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Learn About the FHEO Complaint and Investigation Process

FHEO investigates complaints, helps individuals obtain agreements to resolve complaints, and takes actions as needed to enforce the law.

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Overview of FHEO's Complaint and Investigation Process

FHEO begins its complaint investigation process shortly after receiving a complaint. You must file your complaint within one year of the last date of the alleged discrimination under the Fair Housing Act. Other civil rights authorities allow for complaints to be filed after one year for good cause, but FHEO recommends filing as soon as possible. Generally, FHEO will either investigate the complaint or refer the complaint to another agency to investigate. Throughout the investigation, FHEO will make efforts to help the parties reach an agreement. If the complaint cannot be resolved voluntarily by an agreement, FHEO may issue findings from the investigation. If the investigation shows that the law has been violated, HUD or the Department of Justice may take legal action to enforce the law.

Depending on the type of complaint you file, FHEO may follow a different investigative process, such as referring the matter to a Fair Housing Assistance Program partner. The processes of HUD's Fair Housing Assistance Program (FHAP) partners may vary by agency.

To learn how to file a complaint with HUD, please visit the [File a Complaint](#) page. Complaints can be submitted online as well as by telephone, e-mail, or mail.

Intake

When an individual reports possible discrimination, we check whether a formal complaint can be filed under one of the laws we enforce.

What to Expect:

- FHEO may interview the individual who wishes to file a complaint.
- Where appropriate, FHEO will draft a formal complaint, have the individual review and sign the complaint, and notify the parties that a complaint has been filed.
- As part of HUD's Fair Housing Assistance Program (FHAP), FHEO may refer a fair housing complaint to a state or local government agency for investigation.
- In certain circumstances, FHEO may initiate a compliance review based on the information submitted in a complaint.

Investigation

After a formal complaint is filed, we investigate the allegations.

What to Expect:

- HUD will assign one or more investigators to investigate the allegations made in the complaint.
- After you submit a complaint, the investigator may ask you to provide more information. Generally, it will be helpful if you are prepared to provide:
 - A timeline of events, starting with the first contact you had with the person or entity you believe violated your rights;
 - The locations of events;
 - Any people who were present when events occurred;
 - Any other people who might have information related to your complaint; and
 - Any relevant documents.
- HUD will provide the party against whom the complaint has been filed notice and an opportunity to respond to the allegations.
- HUD may gather evidence in many ways, including interviewing parties and witnesses, getting documents, and inspecting properties.
- After completing the investigation, FHEO will send you a written report of its findings.

Conciliation or Voluntary Compliance

At any time, the parties can resolve the complaint under terms that are satisfactory to the parties and HUD.

What to Expect:

- Throughout the investigation, HUD will try to help the parties resolve the complaint through an agreement. Any agreement is voluntary; no party is required to accept an offer.
- If the parties agree, HUD will prepare an agreement for signature.
- Following a signed agreement, HUD will close the investigation and monitor compliance with the agreement.
- Depending on the authorities that apply to the complaint, HUD may resolve the investigation through a document called a Conciliation Agreement, a Voluntary Compliance Agreement, or both.

Legal Action

Where appropriate, we take actions to enforce the law.

What to Expect:

- The government may bring a Fair Housing Act or other civil rights case based on the findings of a HUD investigation. Examples of relief sought in such cases may include compensation for victims, changes to policies and procedures, and training.
- When the government brings a legal action, it does not charge any fees or costs to individuals who are alleging discrimination.
- Cases before HUD Administrative Law Judges are handled by HUD's Office of General Counsel, and cases in the federal courts are handled by the U.S. Department of Justice.

Process for Fair Housing Act Complaints

Learn more about what you can expect if a Fair Housing Act complaint is filed with HUD.

What Happens After the Investigation of a Fair Housing Act Complaint?

HUD Administrative Law Judge Hearing

Civil Trial in Federal District Court

Determination of No Reasonable Cause and Dismissal

Provide Feedback

Reconsiderations of No Reasonable Cause Determinations

You May File a Private Lawsuit

If You're Going to Lose Housing Through Eviction or Sale

What Happens After the Investigation of a Fair Housing Act Complaint?

When your complaint's investigation is complete, HUD will issue a determination as to whether or not reasonable cause exists to believe discrimination occurred. If HUD determines that there is reasonable cause to believe that discrimination occurred, HUD will issue a Determination of Reasonable Cause and a Charge of Discrimination. All complainants and respondents have twenty (20) days after receiving notice of the Charge to decide whether to have the case tried before a Federal District Court judge. If no one does so, the case is heard by a HUD Administrative Law Judge (ALJ).

HUD Administrative Law Judge Hearing:

If neither party elects to have a federal civil trial before the 20-day Election Period expires, HUD will promptly schedule a hearing for your case before an ALJ. The ALJ hearing will be conducted in or near the locality where the discrimination allegedly occurred. During the ALJ hearing, the parties have the right to appear in person, to be represented by legal counsel, to present evidence, to cross-examine witnesses and to conduct discovery of evidence. HUD attorneys will be assigned to represent you during the ALJ hearing at no cost to you; however, you may also choose to intervene in the case and retain your own attorney. At the conclusion of the hearing, the ALJ will issue a decision based on findings of fact and conclusions of law. If the ALJ concludes a violation of the Fair Housing Act occurred, the following relief can be ordered:

- Compensation for your actual damages, including out-of-pocket expenses and emotional distress damages.
- Permanent injunctive relief, such as an order not to discriminate.
- Appropriate equitable relief, such as making housing available to you.
- Payment of reasonable attorney's fees if you hired a private attorney.
- Payment of a civil penalty to vindicate the public interest.

