



CDBG-DR/MIT

Citizen Complaints Policy



DEPARTMENT OF

HOUSING

GOVERNMENT OF PUERTO RICO

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PUERTO RICO DEPARTMENT OF HOUSING
CDBG-DR/MIT PROGRAM
CITIZEN COMPLAINTS POLICY
VERSION CONTROL

VERSION NUMBER	DATE REVISED	DESCRIPTION OF REVISIONS
1	July 22, 2020	Original Version
2	September 14, 2020	Edits throughout the document to correct references and citations; include complaints landing page on the official PRDOH CDBG-DR Program website.
3	August 19, 2022	Applicability to mitigation activities under the CDBG-MIT Program added.
4	November 15, 2024	Amendments to Definitions section to incorporate responsible areas. All revisions are highlighted in gray.
5	October 24, 2025	Review of definitions and adjustments to the complaint intake and referral procedures. All revisions are highlighted in gray.

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1 Overview

The Puerto Rico Department of Housing (**PRDOH**), as grantee, has developed a Citizen Participation Plan in compliance with 24 C.F.R. § 91.115 and applicable U.S. Department of Housing and Urban Development (**HUD**) alternative requirements as published in Federal Register Notices for Community Development Block Grant – Disaster Recovery (**CDBG-DR**) and Community Development Block Grant – Mitigation (**CDBG-MIT**), which supersede/waive and replace certain requirements with respect to citizen participation. These alternative requirements are set forth in the Federal Register Notices listed next, and in any additional notices as applicable:

Table 1: Federal Register Notices and Alternative Requirements

CDBG-DR	CDBG-MIT
• Federal Register Notices Vol. 83, No. 28 (Friday, February 9, 2018), 83 FR 5844; • Federal Register Notice Vol. 83, No. 157 (Tuesday, August 14, 2018), 83 FR 40314; • Federal Register Notice Vol. 85, No. 17 (Monday, January 27, 2020), 85 FR 4681; • Federal Register Notice Vol. 86, No. 3 (Wednesday, January 6, 2021), 86 FR 569; and • Federal Register Notice Vol. 86, No. 117 (Tuesday, June 22, 2021), 86 FR 32681. • Federal Register Vol. 87, No. 23 (Thursday, February 3, 2022) 87 FR 6364 • Federal Register Notice Vol. 87, No. 100 (Tuesday, May 24, 2022), 87 FR 31636.	• Federal Register Notice Vol. 84 No. 169 (Friday, August 30, 2019) 84 FR 45838; and • Federal Register Notice Vol. 85 No. 17 (January 27, 2020), 85 FR 4676.

As per 24 C.F.R. § 91.115(h), and as part of addressing Puerto Rico’s long-term recovery needs, citizen complaints on any issues related to the general administration of CDBG-DR/MIT funds are welcomed throughout the grants. Addressing citizen complaints is

an essential responsibility for PRDOH as it establishes an open communication channel regarding citizens' concerns about PRDOH's CDBG-DR/MIT Program.

PRDOH is committed to ensuring adequate and effective communication with citizens with disabilities regarding all aspects of the CDBG-DR/MIT Program, including its policies and procedures. PRDOH will make information available in alternate formats, as needed and upon request, to ensure adequate communication with disabled persons.

2 Scope

This policy applies to all PRDOH CDBG-DR/MIT complaints received regarding program administration, management, and/or operation procedures. It is not designed to address anonymous complaints or requests for Program-based reconsiderations of CDBG-DR/MIT Program determinations. Any complaint received regarding matters specifically covered in other standalone documents will be addressed or referred accordingly.¹ For this purpose, see the subsection on Referrals under the Responsibilities section below.

3 Purpose

The Policy outlines PRDOH's commitment to ensure that all complaints are handled promptly and consistently, and that, at a minimum and to the extent possible, a substantive and timely response is provided to all written and verbal complaints within **fifteen (15) working days**, in accordance with 24 C.F.R. § 91.115(h). Therefore, this policy is a guidance for the accountable, efficient, and transparent oversight of citizen complaints through the implementation of a structure that properly organizes policy, workflows, and systems necessary to uphold PRDOH's responsibility. The Policy encourages individuals to express their complaints and grievances on any issues related to the general administration of CDBG-DR/MIT funds so that those complaints and grievances are taken care of and, where appropriate, acted upon.

¹ These policies can be found at the CDBG-DR/MIT website in English and Spanish at, <https://recuperacion.pr.gov/en/resources/policies/general-policies/> and <https://recuperacion.pr.gov/recursos/politicas/politicas-generales/>.

