

**CITY OF CHARLOTTESVILLE, VIRGINIA  
HUMAN RIGHTS COMMISSION & OFFICE OF HUMAN RIGHTS  
CALENDAR YEAR 2021 ANNUAL REPORT**

**Introduction:**

The Charlottesville Human Rights Commission, in partnership with the Office of Human Rights, acts as a strong advocate for justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights. The Charlottesville Human Rights Ordinance (Chapter 2, Article XV of the Code of the City of Charlottesville) outlines the roles, duties, and responsibilities of the Human Rights Commission (HRC) and the Office of Human Rights (OHR). Per Sec. 2-433 of the Charlottesville Human Rights Ordinance, following the passage of the amended Ordinance on February 1, 2021, it is the role of the HRC and OHR to:

- a) Assist individuals who believe they are the victim of an act of unlawful discrimination within the City.*
- b) Collaborate with the public and private sectors for the purpose of providing awareness, education, and guidance on methods to prevent and eliminate discrimination citywide.*
- c) Identify and review policies and practices of the City of Charlottesville and its boards and commissions and other public agencies within the City and advise those bodies on issues related to human rights issues.*
- d) Seek work share agreements with the Equal Employment Opportunity Commission (“FEPA”) and the Department of Housing and Urban Development (“HUD-FHAP”) to conduct investigations of employment and housing discrimination on their behalf, and enter into such agreement(s) subject to approval of City Council upon a finding that the agreement(s) would be in the best interest of the City.*
- e) Make recommendations regarding the City’s annual legislative program, with an emphasis on enabling legislation that may be needed to implement programs and policies that will address discrimination.*
- f) Prepare recommendations to policies and procedures the Commission believes are necessary for the performance of the roles, duties and responsibilities assigned to the Commission within this article, and for modifications or operating procedures approved by City Council.*

As required by Sec. 2-441 of the Charlottesville Human Rights Ordinance, the following report provides an overview of the work of the HRC and OHR during calendar year 2021 (CY2021). Data and information within this report can also be found in the Human Rights Department Scorecard on the City website.

## **Overview:**

During CY2021, the HRC and OHR resumed many activities that had been limited by the COVID-19 pandemic in 2020. In January 2021, the HRC elected Mary Bauer as Chair and Kathryn Laughon as Vice Chair. Commissioners held their annual retreat on February 27, 2021, during which they identified the following goals and strategies for their work in 2021:

- 1. Continue advocating for increased accessibility and ADA compliance of all City services.**
  - a. Finish the disability/visibility project
  - b. Build back the relationship with the City ADA office
  - c. Reduce barriers for residents to communicate with the City
    - i. Add captions to online and broadcasted City meetings
    - ii. Provide access to documents in multiple languages
    - iii. Improve awareness of in-person ASL interpretation services
  - d. Advocate for continued consideration of accessibility in improved City infrastructure and transportation
    - i. Sidewalks and walkways
      1. ADA-compliant sidewalks
      2. Seasonal walkway accessibility
      3. Accessibility considerations during construction and roadwork changes
    - ii. Improvements to CAT and JAUNT services (reliability, timeliness)
- 2. Address barriers to housing.**
  - a. Strengthen our city's capacity to support issues of housing by developing pipelines for legal representation during eviction cases
  - b. Amplify the work of housing advocates by putting Commission support behind strategies that will heal legacies of discrimination
  - c. Support tenants by advocating for a policy entitling people in eviction proceedings to legal counsel.
    - i. Gather data of how many evictions proceedings occur in a year and how many tenants lack representation.
      1. Track the outcomes of eviction without lawyers
      2. Seek partnerships to gather data and advocate to City Council
  - d. Advocate for legal representation also for those who bring complaints to Commission
- 3. Pursue a Fair Employment Practices Agency (FEPA) workshare agreement with the Equal Employment Opportunity Commission (EEOC).**
- 4. Pursue a Fair Housing Assistance Program (FHAP) workshare agreement with federal department of Housing and Urban Development (HUD).**

This report will examine how the goals and strategies identified by the HRC, and the actions taken by the HRC and OHR in 2021, align with the roles and responsibilities specified in the Charlottesville Human Rights Ordinance.

On June 1, 2021, the OHR reopened to walk-in and in-person appointments after being closed since March 16, 2020 due to the COVID-19 pandemic. The reopening coincided with Lily Gates and Ginny Helmandollar starting work as volunteer OHR Interns. Throughout the summer of 2021, Lily and Ginny contributed a combined 24 hours per week to the OHR. While they assisted with a variety of tasks, they assumed full responsibility for entering data into the OHR Service Provision database and transcribing minutes for the HRC’s public meetings. Their service to the OHR proved invaluable throughout the summer. In the fall of 2021, Lily and Ginny were able to continue to work for the OHR as paid interns while also attending college. Without their support, keeping the OHR open and functioning would not have been feasible given OHR staffing levels and the volume of incoming contacts during the second half of the year.

The following is a list of the main takeaways and trends observed from the work of the HRC and OHR in CY2021. Detailed information regarding this work and other actions can be found in the body of the report.

Key Takeaways and Observed Trends
<ul style="list-style-type: none"><li>• In CY2021, the OHR received 1,962 incoming contacts: more incoming contacts than during any previous year in the OHR’s history.</li><li>• In CY2021, the OHR received 62 new inquiries and complaints originating in Charlottesville.</li><li>• Over the past four years, <b>housing</b> was the most often identified protected activity in inquiries and complaints received by the OHR.</li><li>• Over the past four years, <b>race</b> was the most frequently identified protected class in inquiries and complaints received by the OHR.</li><li>• Most referrals to other service providers in CY2021 involving a housing concern did not include an allegation of housing discrimination; more frequently, an individual sought assistance with rent or deposit relief, housing navigation, utility relief, or homelessness.</li><li>• The current staffing and organizational structure of the OHR is not sustainable and results in delayed complaint investigation. OHR staff recommends hiring full-time employees for all components of the complaint and enforcement process.</li></ul>

The HRC and OHR are committed to improving accessibility to information about their work. This report has been made accessible for the visually impaired, and it uses plain language as much as possible to ensure its contents are understandable. Alternative text is included for graphs, charts, and some tables that may not be accessible for the visually impaired. Technical terms are defined as they appear in each section of the report. A complete list of technical terms used in this report can be found in the OHR Data Dictionary (Attachment 1). Upon request, the OHR can provide additional information or clarification for graphics that are not accessible.

