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

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

July 25, 2019

Return Receipt Requested
Certified Mail#: 7015 3010 0001 1267 1456

In Reply Refer to:
EPA Complaint No: 02U-19-R3

(b) (6) Privacy

Washington, DC 20019

Re: Acknowledgement, Rejection and Closure of Administrative Complaint

Dear (b) (6) Privacy

On July 24, 2019, the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO) received your complaint against your unit in (b) (6) Privacy Apartments. You allege that your landlord, (b) (6) Privacy refuses to clean. wash and replace a top panel roof from which an odorous substance is emanating. After careful consideration ECRCO cannot accept the complaint for investigation.

Pursuant to EPA's nondiscrimination regulation, ECRCO conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the 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 the EPA's nondiscrimination regulation. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulation (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 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 recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

ECRCO has concluded that it cannot accept this complaint for investigation because it does not meet the jurisdictional requirements described in EPA's nondiscrimination regulation. Specifically, (b) (6) Privacy Apartments is not an applicant for, or recipient of, EPA financial

assistance. As a result, ECRCO does not have jurisdiction to investigate the claims raised in your complaint. Accordingly, ECRCO is closing this case as of the date of this letter.

The District of Columbia Department of Consumer and Regulatory Affairs (DCRA) has jurisdiction over compliance with the District of Columbia Property Maintenance Code, you can address your complaints to the DCRA for appropriate action. Please contact the Inspection and Compliance Administration, DCRA, at 1100 Fourth Street, SW, Fourth Floor, Washington, DC 20024.

If you have questions about this letter, please contact ECRCO Team Lead Debra McGhee, at (202) 564-4646, via email at mcghee.debra@epa.gov or by mail at U.S. EPA, Office of General Counsel, Mail Code 2310A, Room 2524, 1200 Pennsylvania Avenue, NW, Washington, DC, 20460-1000.

Sincerely,

Lilian S. Dorka, Director
External Civil Rights Compliance Office
Office of General Counsel

cc: Angelia Talbert-Duarte
Acting Associate General Counsel
Civil Rights & Finance Law Office

Cecil Rodrigues
Acting Regional Counsel
Deputy Civil Rights Official
EPA Region 3