

BASIC GUIDE TO THE MEMORANDUM OF SUPPORT

The Facts:

- Bullet the facts 1, 2, 3, etc.
- State material facts only—do not cloud the arguments with unnecessary or irrelevant facts.
- Do not include contestable information as facts.
- State pertinent provisions of law, ordinance or DHS policy as facts.
- Attach copies of pertinent provisions of law, ordinance or DHS policy manual to the memorandum as numbered exhibits, or incorporate statute into body of the memorandum.
- The facts stated should lead the reader to the issue on appeal.

The Issues:

- Issues should be bulleted 1, 2, 3, etc.
- Issues should be phrased as questions.
- There should typically be only a few issues (1, 2, or 3 issues is normal).
- The issues should typically begin "As a matter of law or municipal ordinance...."
- The issues should be posed so that the answers can be stated as either "yes" or "no."

The Arguments:

- Each argument should completely address each issue.
- The arguments should merely build on the foundations already established in the "facts" and "issues" sections—succinctly matching pertinent law/regulation with facts of the case.
- This section could expand on the underlying public policy/legislative intent which could reasonably be asserted as a governing issue.

Conclusion:

- Conclude with the written decision you would like to see—ask the FHA to rule in the town's favor.