

HOUSING DISCRIMINATION COMPLAINT

1. **Complainants**

Community for Permanent Supported Housing
Robin LeoGrande
President
4500 Arlen Drive
Plano, TX 75093

Assisting with this complaint

North Texas Fair Housing Center
Frances Espinoza
Executive Director
8625 King George Dr., Suite 130
Dallas, Texas 75235

Other Aggrieved Persons

Persons with intellectual and/or developmental disabilities, presently unknown to Complainants, who have sought to live independently named herein and persons related to them who may have been injured by the discriminatory housing practices identified herein are also aggrieved persons.

2. **The following is alleged to have occurred or is about to occur:**

Community for Permanent Supported Housing (“Complainants”) allege that City of Dallas Housing Authority (“Respondents”) violated the Fair Housing Act (FHA), 42 U.S.C. §§ 3601-3619, by cancelling a project based voucher program for permanent supportive housing for persons with intellectual and/or developmental disabilities.

Complainants further allege that the Respondent violated the Americans with Disabilities Act (“ADA”) and the United States Supreme Court’s decision *Olmstead v. L.C.*, 527 U.S.

581 (1999) which held that the integration mandate of the ADA requires public agencies to provide services “in the most integrated setting appropriate to the needs of qualified individuals with disabilities.”

3. The following is a brief and concise statement of the facts regarding the alleged violation:

On July 31, 2016 Respondents announced a request for proposals for project based voucher assistance for permanent supportive housing for persons with intellectual or developmental disabilities (Attachment 1: request for proposals). The program is meant to increase single-family housing options for adults with intellectual and/or developmental disabilities in Collin, Dallas, Denton, Ellis, Kaufman, Rockwall and Tarrant Counties. The application deadline for the program was September 19, 2016 and Respondents were scheduled to notify applicants that were selected for awards by November 9, 2016.

There were approximately six applications submitted by the deadline. Four of these applicants were parents of adults with developmental and/or intellectual disabilities. The applicant parents proposed to offer homes they already own to be used for a project based voucher program that would include their adult child as well as one or two additional adults with developmental and/or intellectual disabilities (residents are considered a family) living in the home. These applicants would need a reasonable accommodation to have their adult child reside at the project based voucher home. There were at least two applicants that were private individuals or companies that applied to establish a project based voucher home. These applicants would not need a reasonable accommodation.

In late November 2016, Complainants contacted Respondents to ask when Respondents would notify applicants of awards. Respondents stated that notification would be delayed for various reasons that included that Respondents were backlogged regarding home inspections. In January 2017 Complainants contacted Respondents again to ask when Respondents would notify applicants of awards. Respondents told Complainants that they were rescinding and cancelling the request for proposals and would not be making any awards.

On April 18, 2017 Complainants met with Respondents to discuss the request for proposals. Respondents stated that they were not moving forward with the request for proposals because representatives from HUD told Respondents they would not grant a reasonable accommodation to allow owners of project based voucher developments to rent to close relatives. Respondents also stated that if they granted a reasonable accommodation request HUD would levy fines against Respondents (Attachment 2: letter presented to Respondents by Complaints at April 18, 2017 meeting).

4. The acts alleged in this complaint, if proven, may constitute a violation of the following:

Respondents violated 42 U.S.C. § 3604(f)(3)(B) by refusing to make a reasonable accommodation in rules, policies, practices, or services, when such accommodation may be necessary to afford such a person equal opportunity to use and enjoy a dwelling. Further, by failing to make the reasonable accommodation required by 42 U.S.C. § 3604(f)(3)(B) for people with developmental disabilities Respondents have made dwellings unavailable to people with developmental disabilities in violation of 42 U.S.C. § 3604(f)(1) and/or have discriminated against them in the terms, conditions, or privileges of the rental of dwellings in violation of 42 U.S.C. § 3604(f)(2).

Respondents actions also conflict with the integration mandate of the Americans with Disabilities Act that requires public agencies to provide services "in the most integrated setting appropriate to the needs of qualified individuals with disabilities."

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.

Robin LeoGrande

Robin LeoGrande

President

Community for Permanent Supported Housing

4/26/17

(Date)

NOTE: HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.