

## Enforcement of Civil Rights Law

Under the applicable federal civil rights statutes, any individual in the United States who believes he or she was discriminated against because of his or her race, color or national origin, age, sex, or disability, can file an administrative complaint or file a civil action in an appropriate court of law seeking redress. An individual may also file a complaint if they believe they were discriminated against in relation to housing because of their familial status or religion. Filing an administrative complaint is generally not required before filing a civil action in a court.

In the administrative process, the Department will investigate the allegations and issue a final decision on the merits of the complaint. If discrimination is found, the Department will order adequate relief to address the noncompliance.

**Complaint and Investigation Process** The Department of the Treasury is required to review and investigate any complaint alleging a violation of Title VI, Section 504, Title IX, and the Age Discrimination Act. To conduct the investigation, the Department will:

- receive and review the complaint,
- determine jurisdiction and identify the issues,
- determine approaches to complaint resolution,
- prepare a report of investigation,
- issue letters of findings and resolution,
- prepare and issue settlement agreements; and
- monitor the resolution of issues in a settlement agreement.

When a recipient receives a complaint alleging discrimination because of race, color, national origin, age, sex, disability, the recipient should forward that complaint to OCRE. We highly recommend that the recipient immediately investigate the complaint and attempt early resolution. A prompt investigation and response may resolve the issue to the satisfaction of the complainant and avoid a formal investigation by OCRE.

Once OCRE receives a complaint, it will determine jurisdiction based on the status of funding or assistance, timeliness of the complaint, and whether the allegations are covered by a law providing the Department enforcement authority. If the Department has jurisdiction, the investigation process will begin, and the recipient and the complainant will be notified. If the complainant withdraws the complaint or is not interested in participating in the investigation, the Department will examine the allegations and decide on whether the complaint should be closed.

During the investigation, OCRE will review past civil rights compliance reviews, and the status of assurances. OCRE will also look at participation data. The investigation may include information requests, interviews and/or site visits. Investigations vary depending on the allegations and the complexity of the issue. OCRE may also attempt to informally resolve the complaint.

After the investigation is complete, OCRE will write an investigative report and the parties will be notified of the result. If necessary, steps will be taken to remedy any determination of discrimination and/or noncompliance.

For complaints alleging discrimination in a housing program, the Department of the Treasury will coordinate its response and investigation with the U.S. Department of Justice and the U.S. Department of Housing and Urban Development.

### **Requirements Overview**

Title VI states that no person in the United States shall, on the ground of race, color, or national origin (including limited English proficiency), be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The Age Discrimination Act states that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title IX states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Section 504 states that no otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The Fair Housing Act prohibits discrimination because of race, color, national origin, religion, sex, familial status (having one or more children under 18), and disability. It is illegal to discriminate in the sale or rental of housing, including against individuals seeking a mortgage or housing assistance, or to discriminate in other housing-related services or activities