4 Definitions/Acronyms

Action Plan – A comprehensive description of projects, including activities, accomplishments, sources of funds, and users of funding.²

AFWAM Policy – The Anti-fraud, Waste, Abuse, or Mismanagement Policy of the CDBG-DR/MIT Program.³

Anonymous Complaints – Complaints with insufficient data and/or submitted by a third party with no standing in the matter, which do not need to be accepted or reviewed.

CDBG-DR – Community Development Block Grant – Disaster Recovery.

CDBG-MIT – Community Development Block Grant – Mitigation.

Complainant – Any natural or legal person and/or authorized representative of such person who submits a complaint, also known as the “aggrieved person” or the individual who is subject to the situation that is the basis for the complaint.

Complaint – A formal statement of grievance submitted verbally and/or in writing, which will be documented, processed, filed, and responded to per 24 C.F.R. § 91.115(h). The term “complaint” does not include requests for information, guidance, warranty claims, or general comments or suggestions, unless they involve allegations of irregularities or dissatisfaction. It also does not include reports of fraud, waste, or abuse, which must be submitted through the channels established in the AFWAM Policy⁴.

Confidentiality – The protection of personal or sensitive information, as defined in the Personally Identifiable Information, Confidentiality, and Nondisclosure Policy of the CDBG-DR/MIT Program.⁵

HUD – The United States Department of Housing and Urban Development.

OIG – Office of the Inspector General.

² The CDBG-DR and CDBG-MIT Action Plans, as amended, can be found at the CDBG-DR/MIT website in English and Spanish, <https://recuperacion.pr.gov/en/action-plan/> and <https://recuperacion.pr.gov/plan-de-accion/>.

³ This policy can be found at the CDBG-DR/MIT website in English and Spanish at <https://recuperacion.pr.gov/en/resources/policies/general-policies/> and <https://recuperacion.pr.gov/recursos/politicas/politicas-generales/>

⁴ *Id.*

⁵ *Id.*

PII Policy – The Personally Identifiable Information, Confidentiality, and Nondisclosure Policy of the CDBG-DR/MIT Program.⁶

POC – Point of Contact.

PRDOH – Refers to the Puerto Rico Department of Housing.

PRDOH Federal Compliance Division (FCLS) – CDBG-DR/MIT Program Division of PRDOH responsible for handling complaints related to non-compliance with Uniform Relocation Act (URA), Section 3, and/or Davis Bacon and Related Acts (DBRA), among other acts.

PRDOH Legal Division – CDBG-DR/MIT Program Division of PRDOH responsible for providing responses to issues related to legal or potential litigious matters, including, but not limited to complaints presented by citizens with legal representation, discrimination allegations, complaints referred by state and/or federal agencies, including HUD; Administrative Reviews, damages, contracts, and conflicts of interest, among other related proceedings.

PRDOH Public and Community Affairs Division (PCAD) – CDBG-DR/MIT Program Division of PRDOH responsible for centralizing process to responses provided to complaints, ensure proper recordkeeping, and quality of services provided by the construction manager (CM); quality of services provided by the program manager (PM) and case status requests, among other matters.

Programmatic Area – PRDOH Area/Department/Division responsible for implementing CDBG-DR/MIT funded programs and activities that will assist and support citizens' complaints responses, by gathering and providing relevant information and documentation to the other Divisions in charge of assessing complaints.

Recordkeeping Policy – The Record Keeping, Management, and Accessibility Policy of (RKMA Policy) of the CDBG-DR/MIT Program.⁷

Requests for Information (RFI's) – Refers to petitions submitted by citizens or their authorized representatives to obtain the status of a program or access documentation related to their case, for example, the delivery of a certified case file.

⁶ *Id.*

⁷ *Id.*

Requests for Guidance – Refers to the process by which citizens, program participants under the CDBG-DR/MIT portfolio, or their authorized representatives request guidance on matters related to said programs.

Requests for Reconsideration – Mechanism through which participants of the CDBG-DR/MIT portfolio programs, or their authorized representatives, may submit a formal petition to challenge a determination issued by the program.

Warranty Claims – Refers to the process through which the repair and/or replacement of goods or items covered by the warranty provided under the program is requested.

5 Policy

The federal statutes governing the CDBG-DR/MIT Program require states, as part of its citizen's participation, to "provide a timely, substantive written response to every written resident complaint, within an established period of time (**within 15 working days**, where practicable, if the State is a CDBG grant recipient)".⁸ The Federal Register Notices applicable to Puerto Rico introduced a waiver of the citizen participation requirement and established alternative requirements. However, they retain the **fifteen (15) day** provision.⁹

Individuals have the right to offer their views and positions at any moment during the development and implementation of the CDBG-DR and CDBG-MIT Programs. PRDOH has adopted this Policy to ensure that complaints are addressed promptly, responsibly, and confidentially. The complainant's identity and circumstances will be kept confidential, unless prior written authorization is given by the complainant. PRDOH will treat citizens fairly and courteously when responding to complaints. The purpose of the Policy is to ensure such issues are treated in a manner that is both sensitive to the complainant's needs and fully compatible with applicable Federal and local laws, regulations, codes, and ordinances.

