



Department of Housing

Municipality of San Juan

Section 504 / ADA Grievance Procedure





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Created December 2021**

Index

Section	Pages
I. Introduction.....	2
II. Procedure.....	3



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I. Introduction

It is the policy of the Municipality of San Juan Housing Department not to discriminate on the basis of disability. The Department has adopted this internal grievance procedure for the prompt and equitable resolution of complaints regarding any action prohibited by Section 504 of the Rehabilitation Act of 1973 (“**Section 504**”), by the American with Disabilities Act of 1990 (**ADA**) and US Department of Housing and Urban Development (**HUD**) regulations. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance. Section 504 also states that: *“No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance...”*

Copies of all applicable local and federal laws and regulations may be examined in the offices of the Municipal Department of Housing through the Section 504 / ADA Coordinator, who can be reached using the following contact information:

Mr. Harry Rodríguez Cuevas

Municipal Department of Housing

Tel.: (787) 480-5500

Fax: (787) 721-4526

Physical Address: Avenida de Diego #130

Urbanización La Riviera

San Juan, Puerto Rico 00921

Mailing Address: PO Box 362138

San Juan, PR 00936-2138

E-mail: hrodriguez01@sanjuan.pr

Any person who believes that they have been subjected to discrimination on the basis of disability may file a grievance with the Section 504 / ADA Coordinator. It is against the law for the Department to retaliate in any way against anyone who files a grievance or cooperates in the investigation of a grievance under these procedures.

This grievance procedure is established to fulfill the requirements of the ADA. It may be used by anyone who wishes to file a complaint for discrimination on the basis of disability in regards to practices and policies or in the provision of services, activities, programs, or benefits by the Municipal Department of Housing.





Department of Housing
Municipality of San Juan
Section 504 / ADA Grievance Procedure
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II. Procedure

All grievances must be submitted in the form of a complaint to the Section 504 / ADA Coordinator within the following one hundred and eighty (180) days from the date the person filing the complaint becomes aware of the alleged discriminatory action.

The complaint must be submitted in writing, containing the name, phone number, address, and email of the person filing it. The complaint must state the problem or action alleged to be discriminatory, the remedy or relief sought, and as many details as possible regarding the location, date, and circumstances of the alleged discriminatory action.

The complaint may be submitted to the Section 504 / ADA Coordinator by mail, by fax, or by email. Alternative means of filing complaints, such as through personal interviews or through electronic recordings, will be made available, upon request, for persons with disabilities.

The Section 504 / ADA Coordinator, shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough. The Section 504 / ADA Coordinator will maintain the files and records of the Municipal Department of Housing relating to such grievances for a period of no less than three (3) years.

Initially, a two-step process will be followed for each complaint. First, the Section 504 / ADA Coordinator will discuss the matter with each party in an amicable manner in order to reach a settlement in which the parties are in agreement and the grievance is resolved. If this is not achieved, the Section 504 / ADA Coordinator shall set a date for a hearing where all interested parties can have an opportunity to submit evidence relevant to the complaint. The Section 504 / ADA Coordinator will then issue a written decision on the grievance which shall be promptly and duly notified to all parties. The decision shall explain the position of the Department and offer options for a substantive resolution of the complaint.

The person filing the grievance may appeal the decision of the Section 504 / ADA Coordinator by writing to the Director of the Department of Housing, or their appointed designee, within thirty (30) days of receiving the Section 504 / ADA Coordinator's determination. The Director of the Department of Housing, or their appointed designee, can meet with the parties in order to discuss the complaint and possible resolutions. The Director of the Department of Housing, or their appointed designee, shall then issue a final resolution of the complaint in response to the appeal no later than thirty (30) days after its initial presentation.



**Department of Housing
Municipality of San Juan
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All determinations and resolutions regarding a complaint shall be issued, as needed, in an alternative format accessible to the person filing the complaint, such as large print, Braille, or in an audio recording.

The Department will make appropriate arrangements to ensure that persons with disabilities are provided accommodations, if needed, to participate in the grievance process. Such arrangements may include, but are not limited to, providing language interpreters, or sign language interpreters for the deaf, providing recorded material for the blind, or offering an accessible, barrier-free location for the proceedings. The Section 504 / ADA Coordinator will be responsible for any such arrangements.

The availability and use of this grievance procedure does not prevent a person from filing a disability discrimination complaint with HUD. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies. During any stage of the process, the person filing the complaint shall be notified, in writing, of their right to present a separate and/or concurrent discrimination complaint with HUD by calling 787-766-5400 or through the following internet pages:

- https://portalapps.hud.gov/AdaptivePages/HUD_Spanish/Espanol/complaint/complaint-details.htm
- <https://portalapps.hud.gov/FHEO903/Form903Start.action>

This grievance procedure shall always be construed to protect the substantive rights of persons with disabilities and to ensure that the Department complies with all due process requirements contained in the laws and regulations applicable to municipal housing programs.