This report complements the Human Rights Department Scorecard, which can be found on the City website via the City Council or Human Rights webpages. Throughout this report there are references to corresponding Objectives and Measures in the Department Scorecard. City

Councilors and members of the public are encouraged to contact OHR staff with any questions about the contents of the report or for more information about the services provided by the HRC and OHR.

HRC & OHR staff contact: Todd Niemeier, Director, Human Rights Commission

Phone: 434-970-3023

Email: [humanrights@charlottesville.gov](mailto:humanrights@charlottesville.gov)

OHR Webpage: [www.charlottesville.gov/665/Human-Rights](http://www.charlottesville.gov/665/Human-Rights)

HRC Webpage: [www.charlottesville.gov/963/Human-Rights-Commission](http://www.charlottesville.gov/963/Human-Rights-Commission)

Human Rights Department Scorecard: <https://publish.clearpointstrategy.com/146/humanrights/>

**Charlottesville Human Rights Ordinance Sec. 2-433. (a)**  
*(Objective 1 in the Department Scorecard)*

*Sec. 2-433. (a) Assist individuals who believe they are the victim of an act of unlawful discrimination within the City.*

Term(s) used in this section	Definition(s)
<b>Unlawful Discrimination</b>	The denial of a person’s opportunity to engage in a daily life activity that is protected by law.

***HRC Actions***

Most activities involving individual assistance rest with the OHR under *Sec. 2-437. Duties and responsibilities – Investigation of individual complaints and issuance of findings*. The HRC has a specific role pertaining to public hearings, as explained in *Sec. 2-439.1. Enforcement Authority – The Role of the Commission*. In the history of the HRC, only one complaint has required the HRC to hold a public hearing. No cases of discrimination required the HRC to hold a public hearing in CY2021.

Term(s) used in this section	Definition(s)
<b>Public Hearing</b>	A service provided by the Human Rights Commission and coordinated by the Office of Human Rights, as specified by the Charlottesville Human Rights Ordinance, involving the recommendation of remedies related to either a determination of probable cause after the formal investigation of a complaint <i>or</i> a review of a determination of no probable cause for which a complainant seeks an appeal.

The HRC partnered with the OHR in 2021 to address concerns presented by residents of Midway Manor, a local subsidized housing complex for people of advanced age and people with disabilities. On November 10, 2021, the HRC Chair, representatives of Legal Aid Justice Center, and OHR staff visited Midway Manor to listen to resident concerns about the conditions in their building. The HRC subsequently voted to hold a public panel on public and subsidized housing, which was scheduled for February 22, 2022. The OHR wrote a letter to the property owner summarizing the concerns residents expressed and requesting an in-person meeting with corporate representatives to discuss solutions. The property changed ownership at the end of 2021, so the same letter was sent to the new owners. At the time of the writing of this report in 2022, some of the concerns in the letter have been addressed by management, while others, including the requested meeting between tenants and corporate representatives, have not. The OHR continues to stay in touch with residents at Midway Manor and is working with other community partners to help amplify their concerns to property management.

The HRC’s use of community-based dialogue outside of regular HRC meetings as a method to address concerns aligns with both Sec. 2-433. (a) and Sec. 2-434., as well as the HRC’s own strategic goal of addressing barriers to housing (Goal 2). This is a new use of the HRC’s authority and could prove to be an effective tool for assisting residents who may not be able to easily or effectively present their concerns to those with the power to affect change.

***OHR Actions***

Individual service provision remains the primary function of the OHR. After reopening the OHR for in-person appointments on June 1, 2021, there was a dramatic increase in the number of daily contacts by people seeking assistance. The data below is an overview of types of services provided to individuals. The OHR CY2021 Individual Service Data table (Attachment 2) provides detailed individual service data by month.

<b>Term(s) used in this section</b>	<b>Definition(s)</b>
<b>Contact</b>	Any communication with an individual seeking services from the Office of Human Rights, including walk-ins, appointments, phone calls, text messages, and emails. <b>Incoming</b> contacts are initiated by individuals seeking assistance from the Office of Human Rights, while <b>outgoing</b> contacts are initiated by Office of Human Rights staff.
<b>Complaint</b>	An incoming contact in which an individual wishes to pursue action regarding an allegation of discrimination that falls within the jurisdiction of the Office of Human Rights, as defined by the Human Rights Ordinance.
<b>Client Follow-up</b>	An incoming contact from an individual who has an open inquiry or complaint.
<b>General Contact</b>	An incoming contact that involves outreach coordination, event planning, volunteer coordination, or general information.
<b>Inquiry</b>	An incoming contact involving services provided to an individual by the Office of Human Rights <i>and/or</i> an individual allegation of discrimination that falls outside the jurisdiction of the office, as defined by the Charlottesville Human Rights Ordinance.
<b>Staff Follow-up</b>	An outgoing contact in which staff communicates with an individual who has previously contacted the Office.
<b>Third-Party Incoming Contact</b>	An incoming contact with a person other than the individual directly involved with an inquiry or complaint being discussed.
<b>Third-Party Outgoing Contact</b>	An outgoing contact with a person other than the individual directly involved with an inquiry or complaint being discussed. The person directly involved must give verbal or written consent for staff to initiate a third-party outgoing contact.

