



Harris County Community Services Department
Office of Transit Services
ADA Complaint and Investigation Procedures

These procedures cover all complaints filed under ADA of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged violation in any program or activity administered by the Harris County Community Services Department, Office of Transit Services (HCCSD).

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging violation. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the HCCSD may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to violation prohibited under ADA and related statutes may file a complaint.

The following measures will be taken to resolve ADA complaints:

1.) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged ADA violation, basis of complaint (accessibility, reasonable accommodation, or modification), and the date of alleged violations(s). A statement detailing the facts and circumstances of the alleged violation must accompany all complaints.

All new complaints are subject to be processed and reviewed by Harris County Transit's ADA Coordinator.

The complaint should be filed with:

Harris County Community Service Department
Office of Transit Services, ATTN: ADA Coordinator
8410 Lantern Point Drive
Houston, TX 77054
Fax: 832-927-0064
E-Mail: Transit@hctx.net

ADA Coordinator: Gene Simeon 713-578-2216

2.) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of ADA Violation may be made to the HCCSD ADA Coordinator. Under these circumstances, the complainant will be interviewed, and the HCCSD ADA Coordinator will assist the Complainant in converting the verbal allegations to writing.

3.) When a complaint is received, the ADA Coordinator will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.

4.) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

5.) Within 15 business days from receipt of a complete complaint, the HCCSD will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Department Director or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.

- a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
- b. If the complaint is to be investigated, the notification shall state the grounds of HCCSD's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.

6.) When the HCCSD does not have sufficient jurisdiction, the Department Director or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.

7.) If the complaint has investigative merit, the Executive Director or his/her authorized designee will instruct the ADA Compliance Officer to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Department Director within 60 days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the ADA Compliance Officer will notify the appropriate authorities, and an extension will be requested.

8.) The Department Director or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 days from receipt of the complaint.

9.) If the Complainant is dissatisfied with the HCCSD's resolution of the complaint, he/she has the right to file an appeal within 180 days of the alleged occurrence to the following address:

Federal Transit Administration's Office of Civil Rights
819 Taylor Street, Room 14A02
Fort Worth, TX 7610 2
Telephone: (817) 978-0550
Fax: (817) -978-0575