

HOUSING AUTHORITY OF THE CITY OF ALAMEDA ADA/ SECTION 504 GRIEVANCE PROCEDURES

PURPOSE

The Housing Authority of the City of Alameda is committed to ensuring that people with disabilities are able to take part in, and benefit from the whole range of public programs, services, and activities offered by the Housing Authority. The Housing Authority continues to modify its facilities, programs, policies, or practices, as necessary, to ensure such access is provided.

Title II of the Americans with Disabilities Act (**ADA**) and HUD's regulations under Section 504 of the Rehabilitation Act of 1974 require that public entities adopt and publish grievance procedures to assure the prompt and equitable resolution of complaints. Section 504 of the Rehabilitation Act of 1973 further prohibits disability discrimination in programs receiving U. S. Department of Housing and Urban Development (HUD) funds or financial assistance. The purpose of this grievance procedure is to resolve as promptly as possible any problems, complaints, or conflicts related to the Housing Authority's ADA and Section 504 compliance and provide prompt and equitable resolution of complaints alleging any action prohibited by law.

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Please note: This procedure applies only to the property, programs, and services of the Housing Authority of the City of Alameda. For information or assistance with regard to private property, please contact the City of Alameda's Building Official at (510) 747-6820 or HUD at (415) 489-6554.



**HOUSING AUTHORITY OF THE CITY OF ALAMEDA
ADMINISTRATIVE
ADA/ SECTION 504 GRIEVANCE PROCEDURE**

1. WHO MAY FILE A GRIEVANCE?

You or your authorized representative may file an ADA or Section 504 grievance if you believe that:

- The Housing Authority is not in compliance with the physical access requirements of the Americans with Disabilities Act or Section 504 related to its public facilities, housing, land, or rights-of-way, or
- You or a specific class of individuals have been denied access to participate in Housing Authority programs, services, or activities on the basis of disability, or
- You or a specific class of individuals have been otherwise subjected to discrimination on the basis of disability by the Housing Authority, or
- The Housing Authority has otherwise violated the ADA or Section 504.

2. WHEN SHOULD A GRIEVANCE BE FILED?

Before filing a grievance, you may seek informal resolution by contacting the Department Direction of the affected department. (See list in [Attachment 2.](#)) The Housing Authority encourages, but does not require, an attempt to resolve concerns informally prior to filing a formal grievance. If your informal concern is not resolved in a timely fashion, you have the right to file a formal grievance under this procedure.

You are encouraged to file your grievance within 30 days of the date you become aware of any alleged discrimination or access violation. If reasonable circumstances prevent you from filing your grievance within that time period, the Housing Authority may accept your grievance later than 30 days after the alleged incident(s). Failure to report an alleged violation within 180 days may impact your ability to redress your grievance through this process.

3. WHAT SHOULD THE GRIEVANCE INCLUDE?

You may file your grievance on the attached form ([Attachment 1](#)). If you choose not to use the form, your grievance may be filed either in writing or verbally and must include the following information:

- a. Your name, address and telephone number. If a representative is filing the grievance on your behalf, his or her name, address and telephone number must also be included.
- b. A description of the offending behavior(s) or action(s) or violation(s).
- c. The date(s), time(s) and location(s) of the incident(s).



- d. If the incident(s) involved a Housing Authority of the City of Alameda employee(s), his or her name(s) should be included, if you know it.
- e. The name(s) and contact information of witnesses, if any.
- f. If your grievance is being filed on behalf of another person or a group of people, all of the grievants should be described or identified by name, if possible.
- g. The remedy you desire.
- h. Your signature or the signature of your authorized representative.

The Housing Authority will make every reasonable effort to ensure that confidentiality is maintained throughout the complaint and investigation process, to the extent consistent with the law, adequate investigation, and appropriate corrective action. This means that the Housing Authority will share information only on a need-to-know basis.

4. WHERE SHOULD I SUBMIT MY GRIEVANCE?

You may file your grievance with the Housing Authority's designated ADA/Section 504 Coordinator. The Coordinator's name, office address, telephone numbers, and email address are:

**Tonya Schuler-Cummins, ADA/Section 504 Coordinator Housing
Authority of the City of Alameda
701 Atlantic Avenue
Alameda, CA 94501-2161
PHONE: (510) 747-4342
FAX: (510) 522-7848
TDD: (510) 522-8467
EMAIL: 504coordinator@alamedahsg.org**

You may mail, fax, email, or deliver your grievance in person.

If you believe the Coordinator is involved in alleged discrimination, you should submit your grievance to the Housing Authority's General Counsel. (See Attachment 2.)

5. WHAT IF I NEED ASSISTANCE FILLING OUT MY GRIEVANCE?

Grievances may be filed by mail, by phone, or by e-mail. Assistance is available from the Coordinator. You should contact the office of the Coordinator and request the type of assistance you need. The ADA/Section 504 Grievance Procedure and Complaint Form are available in alternative formats upon request from the Coordinator. Verbal grievances should be filed with a Coordinator.

6. WHAT HAPPENS AFTER I FILE MY GRIEVANCE?

After receiving your grievance, the Department Director, Coordinator, or his/her designee, will investigate. The investigation may include, but may not be limited to,



interviews with: (a) you; (b) the person(s), if any, who allegedly discriminated against you; and (c) any other person the investigator believes has relevant knowledge concerning your grievance. The investigator also will consider any written evidence that is given to him/her.

