCU.

- Wait for the NC Unit to reach out.
- Work with the NC Unit to update the Touchpoint as necessary.

4. Print the ETO Touchpoint. Reference the Noncompliance 102 Training for instructions.

5. Complete the Noncompliance Request Supplement. Pages 1 and 2 have material for you to complete.

- If the participant's native language is Spanish, Portuguese, Haitian Creole, or Cape Verdean Creole – use the form in the participant's native language. Answer the short response question in English.
- Use the English form for all other native languages.

6. Deliver the Noncompliance Packet to the participant. The packet should include...

- a. ETO printout
 - b. If English is native language, completed supplement materials and blank Household Response Form
 - c. If native language is Spanish, Portuguese, Haitian Creole, or Cape Verdean Creole, complete the translated NC Request Packet in the participant's native language. This packet will include the Supplement material, Household Response Form, and translated ETO questions. Include any additional language access materials (Babble sheet).
 - d. If other language, use English material and provide translation services and materials.
7. **Edit/reopen the “Noncompliance Request Form” Touchpoint in ETO that you used to first request the noncompliance.**
- a. DO NOT MAKE CHANGES to the “Noncompliance Request” tab.
 - b. Navigate to the “Documents” tab.
 - c. Upload a scanned copy (in PDF form) of the completed Supplement into the uploads section of the Touchpoint.
 - d. Upload other documents that are relevant to the noncompliance.
8. **If required, assist the participant in sending their documentation of Good Cause or other reason why they shouldn't get a noncompliance to the EOHLC Noncompliance Unit.**