PRDOH's non-discrimination policy extends to the intake and handling of complaints. PRDOH does not discriminate based on race, color, religious beliefs, political beliefs,

⁸ See 24 C.F.R. § 91.115(h).

⁹ 83 FR 5844, 5855; 84 FR 45838, 45854; 87 FR 6364, 6384; 86 FR 32681, 32691.

trade union affiliation, sex, sexual orientation, gender, disability, familial status, marital status, national origin, or any other unjustifiable factor, for example: language difficulties, age, pregnancy, etc.

No person shall intimidate, threaten, coerce, or discriminate against any other person because they submitted or filed a complaint, testified, assisted, and/or participated in any matter, in an investigation, proceeding, or hearing related to a complaint.

6 Complaints

During the implementation of the CDBG-DR and CDBG-MIT programs, citizens can submit a complaint through a written or verbal statement of grievance. PRDOH will accept complaints concerning any issue related to the general administration of the CDBG-DR/MIT Program. A complaint can be filed by any person and/or their authorized representative by any means such as regular or electronic mail, in person, or by phone. This Policy intends to delineate how PRDOH will address these complaints submission mechanism.

6.1 Complaint Formalities

For a complaint to be processed and reviewed by PRDOH or its representative, it requires the following formalities:

1. Needs to be presented in writing or verbally to PRDOH, its representatives or contractors.
2. Complainant's full name.
3. Complainant's contact information and preferred method of communication (telephone; physical, postal, and/or Email addresses).
4. Nature of complaint (CDBG-DR/MIT program/other, please specify).
5. Summary of complaint and desired remedy.
6. Previously contacted individuals concerning complaint (CDBG-/MIT Program personnel/Project Manager/PRDOH Staff and/or other individual, if applicable).
7. Any supporting evidence.

Requirements 1-5 are mandatory. The complaint should be presented by the complainant, or by an authorized representative. Any individual filing a complaint on

behalf of an individual or entity shall present proper documentation confirming they have the authority to represent the complainant.

To ensure adequate communication with and from persons with disabilities, a complainant may request an alternate format, as needed. This includes allowing verbal complaints to be received. CDBG-DR/MIT Programs personnel or other related parties receiving said complaint must assure compliance with all the requirements as described above.

6.2 Complaint Submittal

Citizens who wish to submit a complaint regarding the general administration of CDBG-DR/MIT funds, may do so in writing through any of the following methods:

- **Via email at:** CDBGresponde@vivienda.pr.gov
- **Online at:** <https://recuperacion.pr.gov/en/contact-us/complaints/>
(English)
<https://recuperacion.pr.gov/contactanos/quejas/>
(Spanish)
- **In writing at:** Puerto Rico CDBG-DR/MIT Program
Attn: Public and Community Affairs Division: Complaints
P.O. Box 21365
San Juan, PR 00928-1365

If the Complainant is unable to submit a complaint in writing (this could be due to a disability and/or other special circumstance), the complaint may be formalized verbally and/or as a written complaint through an interview process.

If requested, a complaint may be submitted verbally via:

Telephone: 1-833-234-CDBG or 1-833-234-2324
787-522-5950

In Person: PRDOH Headquarters Office or Program-Specific Intake Centers

6.2.1 Complaint Intake and Referral Process

A complaint may be filed by any person, or their authorized representative through: postal mail, electronic mail, in person, or by phone. Regardless of the method of

submission, complaints—whether written or verbal—must be reported immediately to the PCAD.

PCAD serves as the central coordinating body for the complaint response process and is responsible for:

- Receiving and registering all complaints via the Complaints Management System (**CMS**);
- Refer the complaints to the corresponding program areas, together with the information and evidence provided by the complainant or their authorized representative; and
- Collecting relevant information, preparing, and issuing the official responses.

The CDBG-DR/MIT Legal Division is responsible for preparing written responses to complaints involving legal or potentially litigious matters, including, but not limited to:

- Complaints submitted by citizens with legal representation;
- Allegations of discrimination;
- Complaints referred by state and/or federal agencies, including HUD;
- Administrative reviews;
- Claims for damages;
- Contract-related issues; and
- Conflicts of interest.

When the Legal Division receives a complaint, it must immediately report it to PCAD. If the matter falls within its jurisdiction, it shall be responsible for preparing the written response and forwarding a copy to the PCAD to ensure its proper recording and retention in the CMS.