## Total Incoming Contacts

(Objective 1, Measure 1 in the Department Scorecard)

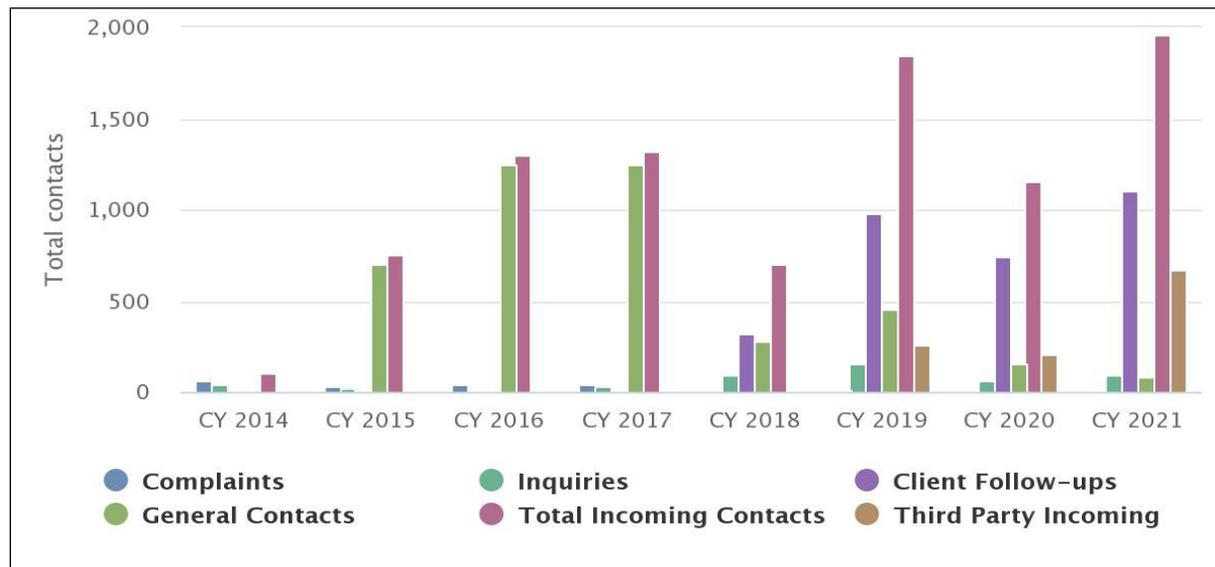
### Key Takeaways and Observed Trends

In CY2021, the OHR received 1,962 incoming contacts: more incoming contacts than during any previous year in the OHR's history.

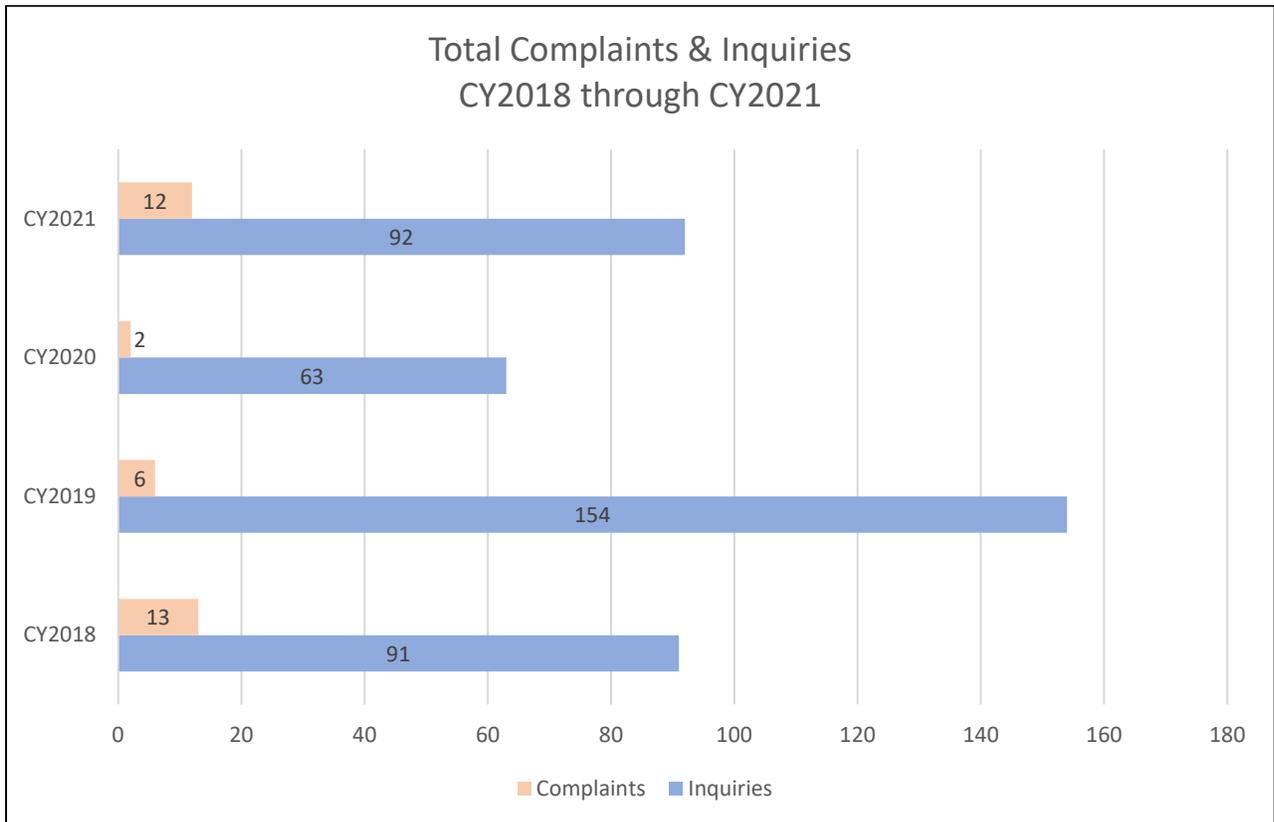
From January through May, the office received an average of 4 incoming contacts per day. From June through December when the Office resumed in-person activities, the office received an average of 11 incoming contacts per day. The Office received an average of 8 incoming contacts per day for the full year. During CY2021, the OHR received the following incoming contacts:

