

## Section 504 Grievance Procedures

The County of Hidalgo has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Housing and Urban Development regulations (24 CFR Subpart A Sec. 8.4(a) 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, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..."

Complaints should be addressed to: **Pete De La Cruz, Hidalgo County Urban County Program Colonia Coordinator at 1916 Tesoro Blvd., Pharr, Texas 78577, Phone number: (956) 787-8127**, who has been designated to coordinate Section 504 compliance efforts.

A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

A complaint should be filed within ten (10) working days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis).

An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by **Pete De La Cruz, Hidalgo County, Urban County Program Colonia Coordinator**. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by **Pete De La Cruz, Hidalgo County, Urban County Program Colonia Coordinator**, and a copy forwarded to the complainant no later than ten (10) working days after its filing.

The Section 504 coordinator shall maintain the files and records of the **County of Hidalgo** relating to the complaints files.

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 ten working days to the **County of Hidalgo**.

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 Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the **County of Hidalgo** complies with Section 504 and HUD regulations.

# **Hidalgo County**

## **Section 504**

### **Complaint and Grievance Procedures**

A handicapped citizen who has comment or complaint about the quality of service provided by the Urban County Program for the Housing and Urban Development (HUD), the Texas Department of Housing and Community Affairs (TDHCA), and the Texas Department of Rural Affairs (TDRA) funded projects may submit such comment or complaint in writing to the Executive Director of the Urban County Program (UCP).

- a.) UCP will transmit a copy of the comment or complaint to the department manager that is the subject of the comment or complaint.
  
- b.) The department manager will complete its investigation of the comment or complaint and submit its findings in writing to the Executive Director within ten (10) business days or notify the Executive Director of the date the investigation can be completed.
  
- c.) The Executive Director or a designee will provide a copy of the complaint file to any person filing the complaint and to each person who is subject to the complaint.
  
- d.) The Executive Director or a designee will notify the person filing the complaint and each person who is the subject of the complaint on the status of the complaint at least quarterly and until disposition of the complaint unless the notice would jeopardize and under cover investigation.
  
- e.) The executive Director will consider the history of complaints regarding entity in determining whether to consider any remedial action.

**URBAN COUNTY PROGRAM**  
Hidalgo County Commissioners' Court  
Agenda Request Form

No. 727145

Date: 04/16/2007  
Deadline for Action: 04/24/2007  
Department: Urban County Program

Meeting Date Request: 04/24/2007  
Contact Person: Ms. Diana R. Serna  
Phone: (956) 787-8127 Fax: (956) 787-5291

Ms. Diana R. Serna, Urban County Program Director *[Signature]*

**Caption:**

Approval of Section 504 Grievance Procedure for all Texas Department of Housing and Community Affairs (TDHCA) and Office of Rural Community Affairs (ORCA) Grants.

**Background:**

UCP is requesting approval of Section 504 Grievance Procedures for all TDHCA and ORCA grants. ORCA guidelines require that the contractor locality (County of Hidalgo) should adopt similar or equivalent provisions that provide for a local complaint system to investigate and resolve issues arising from its operation concerning handicapped individuals.

The County of Hidalgo has adopted an internal grievance procedure providing for prompt an equitable resolution of complaints alleging any action prohibited by the U.S. Department of Housing and Urban Development Regulations (24 CFR Subpart A. Sec. 8.4 (a) 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, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Attached please find the Section 504 Grievance Procedures and the similar or equivalent provision that provide for a local complaint system for handicapped individuals.

**Please initial for approval:**

Legal Counsel _____	Budget _____	Human Resources _____
Dept./Fund No. _____	Amt. Expended: \$ _____	Funds/Staffing Budgeted: Yes: _____ No: _____
Account Code: _____	Impact on Future Budget: Yes: _____ No: _____	

**Comments:**

**Action taken by Commissioner's Court:**

Approved \_\_\_\_\_ Tabled \_\_\_\_\_ Denied \_\_\_\_\_ Motion made by \_\_\_\_\_ Seconded \_\_\_\_\_ Vote \_\_\_\_\_

**APPROVED** Co. Comm. Ct.  
DATE 4/24/07 *[Signature]*

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# Hidalgo County

## Section 504

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