

SECTION 504 COMPLAINT PROCEDURE FOR FEDERALLY FUNDED HOUSING AND COMMUNITY DEVELOPMENT PROGRAMS

The County of Albemarle has adopted the following complaint procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) 24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual . . . shall solely by reason of his handicap, be excluded from the participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . ."

Complaints regarding alleged discrimination in the implementation of Community Development Block Grant funded programs should be addressed to: Director of Community Development, 401 McIntire Road, Charlottesville, VA 22902, who shall assist the designated Section 504 Coordinator with Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally containing the name and address of the person filing it and briefly describing the alleged violation of the regulations.
2. A complaint should be filed within **fifteen (15) days** after the complainant becomes aware of the alleged violation. Alleged violations occurring prior to the adoption of this complaint procedure will be handled on a case-by-case basis.
3. An investigation, as may be appropriate, shall follow the filing of a complaint. The investigation will be conducted by the Section 504 Coordinator or his/her designee in a manner that is informal but thorough allowing opportunities for all parties to submit evidence relative to the complaint.
4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the Section 504 Coordinator and/or the Director of Community Development and a copy forwarded to the complainant no later than **forty-five (45) days** after its filing.
5. The Section 504 Coordinator shall maintain the files and records of the County of Albemarle related to the complaints filed.
6. The complainant can request reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within **ten (10) days** and addressed to County Executive, 401 McIntire Road, Charlottesville, VA 22902.
7. 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 filing of a Section 504 complaint with HUD. Utilization of this complaint procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the County of Albemarle complies with Section 504 and HUD regulations.

Adopted: _____