Contact Type	Total Number
New Complaints	12
New Inquiries	92
Client Follow-ups	1,103
General Contacts	84
Third Party Incoming	671
<i>Total Incoming Contacts</i>	<i>1,962</i>

The bar chart below shows the CY2021 contact data in relation to that of previous years. Data prior to CY2018 was reanalyzed and redistributed into the contact categories listed above for ease of comparison. The data pertaining to CY2014 complaints was reviewed by jurisdiction, and contacts listed as complaints that fell outside the jurisdiction of the OHR were reclassified as inquiries.



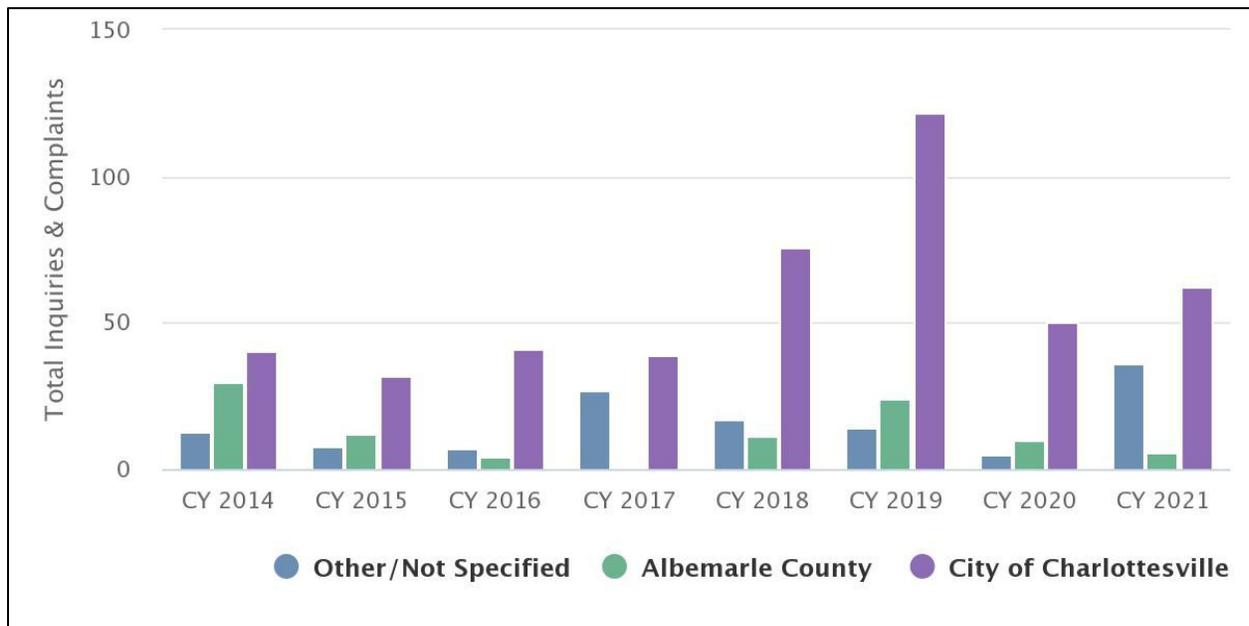
Because the number of client follow-ups and general contacts is much higher than the number of inquiries and complaints received each year, inquiry and complaint values for some years are too small to be visible in the chart above. The chart below isolates the number of inquiries and complaints received over the past four years. During this period, the OHR used a consistent data collection and classification system to log incoming contacts, making the data more easily comparable. As is evidenced by the data, the OHR receives far more inquiries than formal complaints.



**Total Inquiries and Complaints by Location**  
*(Objective 1, Measure 2 in the Department Scorecard)*

**Key Takeaways and Observed Trends**  
 In CY2021, the OHR received 62 new inquiries and complaints originating in Charlottesville.

Despite fluctuations in number over the years, most inquiries and complaints received by the OHR involve an incident or concern that occurred in Charlottesville. While the Charlottesville Human Rights Ordinance only gives the HRC and OHR express authority to process formal complaints of discrimination originating in Charlottesville, the OHR regularly receives inquiries from Albemarle County and beyond, demonstrating a potentially unmet need for services outside of Charlottesville. The OHR refers such inquiries to the appropriate service provider and/or state or federal agency. The chart below shows the combined number of inquiries and complaints originating in Charlottesville, Albemarle County, or a different or unspecified locality since CY2014.



