

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

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LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS

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PROCESS FOR SUBMITTING REQUEST FOR FINANCIAL HARDSHIP WAIVER

- 1) An individual requesting a Hardship Waiver must submit this form within 30 days after service of any related decision and administrative order. The request, with all required supporting documents and materials, shall be filed with the Enforcement Official. The form shall be executed under penalty of perjury and contain a declaration as to the truthfulness and correctness of the information contained therein.
- 2) The Hardship Waiver will be reviewed by the Hearing Officer.
- 3) The Hearing Officer shall provide a written decision on the request for financial hardship waiver.
- 4) In determining whether or not a financial hardship exists, the Hearing Officer shall consider the present and future ability to pay, the amount of personal assets and liabilities and the overall net worth of the responsible person.
- 5) The Hearing Officer shall issue a written decision denying the request for hardship waiver or granting the waiver and waiving the administrative penalties, administrative fines, or administrative costs; reducing the amounts due; allowing time to pay the costs in installments and/or to provide alternative amends.
- 6) Provisions for alternate amends shall be included in any waiver or reduction unless the Hearing Officer finds that unique, special circumstances exist for the responsible person that prevents the performance of any alternate amends.
- 7) The written determination shall include findings supported by evidence and be sent by certified mail to the person who received the notice of violation at the address shown on the approved hardship waiver form.
- 8) The written determination of the Hearing Officer related to the financial hardship waiver is final and an exhaustion of administrative remedies

IMPORTANT INFORMATION!

- **You are signing your request under penalty of perjury. Please answer truthfully, accurately, and completely.**
- **The Hearing Officer may ask you for information and evidence.** You may be ordered to go to an administrative hearing to answer questions about your ability to pay fines and or costs and to provide proof of eligibility. Any initial fee waiver you are granted may be ended if you do not go to an administrative hearing when asked.
- **If you receive a fee waiver, you must tell the hearing officer if there is a change in your finances.** You must tell the hearing officer within five days if your finances improve or if you become able to pay the fees or costs during this case. Payment amounts that were waived may be adjusted after your eligibility came to an end.