
Brief. History of Grossly Protracted Negligence to Provide Adequate Complaint/Grievance Procedure and Fulfillments

1 message

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Leadership Board
Outreach, Access & Coordination Committee
System Impaact Committee
CoC Standards, Compliance & Funding Committee
Housing Stabiility &. Homeless. Prevention. Committee

Reviewing working documents from over quite a number of years back and then forward to and through the present (*and having. begun. as early as 2015*), it can be found that a particular factor of importance has remained missing and rather grossly neglected, even seemingly avoided and/or resisted by some, despite repeated acknowledgements of the need. Namely: distinct and specific Support and Advocacy, even legal services, for program participants/beneficiaries in HUD funded and regulated/defined programs and required procedures and resources accordingly, especially and in particular (*ESG/RRH/etc.*) For example, we find that by the EveryOne Home CoC System Coordination Committee Agenda 2-11-2019 (*see. quoted material. below*).

A key. item. and issue has been. an absence of a basic defined Procedure clearly available for participants to formally submit non-discrimination Complaints and/or Grievances, and specified.sequences in response, which may be appealed/escalated beyond an initial culpable entity/provider, and which may potentially provide positive, manifest resolutions, corrections and remedies of rightful redress to restore participants to the due treatment, access to all eligible benefits. and resources which they ought to have enjoyed otherwise, and unencumbered by adverse or retaliatory consequences for having sought justice. And whether or not there is specifically any "ombuds" persons or functions. involved.

At the same time, it ought to be well recognized and openly acknowledged that these entire enterprises, such as CoCs and all of. the component organizations/operations involved are thus primarily existent upon and expressly missioned with providing maximally effective and duly responsive assistance to and for best interests of participants, as a context of purpose, means and methods. Further to whatever degree these are funded with public monies, they are being entrusted and required to do so in good faith, at best transparently and accountable for what. and. how they do to fulfill

that. In each and every case and instance fairly, equally and equitably.

"Coordinated Entry Assessment and Suggested Action Plan (*circa 2019*)

"Lack of grievance process and need for ombudsperson. (Creating this function could be tackled in Phase 2 system simplification work but may be part of what is already expected of the Management Entity.)"

However, it gets quite more pungently ironic and, unfortunately, even seriously suspect almost a year later, by January, 2020, as found in the "First Annual Coordinated Entry Evaluation" produced by the "EveryOne Home" NGO entity then described as being the Alameda County "Continuum of Care" (CoC) management. entity, also as required and specified by HUD. In it, on page four, we again find among defined particular "needs":

"Developing grievance policies and procedures, notifying coordinated entry participants of their ability to file a nondiscrimination complaint, creating an ombudsman role as was discussed in the CE Self-Assessment and the Participant Focus Groups."

While "thanks" to and acknowledgements of Peter Radu, at the City of Berkeley, and also Bay Area Community Services (BACS) as reportedly "working closely" and instrumentally in the creation of the Evaluation, more recently both have failed to provide the most basic of HUD required documentations of their own such policies/procedures, after a Complaint/Grievance had been submitted (*two years later, in early 2022*). In fact, Mr. Radu has asserted that Berkeley does not even have any such procedure at all and has ignored requests for referral to another, higher authority for appeal otherwise. He also asserted that CoB and his responsibility is solely to monitor and ensure that the "subrecipient" (*of HUD granted funding*), and CoB's designated CES "Hub" since 2019, being BACS by contract, adhered to and fulfilled it's own defined procedure, yet contractually described to be consistent with CoB's own such policy and procedure (*which does not exist*). However, BACS failed to fulfill multiple requests for detailed definition and description of its procedure, and grossly violated and defied any valid semblance of such in practice, even initially falsely denying to CoB that a submission had been made, and finally, months later, abandoning any such action supposedly due to CoB obviating any further need for it because Complainant/Grievant had contacted CoB and allegedly therefore invoked CoB's own responsibility, although CoB. reportedly has none. Further, neither BACS nor CoB so much as even notified a Complainant with an active case that this had occurred and thereby simply ended any further pursuit in only a silent idle and unresponsive neglect. And an apparent retaliation proceeded by simply reneging on several previously committed and assured. particular services which had been described and supposedly pending. Or any others. Yet, lacking any actual notification to that effect. Simply ignoring Complainant/Grievant totally.

Later, in September, 2022, a Public Comment was read by the Chair at the EveryOne Home System Coordination Committee meeting:

"Program Participant Advocacy & Support

It appears that a rather glaring absence in the array of CoC programs, resources and services is much, if any, assistance available to and for citizen/client participants of contracted NGO end-delivery of services. This puts persons in a very vulnerable position to be so completely subjected to, and wholly reliant upon, particular NGO staff in terms of receiving eligible benefits, proper access to available resources or any other due performances to their benefit as proscribed within HUD specifications, NGO civic contracts and MOAs with Alameda County.

In fact, disserved or wronged persons are in a position dependent upon the NGO provider to even be advised of or given access to any recourse, such as Complaint or Grievance options, but which might only be a recursive submission to the culpable NGO itself. If there is no 'ombudsman' type third party designated for objective monitoring, oversight and/or compliance requirement determinations about the NGO practices and performance in granting and fulfilling services to/for end recipients it would seem that each organization and/or even individual staff are in effect able to conduct these matters however they wish without transparency, accountability nor corrective enforcements of HUD, Alameda County nor the CoC.

Is this being addressed?"

Initially, a copy of the meeting Minutes was later posted and available online at the EveryOne Home website, which included summary of meeting attendant 's responses, remarks, etc.. (*see below excerpts from those Minutes*).