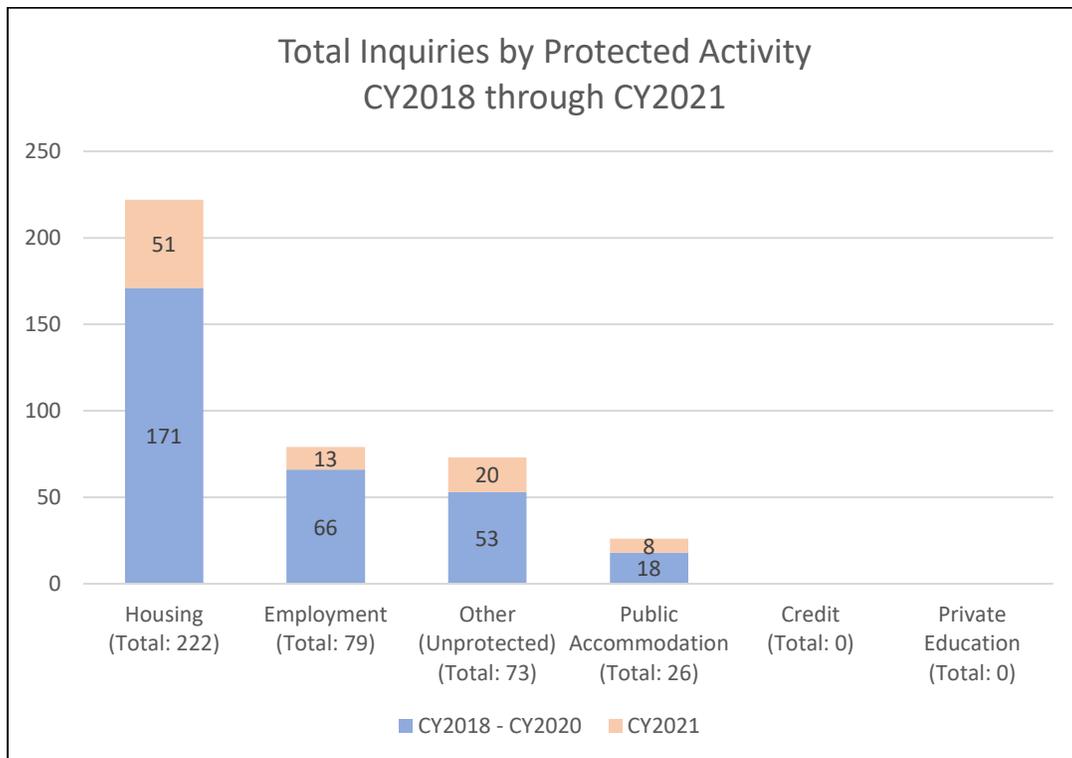
**Total Inquiries by Protected Activity**  
*(Objective 1, Measure 3 in the Department Scorecard)*

Key Takeaways and Observed Trends
Over the past four years, housing was the most often identified protected activity in inquiries received by the OHR.

Term(s) used in this section	Definition(s)
<b>Protected Activity</b>	An activity of daily life in which a person who identifies as a member of a protected class can participate without fear of discrimination. The Charlottesville Human Rights Ordinance lists the following activities as protected: housing, employment, public accommodation, credit, and private education.

In CY2021, the OHR received a total of 92 contacts classified as inquiries within the protected activities of Housing, Employment, Public Accommodation, Credit, and Private Education.

The chart below shows a summary of the protected activities identified in inquiries received by the OHR from CY2018 through CY2021. Housing is the most often identified protected activity in inquiries received by the OHR, followed by Employment and Public Accommodation.

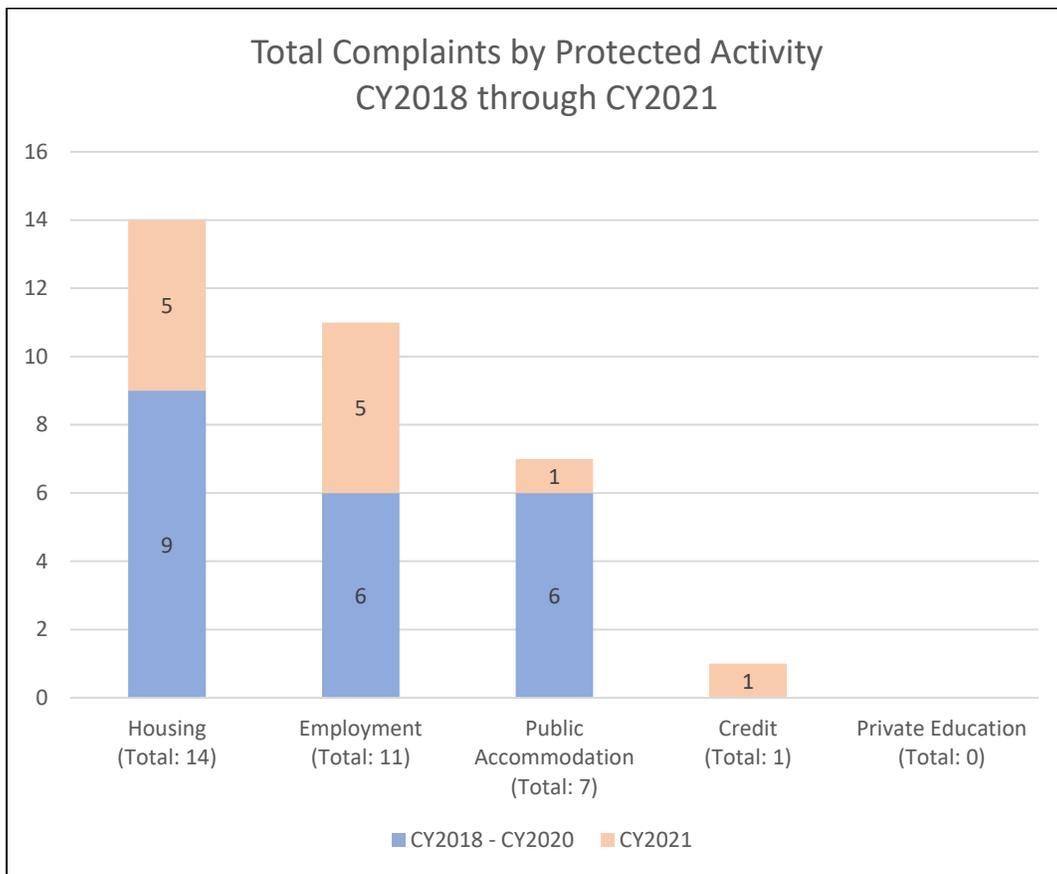


**Total Complaints by Protected Activity**  
*(Objective 1, Measure 4 in the Department Scorecard)*

**Key Takeaways and Observed Trends**  
 Over the past four years, housing was the most often identified protected activity in complaints received by the OHR.

