



ADA Grievance Policy

The San Francisco Department of Homelessness and Supportive Housing (HSH) is committed to complying with Title II of the Americans with Disabilities Act (ADA). This includes intaking grievances relating to inaccessibility in our programs, policies, facilities, and activities. This document outlines the process for intaking, documenting, and processing a grievance. If you would like this document in simpler language, in larger font size, or in any other format for disability-related reasons, please contact the ADA Coordinator for HSH, Cody Eliff, at cody.eliff@sfgov.org.

ADA-MANDATED RESPONSIBLE INDIVIDUAL

Title II of the ADA requires state and local government entities to designate an individual or office responsible for implementation of the ADA requirements and for maintaining such records. At HSH, this person is the ADA Coordinator.

The ADA Coordinator for HSH is:

Cody Eliff [eel-if]

Cody.Eliff@sfgov.org

415-926-9218

EXISTING GRIEVANCE REQUIREMENTS

Housing and services providers are required to have a reasonable accommodation policy and an internal grievance procedure through which disability-related complaints are handled.

Program participants must attempt to resolve the issue by raising the grievance directly with the provider responsible before coming to HSH. After a participant has exhausted the agency's internal grievance procedure, the participant can file a grievance directly with HSH based on the following grounds: (1) unsatisfactory services or poor treatment, (2) discrimination, and/or (3) unfair procedures.

If a participant needs a reasonable accommodation to the above existing grievance requirements that require a participant to first utilize the provider's process, **for a disability-related reason**, they can contact the HSH ADA Coordinator directly to formally make that request (i.e. if using the provider's procedure is not accessible for them, if the deciding staff member(s) at the provider has discriminated against the participant and further engagement with the staff member(s) in question impacts the participant's disabilities, and in other similar situations that will be individually analyzed by the ADA Coordinator on a case-by-case basis).

THE HSH ADA GRIEVANCE PROCESS

HSH receives ADA grievances in a variety of ways, including from other departments such as the Mayor's Office on Disability, from within our programs through HSH and provider staff, and from program participants themselves. HSH operates an email inbox that receives a variety of types of grievances, including ADA-related grievances. The email is: hshgrievances@sfgov.org.



When HSH receives an ADA grievance, the grievance will be routed to the HSH ADA Coordinator. The ADA Coordinator will take the following steps:

1. An assessment of the grievance will be performed, including reviewing all documentation associated with the grievance, saving the email(s) and materials included in a designated online folder, contacting the complaining party to clarify anything that is unclear, and confirming an understanding of what took place with the complaining party (the participant that filed the grievance).
2. The HSH ADA Coordinator will reach out to the HSH staff responsible for overseeing the program/facility involved in the grievance and establish who is a responsible individual(s) at the site that can speak for the provider and determine if there are other factors that should be considered when reaching out to the provider.
3. The HSH ADA Coordinator will directly reach out to the provider contact person(s) to introduce themselves, to make them aware of the grievance, and to ask initial investigatory questions about the grievance. This can include email correspondence, questionnaires, requests for documents or evidence, and possible site visits, depending on the details of each grievance. The correspondence will copy the HSH staff responsible for overseeing the program for awareness purposes.
4. All collected evidence will be reviewed by the HSH ADA Coordinator within a thirty-day timeframe, in accordance with HSH's Participant Grievance Policy. If there is a need for the investigation to go past the thirty-day timeframe, a notice will be provided to the complaining party so they are made aware of the need for more time. If the grievance is received from another department, the HSH ADA Coordinator will notify that department that the investigation will take longer than the thirty-day standard.
5. The ADA Coordinator will make a determination after considering the facts, and after consulting with appropriate HSH and other City and County of San Francisco (CCSF) staff members as needed and will put their determination in writing. The determination will be sent to the complaining party, and will outline the details of the investigation, what has been done to resolve the grievance, and will encourage the complaining party to contact the HSH ADA Coordinator if there are further concerns or if there is unlawful retaliation. The resolution will be communicated in a way that is accessible for the complaining party. If the grievance was received from another department, the HSH ADA Coordinator will notify the department that a grievance letter has been sent to the complaining party and that the case is closed at HSH.
6. The ADA Coordinator will work with HSH Programs staff and the provider staff to address what led to the grievance, will remind the provider of their contractual and legal requirements as they relate to the ADA and other applicable accessibility laws, and will collaborate to ensure that similar problems are prevented from occurring again in the future, including through training as needed.
7. All documentation and correspondence from the grievance investigation will be maintained by the HSH ADA Coordinator. The recordkeeping will be in accordance with record retention and destruction policies and will be reviewed by the City Attorney's Office prior to destruction.



ADDITIONAL RESOURCES

For additional information on what the ADA requires of Title II entities, including HSH, and on other disability rights laws and regulations, including those relating to housing, please review the following list of helpful links:

The ADA Title II regulations for state and local government entities:

- <https://www.ada.gov/law-and-regs/regulations/title-ii-2010-regulations/>
- <https://www.ada.gov/topics/title-ii/>

The National ADA Network's Title II information webpage:

- <https://www.adaactionguide.org/ada-title-ii-requirements>

U.S. Department of Housing and Urban Development's webpage on reasonable accommodations and modifications for housing providers:

- https://www.hud.gov/program_offices/fair_housing_equal_opp/reasonable_accommodations_and_modifications/information_for_housing_providers_landlords_property_managers

The California Civil Rights Department's webpage on state disability discrimination protections:

- <https://calcivilrights.ca.gov/peoplewithdisabilities/>

The CCSF Administrative Code requirements for providers (including provider requirements re: participants with disabilities):

- https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-13227

The CCSF Mayor's Office on Disability webpage:

- <https://www.sf.gov/departments/mayors-office-disability>

The webpage for Disability Rights California – an advocacy organization:

- <https://www.disabilityrightscalifornia.org/>