After completing a thorough investigation, the investigator will review the factual information gathered through the investigation to determine whether discrimination has occurred or the ADA or Section 504 has been otherwise violated. The investigator will consider all of the factual information, all the circumstances, and the context in which any alleged incident(s) occurred.

The investigator will then prepare a written report which will include: (1) the results of the investigation; (2) a determination as to whether discrimination occurred or access requirements have been violated; and (3) any appropriate remedy which the Housing Authority will provide. A copy of the report will be sent to you, and a copy will be sent to both the Division Manager and the Coordinator. The Coordinator will then issue a written response to the complaint.

7. WHEN WILL I RECEIVE A RESPONSE?

Within 14 calendar days of the Housing Authority's receipt of the grievance, you will receive a confirmation that it has been received and is being investigated. If you do not receive a confirmation within 14 calendar days, please contact the Coordinator. Absent extenuating circumstances, all grievances will be investigated and a response issued within 90 calendar days of receipt of the grievance. If a delay is expected, the Department Director or Coordinator will notify you in writing of the reason(s) for the delay and the date by which you will receive a response.

8. SHOULD I BE CONCERNED THAT A HOUSING AUTHORITY OFFICER OR EMPLOYEE MIGHT RETALIATE AGAINST ME IF I COMPLAIN?

The Housing Authority will not retaliate against you for filing a grievance and will not knowingly permit retaliation by its officers or employees. The Housing Authority will take reasonable steps to protect you from retaliation by others as a result of filing a grievance. Please let the Coordinator know immediately if you feel you are being retaliated against for filing a grievance.

9. WHAT CAN I DO IF I AM NOT SATISFIED WITH THE RESULTS OF THE HOUSING AUTHORITY'S INVESTIGATION?

If you are not satisfied with the results of the investigation, you may submit a verbal or written appeal within 20 calendar days of your receipt of the findings. Your appeal should detail the reasons you believe the findings to be in error. You will receive a response within 20 calendar days of the day you submit your appeal.

Your appeal should be directed to the Housing Authority General Counsel. (See contact information in Attachment 2.) The Counsel will assign the appeal to a neutral third-party for review and to write a response. The written response to the appeal, approved by the General Counsel, will be issued within 20 calendar days.



At any time during the investigation or process you have the right to lodge a further complaint with the appropriate agency or department of the State or Federal government. Contact the U.S. Department of Justice, the U. S. Department of Housing and Urban Development, the California Department of Justice Civil Rights Division, or the California Department of Fair Employment and Housing for information about how to file a complaint with these agencies. You may also sue the Housing Authority in federal court.

Using this grievance procedure is not a prerequisite to pursuing any of your other remedies; however, in the interest of a prompt resolution of alleged discrimination, the Housing Authority encourages you to use this procedure in addition to any other available remedies you may choose.

Vanessa Cooper

Vanessa Cooper, Executive Director

3/28/18

Implementation Date



HOUSING AUTHORITY OF THE CITY OF ALAMEDA

ADA/ SECTION 504 GRIEVANCE FORM

Today's Date: _____

Complainant: _____

Address: _____

City, State, Zip: _____

Telephone and E-mail: _____

Individual Discriminated Against: _____

Address: _____

City, State, Zip: _____

Telephone and E-mail: _____

Alleged Violation: Date(s) of Occurrence: _____
Description of Violation and Housing Authority Division Involved: _____

Requested Action by Housing Authority to Correct Violation:

Has Complaint been filed with State or Federal Agency ___ Yes ___ No

Name of Agency: _____ Date Filed: _____

Contact Person: _____

Signature: _____



CONTACT LIST - ADA /SECTION 504 GRIEVANCE RESPONSE

Updated 3-27-18

ADA/Section 504 Coordinator

Tonya Schuler-Cummins, Senior Management Analyst Office: 701
Atlantic Avenue, Alameda, CA 94501-2161
Phone: (510) 747-4342 / FAX: (510) 522-7848 / **TDD:** (510) 522-8467

Property Operations Department

Lisa Caldwell, Director of Property Operations
Office: 701 Atlantic Avenue, Alameda, CA 94501-2161
Phone: (510) 747-4310 / FAX: (510) 522-7848 / **TDD:** (510) 522-8467

Housing Programs Department

Lynette Jordan, Director of Housing Programs
Office: 701 Atlantic Avenue, Alameda, CA 94501-2161
Phone: (510) 747-4312 / FAX: (510) 522-7848 / **TDD:** (510) 522-8467

Finance Department

Joyce Boyd, Director of Finance
Office: 701 Atlantic Avenue, Alameda, CA 94501-2161
Phone: (510) 747-4313 / FAX: (510) 522-7848 / **TDD:** (510) 522-8467

Housing and Community Development Department

Victoria Johnson, Director of Housing and Community Development Office: 701
Atlantic Avenue, Alameda, CA 94501-2161
Phone: (510) 747-4305 / FAX: (510) 522-7848 / **TDD:** (510) 522-8467

General Counsel's Office

Goldfarb & Lipman
Office: 1300 Clay Street, Eleventh Floor, City Center Plaza, Oakland, CA 94612
Phone: (510) 836-6336 / FAX: (510) 836-1035

Executive Director's Office

Vanessa Cooper, Executive Director
Office: 701 Atlantic Ave, Alameda, CA 94501
Phone: (510) 747-4325 / FAX: (510) 522-7848