In CY2021, the OHR received a total of 12 contacts classified as complaints. The chart below shows a summary of the protected activities identified in complaints received by the OHR, from CY2018 through CY2021. Housing is the most often identified protected activity in complaints received by the OHR, followed by employment and public accommodation.

In CY2021, the OHR received one formal complaint identifying credit as the protected activity. This complaint was later determined to be non-jurisdictional but was still classified as a dismissed complaint rather than an inquiry because it was filed as a formal complaint requiring a jurisdictional evaluation prior to dismissal.

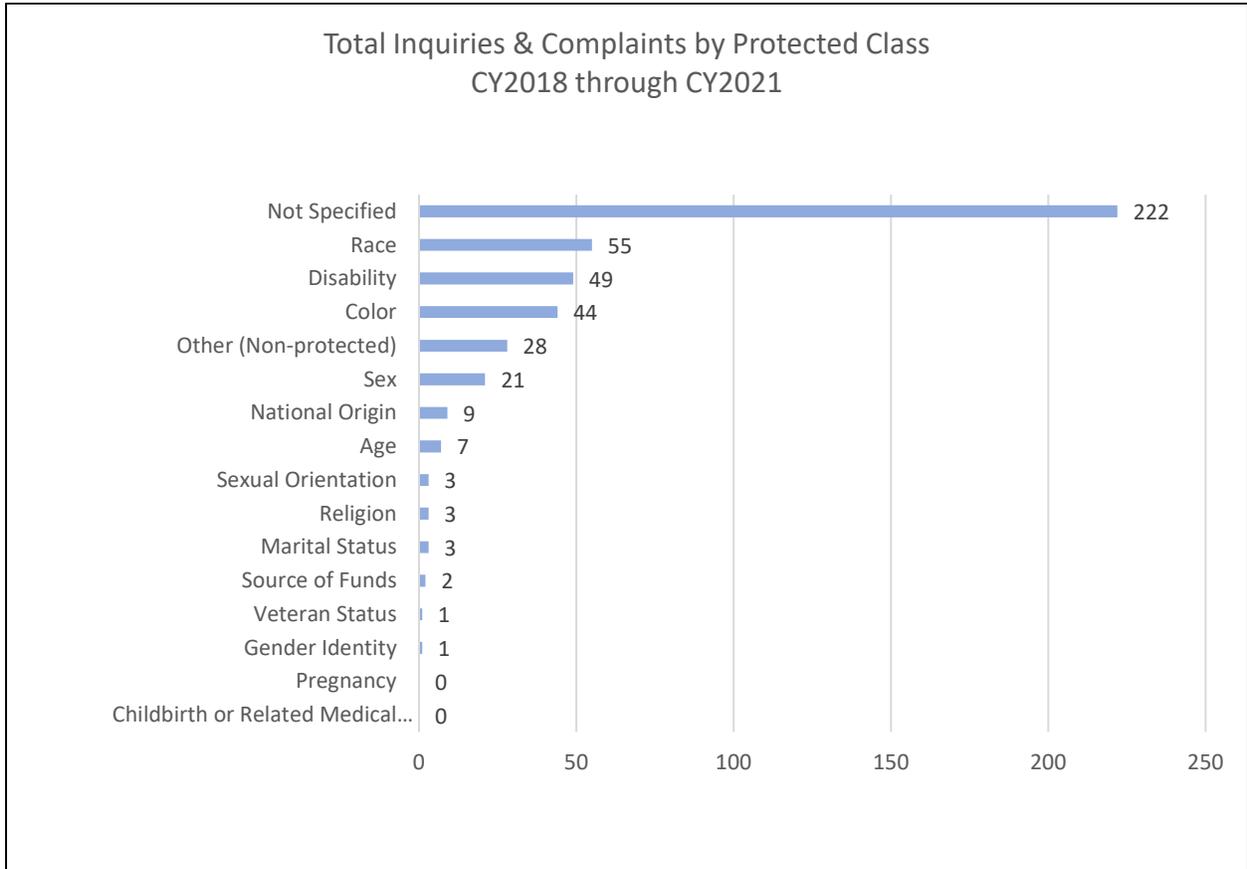


**Total Combined Inquiries and Complaints by Protected Class**  
*(Objective 1, Measure 5 in the Department Scorecard)*

<b>Key Takeaways and Observed Trends</b>
Over the past four years, race was the most frequently identified protected class in all inquiries and complaints received by the OHR.

<b>Term(s) used in this section</b>	<b>Definition(s)</b>
<b>Protected Class</b>	<p>A grouping of people, as defined by state and federal law, of which an individual either self-identifies as a member or is perceived to be a member, that is protected from discrimination when an individual is participating in a protected activity. The Charlottesville Human Rights Ordinance lists the following classes as protected:</p> <ul style="list-style-type: none"> <li>• Age/Elderliness</li> <li>• Childbirth or related medical conditions</li> <li>• Disability</li> <li>• Familial Status (in housing)</li> <li>• Gender Identity</li> <li>• Marital Status</li> <li>• National Origin</li> <li>• Pregnancy</li> <li>• Race</li> <li>• Religion</li> <li>• Sex</li> <li>• Sexual Orientation</li> <li>• Color</li> <li>• Source of Funds (in housing)</li> <li>• Status as a Veteran</li> </ul>

The chart below shows a summary of the protected classes identified in inquiries and complaints received by the OHR, from CY2018 through CY2021. Race is the most often identified protected activity in inquiries and complaints received by the OHR, followed by disability and color, which is identified as a separate protected class from race in state law.



## Total Employment Discrimination Complaints by Protected Class

(Objective 1, Measure 6 in the Department Scorecard)

### Key Takeaways and Observed Trends

Over the past four years, race was the most often identified protected class in employment discrimination complaints received by the OHR.

