

## **MEDINA COUNTY FAIR HOUSING COMPLAINT AND COMPLIANCE REVIEW**

### **1. Complaint Process - Local**

- A. Individuals within Medina City who believe they have been discriminated in a housing transaction may file a complaint with the Medina County Fair Housing Office:
- 1) **In person or by mail:**  
Medina County Professional Building  
124 W. Washington Street, Suite B4 Medina, Ohio 44256  
*Monday through Friday from 8:30 am to 4:30 pm, no appointment necessary.*
  - 2) **By Phone:** (330) 722-9219
  - 3) **By fax:** (330) 764-8456
  - 4) **By email:** [cheinly@medinaco.org](mailto:cheinly@medinaco.org)
  - 5) **By website:** [www.planning.co.medina.oh.org](http://www.planning.co.medina.oh.org)
- B. After receiving the complaint, the County Fair Housing Office asks for basic information such as name, address, nature of the problem or concern. If the contact is other than in-person an "intake form" is completed with all pertinent information and a release is requested to investigate the complaint. If an individual comes to the office he/she is encouraged to complete an "intake form" and is requested to complete a release waiver to investigate the complaint. All information provided is confidential unless authorization is given to the fair housing coordinator to divulge the source or name of the person.
- C. The coordinator investigates all claims of discrimination to determine if it is a valid complaint. The investigation is done by speaking to any person or individual who may have knowledge of the incident. Any written, or verbal information obtained remains confidential and as documentation for the investigation. Once the coordinator has gotten all the facts related to the claim they are then able to make a decision. Their decision is solely based on the information obtained. A written opinion is sent to the complainant, or the coordinator calls the complainant with their findings.
- D. If the individual is not satisfied with the findings of the Fair Housing Coordinator the individual may request that the complaint be forwarded to either the Ohio Civil Rights commission or the Department of Housing and Urban Development for further investigation and determination.
- E. If the complaint is regarding tenant/landlord contractual problems and not of a discriminatory nature, callers are advised to seek legal council. Callers are given phone numbers for several options:
- 1) Community Legal Aid hotline number - complainant must meet the

- income guidelines established for assistance.
- 2) Medina County Bar Association - they will do a referral to a local attorney who will provide limited assistance for a reduced fee.
  - 3) Callers who do not meet the income limits are advised to seek advice from their private attorney.
- F. If the tenant/landlord complaint is receiving assistance and/or the complaint involves either a HUD subsidy facility or a Medina Metropolitan Housing Authority complainants are referred to their local HUD office.
- G. If the caller has issues with Section 8 subsidized properties, the information is collected, and the caller is asked if they have spoken to the housing authority; if they have not, they are advised that Medina Metropolitan Housing Authority needs to be appraised of the situation as they have their own procedures when there are complaints about the condition of the residence or the need for repairs. The coordinator may choose to contact MMHA to apprise them of the nature of the complaint. They will then make contact with the complainant to try to resolve the problems.
- H. At all times the Fair Housing Coordinator is available and investigates all complaints to determine the validity of the claim and tries to resolve all issues locally. All claims are treated with discretion and sensitivity as to the nature of the complaint. If after investigation, the Fair Housing Coordinator feels the complaint is justified she will at that time refer the complaint to the Ohio Civil Rights Commission, Cleveland office for review, any and all information gathered during the county level investigation will be forwarded to the OCRC.

## **2. U.S. Department of Housing and Urban Development**

- A. Individuals who believe they have been discriminated against in a housing transaction may file a complaint with the HUD Enforcement Division in Cleveland, Ohio. The first step in filing a complaint with HUD is to submit a Housing Discrimination Complaint form explaining the nature of the alleged violation. Housing discrimination complaint forms, HUD-903, are available online at <http://www.hud.gov/complaints/housediscrim.cfm>. A complaint form or additional information may be obtained by calling the HUD Housing Discrimination Hotline at 1-800-669-9777, or by writing to the following address:

U.S. Department of Housing and Urban Development  
Office of Fair Housing and Equal Opportunity  
Room 5204  
451 Seventh St. S.W.  
Washington, DC 20410-2000

- B. After receiving the complaint, HUD notifies the alleged violator of the complaint, and that person must submit a response. HUD will investigate the complaint and determine whether reasonable cause exists to believe that the Fair Housing Act has been violated.
- C. HUD will try to reach a conciliation agreement with the respondent. If an agreement is reached, HUD will take no further action on the complaint. If HUD finds reasonable cause to believe that the discrimination occurred, and no conciliation is reached, the case will be heard in an administrative hearing within 120 days. The case may be handled by the Department of Justice (DOJ) and heard in U.S. District Court if one of the parties so desires.
- D. In the administrative hearing, HUD lawyers will litigate the case for the complainant before an Administrative Law Judge (ALJ). If the ALJ decides that discrimination occurred, the respondent can be ordered:
  - 1) To compensate for actual damages, including humiliation, pain, and suffering.
  - 2) To provide injunctive or other equitable relief; for example, to make housing available.
  - 3) To pay the federal government a civil penalty to vindicate the public interest:
    - a. The maximum penalties are \$10,000 for a first violation.
    - b. \$27,500 for a second offense.
    - c. \$50,000 for a third violation within seven years.
    - d. To pay reasonable attorney's fees and costs.