"3. Public Comment 2:10 –2:25pm

Reading of written comments submitted:

- i. Katie Haverly shared a public comment in which an individual voiced dissatisfaction, in particular with the lack of presence of an ombudsman type third party to act in oversight and with which one could file grievances.
 1. Vivian noted that the comment was broad in nature and that consumers of services do have the ability to put in grievances both within the entity itself but also within the funding entity or directly to HUD. Vivian also noted that the SCC's grievance policy has been an underdeveloped area since the SCC's onset and that this public comment is indicative of a need for clarity in this area.
 2. Katie added that she did share the Coordinated Entry (CE) grievance policy with the individual who made the public comment.
 3. Natasha noted that in her experience, having an ombudsperson does create an air of neutrality and that it is a valid point worth considering.

4. **Jamie** (Ms. Almanza, BACS ceo) **agreed with both Natasha and Vivian's points and proposed a review of the grievance policy and procedure at the next meeting.**

a. Natasha, Kate and Vivian agreed with the recommendation.

5. Colleen Budenholzer noted for context that the CE grievance policy is specifically for CE related issues, but that consideration should also be taken for non-CE related grievances.

6. Katie added that she did share the Coordinated Entry (CE) grievance policy with the individual who made the public comment.

7. Vivian noted that Colleen's comment points to part of the problem, a lack of clarity around where certain grievances can be brought to attention and a need for simplicity for the individuals trying to raise grievances. noted that one of the CoC requirements per HUD regulations is an emergency"

Note that attendee Ms. Jamie Almanza, ceo of BACS, proposed action on the item at the next meeting (#4). Further, Ms. Almanza and BACS are named in a submitted Complaint/Grievance. However, by the next meeting, the item was only placed in a listing of pending agenda items, where it remained idled for the next half of a year, then disappeared entirely. Meanwhile, it was noticed that at some point the very meeting minutes as quoted above had been altered to remove all of the attendee remarks. Later yet, it was discovered that the particular meeting had no minutes document linked or available, unlike every other committee meeting over recent years. An email was sent to EOH enquiring about that and how one might obtain a copy and a reply said they would "check their files". No further response was forthcoming.

However, said Minutes file was subsequently discovered by myself, however it was located in an entirely different directory on the server. I informed my EOH contact of this, but have not yet checked to see if it then had become restored and available in the correct location and link.

Since then, I have discussed this matter and my continuing efforts to proceed with my own Complaint/Grievance submission with various individuals within EveryOne Home, All Home, HomeBase and County personnel I was referred to for that purpose. Some of these contacts produced lengthy and numerous exchanges, including over, literally months to a half year or so, and several times requiring my repeated attempts to obtain productive responses. Or any at all. During these surprisingly protracted processes, I have also made mention, variously, of this issue and sometimes my own submission at several

further CoC committee meetings, including the latest OAC meeting of November, 2024.

Meanwhile, as was noted in the above mentioned Minutes, Katy Haverly had produced a document appearing to be an official reference for a CES Grievance Policy then, 2022

Since, I've discovered several different references to same, among PDFs from HUD, CA State, Alameda County and the EOH CoC, and. an agreement with CoB, specifically pertaining to that.

Most recently Aram Hauslaib, with Alameda County, distributed an email which included PDF attachments apparently detailing a "CES Grievance Policy", October 4, 2024.

So, there hasn't so much been an absence of such a policy as, reportedly there is no particular "mechanism" for enacting and operating it, in fact and fact, as I was advised by Mr. Kawal Ulanday with the County, whom had been assigned to work with me on the matter. So, after our many exchanges over the better part of this year, he finally advised me of that and ended our contacts, also declaring that, therefore, I had no such active Complaint/Grievance with the CoC/County, as far as he was concerned. I disagree. It's just not being honored or allowed.

And Ms. Ann Fellers, whom he had referred me to as interim head of the CES has continued to ignore my request to provide me with any specific method or particular form required for me to formally "elevate" my submitted Complaint/Grievance. Instead, she and others have refused my pursuit by raising attempted technical barriers supposedly disqualifying my submission, allegedly as not being a bona fide "CES" matter. Yet, according to what they've specified, they are apparently very mistaken, at best, according to several reference documents setting forth terms, descriptions and policies which very much include my issues. Mr. Ulanday had eventually advised me that some unidentified "directors" he had checked with also raised a couple of technical aspects, however those are incorrect pertaining to my particulars, which expressly meet their alleged criteria. I've supplied both with particular official citations and details showing this and have requested they also provide me with their citations of actual definitive qualifications they've alleged, but neither have done so. I also requested that Mr. Ulanday provide me with the identities of those "directors" and their written determination as he had alleged to me. He has ignored my request.

It would seem appropriate to me that I be allowed to make such submission and, in the event any disqualification of my issues and claims might then be so evidenced in an actual formal response. As it is, instead, I am being actually prevented from such submission via these types of unresponsive, highly anecdotal, and outright adverse actions. This seems highly improper to me, according to all official references I've seen thus far.

Earlier today, November 20, 2024, while attending a CoC Committee meeting, I was advised of an already active, ongoing subcommittee purposed with developing and crafting such a non-discrimination Complaint/ Grievance Policy and Procedural "mechanism" and was invited to join the effort. I agreed to that, although given so many existing references to at least a CES version, I do not quite understand a need to recreate that wheel "through 2025" as it was projected in scope and timetable. In fact, it could seem perhaps more consistent with, in effect, all the previous action only resulting in kicking that can further down the road, so far.

Sent from The Harmon eStreet Fools Retre