



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 20, 2016

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested

Certified Mail#: 7015 1520 0002 0019 2328

In Reply Refer to:

EPA File No.: 07X-16-R10

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

Tracy, California 95377

Re: Administrative Correspondence

Dear

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

This letter is to inform you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), is in receipt and has reviewed the email correspondence you submitted on February 21, March 2, March 9, June 18, and December 9, 2015. After careful consideration, the OCR has concluded that it cannot accept the correspondence for investigation as a complaint because it does not meet the jurisdictional requirements described in EPA's nondiscrimination regulations.

Pursuant to the EPA's nondiscrimination administrative regulations, the OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral to the appropriate agency. (*See* 40 Code of Federal Regulations (C.F.R.) § 7.120(d)(1)). For a complaint to be accepted for investigation, it must meet the jurisdictional requirements described in the EPA's nondiscrimination regulations. First, the complaint must be in writing. (*See* 40 C.F.R. § 7.120(b)(1)). Second, the complaint must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, the complaint must be filed within 180 calendar days of the alleged discriminatory act. (*See* 40 C.F.R. § 7.120(b)(2)). Finally, the complaint must be filed against an applicant for, or a recipient of, EPA financial assistance that allegedly committed the discriminatory act. (*See* 40 C.F.R. § 7.15). For your reference, a copy of the EPA's nondiscrimination regulations is enclosed.

Your correspondence included emails between you and the Shorewood Heights management concerning various issues you experienced while living in your apartment. The emails included descriptions of issues with plumbing, relocation within the building, potential mold and structural impacts, water quality, and with the ceiling and roof in your apartment. Generally, your correspondence shows that you contacted the Shorewood Heights management on multiple occasions throughout the year for them to resolve these

issues. Based on the information that we received it appears that you have since moved from the residence as of December 15, 2015.

Although your correspondence outlines issues directed towards the Shorewood Heights management it is not clear whether your intention is to file a discrimination complaint with EPA's Office of Civil Rights. Specifically, the correspondence does not clearly describe an alleged discriminatory act. In addition, Shorewood Heights is not an applicant for, or a recipient of, EPA financial assistance. Accordingly, the EPA lacks jurisdiction over this matter and your correspondence cannot be accepted as a complaint for investigation.

If you have questions regarding the OCR's decision, please contact Brittany Martinez of the OCR's External Compliance Program, at (202) 564-0727, via electronic mail at martinez.brittany@epa.gov, or by mail at U.S. EPA, Office of Civil Rights, (Mail Code 1201A), 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460-1000.

Sincerely,



Velveta Golightly-Howell
Director
Office of Civil Rights

cc: Elise Packard
Associate General Counsel
Civil Rights & Finance Law Office

Michelle Pirzadeh
Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA Region 10