6.2.2 Complaints without standing or data

Complaints with insufficient data, or submitted by a third party, with no standing in the subject matter of the complaint are not accepted. Anonymous complaints will not be processed. See AFWAM Policy.

7 Responsibilities

PRDOH has designated appropriate and practical procedures for addressing citizen complaints. Upon receipt of a written complaint, PRDOH will provide a timely and substantive written response within **fifteen (15) working days**, in accordance with 24 C.F.R. § 91.115(h). Verbal complaints will also be addressed within the same timeframe. PRDOH will assess the nature of each verbal complaint to determine the appropriate level of formality in the response. If additional time is required to address the citizen complaint, PRDOH will send the complainant a time extension letter within the same fifteen (15) business-day period provided to address the complaint. All complaint responses—whether written or verbal—will be documented in the CMS.

7.1 Complaint Investigation

In cases where the PCAD deems it necessary, follow up will be conducted with the complainant to obtain additional information and/or additional evidence to issue an appropriate response. Delays in providing the requested additional information and/or evidence may require sending a time-extension letter to the claimant within the same **fifteen (15) working-day period** provided to answer the complaint.

7.2 Referrals

Depending on the type of complaint filed and the requested remedy, PRDOH may follow different approaches to produce a timely and substantive written response.¹⁰ On a case-by-case basis, any complaint could be referred to the corresponding program area or division for consideration when reviewing the complaint, as applicable, as to provide applicable data for the response. In addition, there are certain complaints that must be fully referred for evaluation and response. Examples of these referrals include:

- Complaints pertaining to a Fraud, Waste, Abuse, or Mismanagement matter shall follow the AFWAM Policy¹¹ and will be immediately referred to the PRDOH Internal Audit Office or the HUD Office of Inspector General.

¹¹ This policy can be found at the CDBG-DR/MIT website in English and Spanish at <https://recuperacion.pr.gov/en/resources/policies/general-policies/> and <https://recuperacion.pr.gov/recursos/politicas/politicas-generales/>.

- Complaints pertaining to any Fair Housing Act matter, shall follow the PRDOH CDBG-DR/MIT Fair Housing and Equal Opportunity (FHEO) Policy.¹²

7.3 Records

The PCAD will keep and maintain a log of complaints received and answered, using the CMS. All complaints received will be documented, processed, and filed in compliance with the PRDOH CDBG-DR/MIT Recordkeeping Policy.¹³

7.4 Protective Measures

The Anti-Corruption Code for the New Puerto Rico, Act No. 2-2018, as amended (Anti-Corruption Code), consolidated separate anti-corruption legislation into one code. The Anti-Corruption Code provides whistleblower protections prohibiting private entities and government officials from “harassing, discriminating, firing, threatening, or suspending any benefit, right or protection” to anyone who has provided information, cooperated, or has acted as a witness in any investigation leading to any complaint, accusation, conviction, civil, or administrative action, related to the illegal use or misappropriation of public funds or other acts of corruption. The Code also allows for whistleblowers to claim civil damages for violations to the retaliation prohibitions set in the statute. Furthermore, it recognizes the right of whistleblowers to request and receive free legal advice and/or representation by the Department of Labor of Puerto Rico necessary to initiate or participate in any civil, criminal, or administrative proceeding arising under the Anti-Corruption Code.

For more information about the whistleblower protections and remedies recognized in the Anti-Corruption Code for the New Puerto Rico, please refer to Act No. 2-2018, as amended.

The Whistleblower Protection Enhancement Act of 2012 protects federal employees who disclose evidence of waste, fraud, or abuse. These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive Order relating to (1) classified

¹² This policy can be found at the CDBG-DR/MIT website in English and Spanish at <https://recuperacion.pr.gov/en/resources/policies/general-policies/> and <https://recuperacion.pr.gov/recursos/politicas/politicas-generales/>.

¹³ *Id.*

information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.

In addition, as part of the National Defense Authorization Act of 2013, under 41 U.S.C. § 4712, it is illegal for an employee of a federal contractor, subcontractor, grantee, subgrantee, or personal services contractor to be discharged, demoted, or otherwise discriminated against as a reprisal for making a protected whistleblower disclosure. To be protected under 41 U.S.C. § 4712, a disclosure must be made (among others) to a management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.¹⁴

END OF POLICY.

¹⁴ To be protected under 41 U.S.C. § 4712, a disclosure must be made to one of the following: (1) a member of Congress or a representative of a committee of Congress; (2) the OIG; (3) the U.S. Government Accountability Office (**GAO**); (4) a federal employee responsible for contract or grant oversight or management at the relevant agency; (5) an authorized official of the U.S. Department of Justice or other law enforcement agency; (6) a court or grand jury; or (7) a management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.