

Sample Complaints Procedures

APPLICABILITY

LOCAL GOVERNMENT has adopted an administrative complaint and appeals procedure providing for prompt and equitable resolution of complaints alleging actions prohibited by the Department of Housing and Urban Development's (HUD) Community Development Block Grant and related federal requirements. Complaints addressed through this Complaints and Appeals Procedure may consist of any of the following:

- Discrimination prohibited by civil rights, fair housing, or disability related concerns (However, employment related complaints should be referred to the [California Department of Fair Employment and Housing](#));
- Failure to adhere to the public participation plan (public process) in developing an application/project or modifying activities funded by CDBG;
- Violation of contract and procurement laws and regulations related to the use of CDBG funds;
- Failure to adhere to any program requirements such as the Uniform Relocation Assistance Act and related laws or Davis-Bacon and related acts;
- Any program decision impacting the eligibility or nature of assistance provided by or rejected for CDBG funding.

PROCEDURES

Complaints should be addressed to: **name, title, office, address, telephone number, email**, who has been designated to coordinate complaint and program compliance efforts. This person serves as the Complaints Officer, who should notify the Chief Elected Official (CEO) of **LOCAL GOVERNMENT**, while maintaining confidentiality of person submitting the complaint.

A complaint should be filed in writing (or verbally, if the complainant is unable to prepare the complaint in writing) and should contain the name and address of the person filing it and briefly describe the complaint and/or any alleged violations.

1. A complaint should be filed within **120 calendar days** after the complainant becomes aware of the alleged violation and their rights. (Processing of allegations of discrimination occurring before this complaint procedure was in place will be considered on a case-by-case basis.)
2. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation is to be conducted impartially and confidentially by the Complaints Officer. These procedures allow for informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint
3. Any complaint should be addressed within 15 working days after receiving the complaint and should be resolved within 30 working days. The Complaints Officer should issue a written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the Complaints Officer and a copy forwarded to the complainant no later than the 15 working days after its filing.

4. The Complaints Officer shall maintain the files and records of the **LOCAL GOVERNMENT** relating to any complaints filed. The complaint file should include:
 - a. A summary of the issues/list of relevant facts, as prepared by the Complaints Officer
 - b. Any and all relevant documents provided by the person making the complaint
 - c. Any summary response from the program/project manager (subrecipient)
 - d. Any documents available supporting relevant facts
 - e. All other pertinent file documents including
 - i. Any consultant recommendations or special determinations
 - ii. All applicable Federal regulations, HCD policy and **LOCAL GOVERNMENT** policy

6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within 60 calendar days to Complaints Officer, seeking reconsideration by the Chief Elected Official (CEO) of **LOCAL GOVERNMENT**. The CEO shall issue a written determination to either reconfirm the original decision or issue a new determination and resolution within in 15 working days of receiving the request for reconsideration.

7. The complainant, if not satisfied with the reconsideration, can seek a final appeal from the California Department of Housing and Community Development (HCD). Final appeals should be addressed, in writing, to the HCD at:

Department of Housing and Community Development
Attn: CDBG Team
2020 W. El Camino Avenue, Suite 200
Sacramento, CA 95833

The appeal should include a copy of all correspondence that has taken place to date. The appeal should identify the problem and the desired solution. HCD will investigate the complaint and respond, in writing, in a timely manner. All involved parties will be copied.

8. **The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with other state or federal agencies. Utilization of this complaint procedure is not a prerequisite to the pursuit of other remedies.**

9. Person(s) who believe they are victims of discrimination in housing or other services may also contact the U.S. Department of Housing and Urban Development (HUD) to file a complaint, without first filing a complaint under this procedure, by contacting the U.S. Department of Housing and Urban Development (HUD) at <CHOOSE ONE>
 - a. 300 N. Los Angeles Street, Suite 4054, Los Angeles, CA 90012, (213) 894-8000
 - b. One Sansome Street, Suite 1200, San Francisco, CA 94107, (415) 489-6400.

10. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that LOCAL GOVERNMENT complies with all HCD and HUD requirements.

Duly adopted at the regular meeting of the _____ on _____, 20_____.

Signature of Chief Elected Official
(Or legal designee)