



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

May 27, 2026

Dina Levy, Commissioner
New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038
via email: maieri@hpd.nyc.gov

RE: Rejection of EPA Complaint No. 10-26-R2

Dear Commissioner Levy:

As you are aware, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECD) received the above-referenced complaint against the New York City Department of Housing Preservation and Development (NYC HPD). The complaint raises allegations of discrimination by NYC HPD on the basis of disability by:

1. failing to act on complaints filed by Complainant alleging disproportionate exposure to toxic conditions in Complainant's apartment;
2. concealing environmental records; and
3. certifying the Complainant's apartment as compliant with the New York City administrative code, while the apartment was uninhabitable due to the illegal erection of a partition wall.

This letter serves to notify you that ECD is rejecting the complaint.

Pursuant to EPA's nondiscrimination regulation, ECD must conduct a preliminary jurisdictional review of administrative complaints to determine whether to accept, reject, or refer it to an appropriate federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulation.

First, the complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See* 40 C.F.R. § 7.15.

Third, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. *See* 40 C.F.R. § 7.120(b)(1). An alleged discriminatory act is one based on race, color, national origin, sex, age, or disability. Fourth, a complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 7.120(b)(2).

After careful consideration, ECRD must reject this complaint because NYC HPD is not a recipient of EPA financial assistance.

Finally, EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have acted or participated in an action to secure rights protected by the civil rights requirements EPA enforces. *See* 40 C.F.R. § 7.100. Any individual that opines a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions, please contact Case Manager Jamillah Harris by email at Harris.Jamillah@epa.gov or by phone at (202)-564-9664.

Sincerely,

A handwritten signature in black ink that reads "Juan Carlos Hunt". The signature is written in a cursive style and is enclosed within a thin black rectangular border.

JuanCarlos M. Hunt, Director
U.S. EPA, Office of Civil Rights and Adjudication

cc: Alyssa Arcaya, Acting Deputy Regional Administrator/Deputy Civil Rights Official
Patricia Hick, Regional Counsel
U.S. EPA, Region 2