This section provides more details about the employment discrimination complaints received during the calendar year. Receiving and attempting to resolve complaints of discrimination is one of the most complex and labor-intensive duties of the OHR. In CY2021, the OHR received 10 total allegations of employment discrimination, 6 of which originated in Charlottesville, 5 of which were initially accepted as jurisdictional complaints for which the Complainant wished to pursue further action, though 1 was dismissed as non-jurisdictional after review.

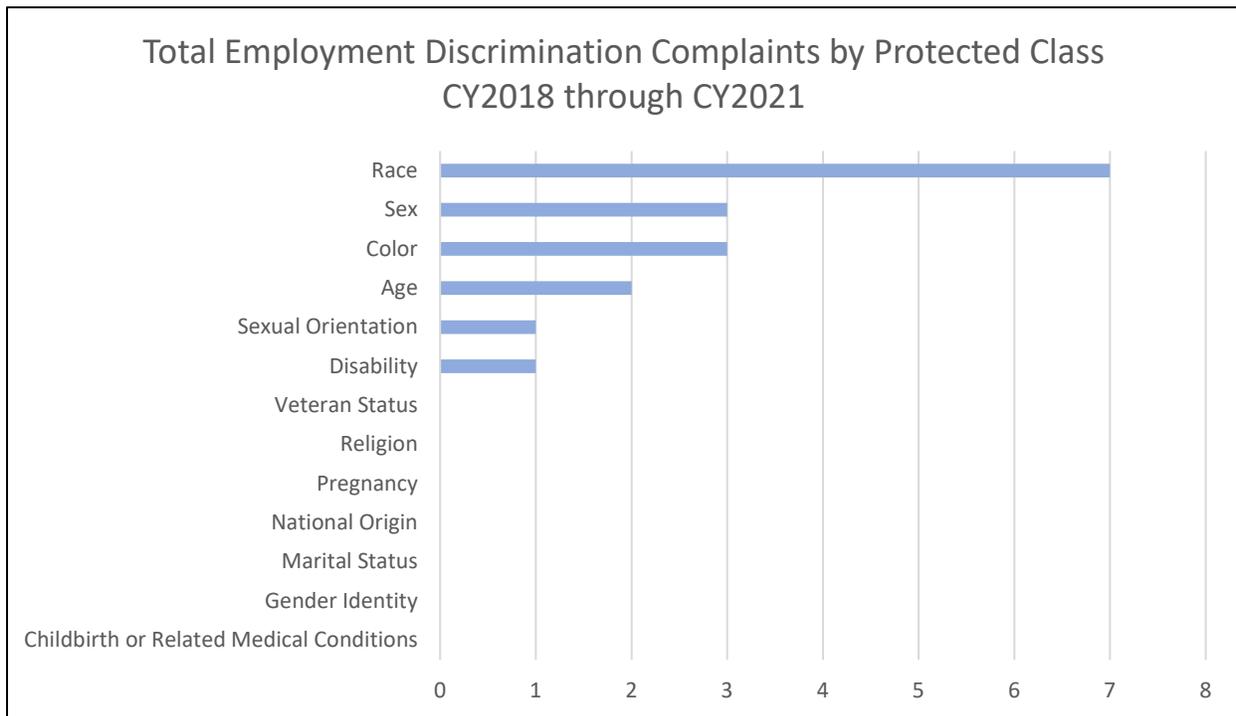
Term(s) used in this section	Definition(s)
<b>Case</b>	A complaint of unlawful discrimination that has been accepted for further action by the Office of Human Rights.
<b>Complainant</b>	An individual or group of individuals who have filed a formal complaint of unlawful discrimination with the Office of Human Rights.
<b>Determination or Finding</b>	A decision made by the Director, based on the evidence presented in an investigative report regarding a complaint of unlawful discrimination, whether there is cause to believe that a violation of the Charlottesville Human Rights Ordinance has occurred.
<b>Dismissed Complaint</b>	A complaint that has been closed by staff due to the case being too far outside the jurisdiction of the Office of Human Rights or because the client has ceased responding to attempted follow-up by staff, prior to the complainant providing enough information to decide if the complaint presents a jurisdictional, prima facie case of discrimination.
<b>Further Action</b>	Steps taken to address a complaint of discrimination that may include informal conciliation, mediation, and investigation.
<b>Informal Conciliation</b>	A method of resolving a complaint of unlawful discrimination in which the Director engages in an informal dialogue with the complaint and respondent and a non-binding agreement is reached that resolves the complaint to the complainant's satisfaction.

Term(s) used in this section	Definition(s)
<b>Investigation</b>	The formal process of gathering factual evidence regarding a complaint of discrimination. Fact gathering can include interviewing the complainant, respondent, and witnesses. It may also include gathering other evidence such as documents, audio recordings, video footage, or physical evidence.
<b>Jurisdiction</b>	The geographic and legal scope of enforcement authority as defined by the Charlottesville Human Rights Ordinance.
<b>Mediation</b>	A method of resolving a complaint of unlawful discrimination in which a third-party, licensed mediator facilitates a formal dialogue and negotiation between the complainant and respondent. If mediation is successful, the resulting settlement agreement is a private, legally binding contract between the complainant and respondent that is enforceable through civil action in the appropriate court.
<b>Prima facie</b>	<p>A term used to define whether a complaint presents an actionable allegation of discrimination “on its face.” In a prima facie case, the following criteria must be met:</p> <ul style="list-style-type: none"> <li>• Complainant was engaged in a protected activity.</li> <li>• Complainant either self-identifies or is perceived by Respondent to be a member of a protected class.</li> <li>• There is testimonial or documentary evidence of a practice or policy to exclude or otherwise adversely treat individuals in Complainant’s protected class.</li> <li>• There are specific harms identified by Complainant, resulting from the alleged discrimination.</li> </ul>
<b>Respondent</b>	An individual, group of individuals, or agency that is named by the complainant in a formal complaint of unlawful discrimination as responsible for a discriminatory act against the complainant.

