

## **.07 IPV - Administrative Disqualification Appeal - Appeal of the Decision**

After the participant has been found to have committed an [Intentional Program Violation](#) (IPV), the following apply, depending on the specific program:

- For CA, the participant may submit a petition for review of the Appeal Officer's decision to the Appeals Board. When a petition is filed, the disqualification continues to be imposed pending the Appeals Board's decision.
- For NA, no further administrative appeal procedures exist.
- The determination of an IPV made by the signing of a [Waiver of the Right to an Administrative Disqualification Appeal](#) (OAR5 for CA and OARC1 for NA) form cannot be reversed by a subsequent Appeal decision.
- The period of disqualification may be subject to a stay or injunction in a court of appropriate jurisdiction.
- The participant is entitled to an appeal in a court that has appropriate jurisdiction. Any FAA employee given a subpoena or court order must notify the appropriate Region office.  
The Region office notifies the Assistant Attorney General assigned to FAA prior to compliance with the subpoena or court order.
- When the determination of an IPV is reversed by a court of appropriate jurisdiction, the participant is reinstated in the program when the participant is eligible. Benefits that were lost as a result of the disqualification must be restored.

The local office must obtain a copy of the court order prior to taking any action. When the court order does not address a loss in benefits and the participant is found not guilty, the benefits are restored.

When the court reverses the decision, but not the amount of the overpayment, FAA collects on the overpayment as an unintentional household error overpayment.