Civil Trial in Federal District Court:

If any party elects to have a federal civil trial, HUD must refer your case to the U.S. Department of Justice for enforcement. The U.S. Department of Justice will file a civil lawsuit on your behalf in the U.S. District Court in the district in which the discrimination allegedly occurred. You also may choose to intervene in the case and retain your [Provide Feedback](#)

own attorney. Either party may request a jury trial, and both parties have the right to appear in person, to be represented by legal counsel, to present evidence, to cross-examine witnesses, and to participate in the discovery of evidence. If the Federal Court decides in your favor, a Judge or jury may order the following relief:

- Compensation for actual damages, including out-of-pocket expenses and emotional distress damages.
- Permanent injunctive relief, such as an order not to discriminate.
- Appropriate equitable relief, such as making housing available to you.
- Payment of reasonable attorney's fees if you hired a private attorney.
- Payment of punitive damages.

Determination of No Reasonable Cause and Dismissal:

If HUD finds that there is no reasonable cause to believe that discrimination occurred, HUD will dismiss your complaint with a Determination of No Reasonable Cause. HUD will notify the parties of the dismissal, and you may request a copy of the Final Investigative Report.

Reconsiderations of No Reasonable Cause Determinations:

The Fair Housing Act provides no formal appeal process for complaints dismissed by HUD. However, if your complaint is dismissed with a Determination of No Reasonable Cause, you may submit a written request for a reconsideration review to: Director, FHEO Office of Enforcement, U.S. Department of Housing and Urban Development, 451 7th Street, SW, Room 5226, Washington, DC 20410-2000.

You May File a Private Lawsuit:

You may file a private civil lawsuit, even if you have already filed a complaint with HUD. You must file your lawsuit within two (2) years of the most recent date of alleged discriminatory action. If you have already filed a complaint with HUD, the time during which HUD was processing your complaint is not counted in the 2-year filing period. You must file your lawsuit at your own expense; however, if you cannot afford an attorney, the court may appoint one for you. You may not be able to file a federal private civil suit if (1) you have already signed a HUD Conciliation Agreement to resolve your HUD complaint; or (2) an Administrative Law Judge has commenced a hearing for your complaint.

If You're Going to Lose Housing Through Eviction or Sale:

If you could lose the home due to discrimination, HUD may be able to assist you during the investigation. Inform your HUD investigator as soon as possible if you believe you may lose the home due to unlawful discrimination.

Process for Complaints of Discrimination in Housing and Community Development Programs

If you file a fair housing complaint that also alleges a violation of Title VI, Section 504, the ADA, or other civil rights laws FHEO enforces, some additional FHEO procedures apply.

Process to Resolve a Complaint

Informal Resolution and Voluntary Compliance

Letter of Findings

Request for Review of Letter of Findings in Section 504 Complaint

If Voluntary Compliance Cannot Be Achieved

Process to Resolve a Complaint:

FHEO will try to resolve your complaint through informal means, called a Voluntary Compliance Agreement. If FHEO's investigation finds there has been noncompliance with civil rights requirements, FHEO will issue a letter of findings. If FHEO determines that efforts to resolve the matter through voluntary compliance are unsuccessful, FHEO may pursue enforcement actions to obtain a just resolution.

Informal Resolution and Voluntary Compliance:

HUD encourages the informal resolution of matters and may attempt to resolve a matter through informal means at any stage in the processing of the complaint. During the complaint process, HUD will assist the parties in resolving the complaint through informal resolution or voluntary compliance. FHEO will develop a written voluntary compliance agreement to obtain the resolution of findings of noncompliance. A Voluntary Compliance Agreement will obtain assurances from the Program to remedy any violations and ensure that the Program will not violate the rights of other persons under fair housing or civil rights authorities.

Letter of Findings:

HUD will notify the parties about the results of its investigation in a Letter of Findings. The letter will include information about the facts found during the investigation and whether HUD found non-compliance with fair housing and civil rights laws.

Request for Review of Letter of Findings in Section 504 Complaint:

If a complaint has been brought alleging non-compliance with Section 504, and a Letter of Findings has been issued, either party may request that the letter be reviewed within 30 days of the receipt of the letter. HUD will either sustain or modify the findings, and this will become the agency's formal determination. HUD will issue a Letter of Determination either sustaining or modifying the findings.

If Voluntary Compliance Cannot be Achieved:

If a just resolution of HUD's findings of noncompliance cannot be reached through a voluntary compliance agreement, HUD can use other means to achieve compliance. Among other things, HUD can initiate an enforcement proceeding before an Administrative Law Judge or refer the matter to the Department of Justice and recommend that it bring an enforcement action in Federal Court.

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