

## APPEALS POLICY

**December 2, 2011**

---

If you have received an unfavourable decision, please be advised that FACTOR has a policy outlining the circumstances under which we may allow an appeal to the Board of Directors. The following is our internal policy, and we are posting it here for the sake of greater transparency and understanding of our practices.

1. In considering an application, or an issue arising from an application, FACTOR staff will apply the Program Guidelines, the terms of the General Agreement and other binding documentation, in conjunction with FACTOR's business policies. Applicants are expected to read and follow the Program Guidelines and to know and understand the General Agreement, the Annex, and all other terms of the loan or grant. We strongly encourage applicants to ask questions before submitting their applications or follow-up documentation, rather than assume an outcome. As a rule, incomplete applications in which a step in the process, or a mandatory document has been omitted, will be deemed ineligible.
2. There is no automatic right of appeal. However, in very limited circumstances, the Board of Directors may hear an appeal.
3. Requests to appeal will be considered first by the FACTOR staff member dealing with the file. If the appeal relates to the application of a program rule (such as eligibility of the applicant, or failure to supply a mandatory document) or a term of the loan or grant agreement (such as a capped expense, or the meeting of a deadline), then it will not be allowed.
4. However, if the appeal raises a policy issue or based on some misstatement of fact or misinterpretation of a rule by FACTOR staff, then the applicant may request an appeal. The merit of such request will be considered by the FACTOR President and Chair of the Board of Directors. If the request is found to have merit, it will be referred to the Board for appeal. If not, it will be refused and the refusal will be final.
5. If an appeal is considered by the Board of Directors, the decision will be final.
6. Where a client feels that a policy or program rule is generally inappropriate or unworkable and should be reviewed, they are invited to make those views known to FACTOR staff in writing. Staff may in turn invite the Board to consider a policy or rule change. However, in the event of a policy change, the Board will not consider previous decisions. New or amended rules will not be applied retroactively.