Below is a summary of the employment discrimination cases active in CY2021. Case numbers refer to the year the case was opened followed by the order in which it was received. For example, Case 2021-2 was opened in 2021 and was the second case opened that year. Note that ongoing cases not opened in the current calendar year are not counted in the total number of cases received during the current calendar year.

Case #	Protected Class(es)	CY2021 Year-end Status
2021-2	<ul style="list-style-type: none"> <li>• Race</li> </ul>	In mediation.
2021-4	<ul style="list-style-type: none"> <li>• Sex</li> </ul>	Under investigation.
2021-5	<ul style="list-style-type: none"> <li>• Sexual orientation</li> <li>• Race</li> </ul>	In mediation.
2021-7	<ul style="list-style-type: none"> <li>• Race</li> </ul>	Settlement reached through mediation.
2021-10	<ul style="list-style-type: none"> <li>• Race</li> <li>• Color</li> <li>• Sex</li> </ul>	Dismissed as non-jurisdictional after review.

The chart below shows a summary of the protected classes identified in employment complaints received from CY2018 through CY2021. Note that some complaints may allege discrimination based on more than one protected class, so the total number of identified protected classes may be larger than the total number of complaints.



**Total Housing Discrimination Complaints by Protected Class**  
*(Objective 1, Measure 7 in the Department Scorecard)*

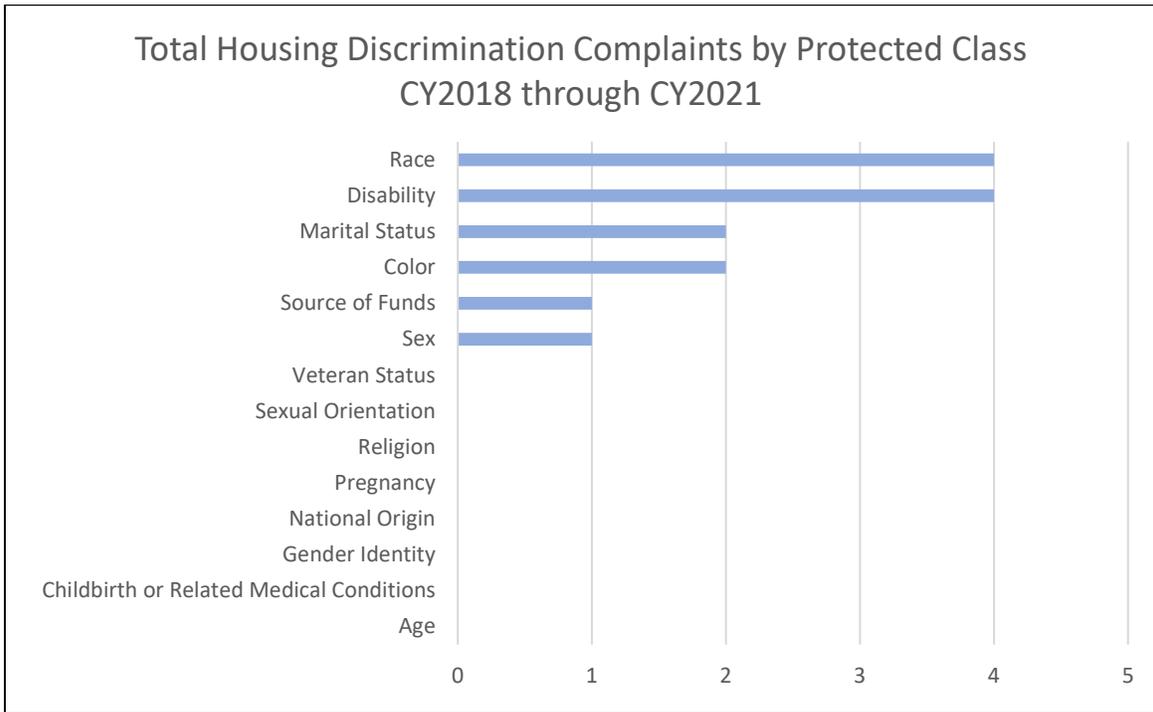
<b>Key Takeaways and Observed Trends</b>
Over the past four years, race and disability were the two most often identified protected classes in housing discrimination complaints received by the OHR.

This section provides more details about the housing discrimination complaints received during the calendar year. In CY2021, the OHR received 13 total allegations of housing discrimination, 10 of which originated in Charlottesville, and 5 of which were jurisdictional complaints for which the complainant wished to pursue further action.

Below is a summary of the housing discrimination cases active in CY2021. Note that active cases not opened in the current calendar year are not counted in the total number of cases received but are included in the summary of active cases below. Case numbers refer to the year the case was opened followed by the order in which it was received. For example, Case 2020-2 was opened in CY2020 and was the second case opened that year.

<b>Case #</b>	<b>Protected Class(es)</b>	<b>CY2021 Year-end Status</b>
2020-2	Race	<ul style="list-style-type: none"> <li>• Investigation completed.</li> <li>• Offer of mediation pending.</li> </ul>
2021-1	Source of Funds	<ul style="list-style-type: none"> <li>• Dismissed due to respondent exemption under state law.</li> </ul>
2021-6	Race	<ul style="list-style-type: none"> <li>• Resolved through informal conciliation.</li> </ul>
2021-9	Disability	<ul style="list-style-type: none"> <li>• Complainant withdrew case after moving to a new location.</li> </ul>
2021-11	Disability	<ul style="list-style-type: none"> <li>• Awaiting authorization for further action.</li> <li>• Complainant seeks mediation.</li> </ul>
2021-12	Disability	<ul style="list-style-type: none"> <li>• Unresolved due to inability to reach Complainant for follow-up information needed to establish a prima facie case.</li> </ul>

The chart below shows a summary, from CY2018 through CY2021, of the protected classes identified in housing complaints. Note that some complaints may allege discrimination based on more than one protected class, so the total number of identified protected classes may be larger than the total number of complaints.

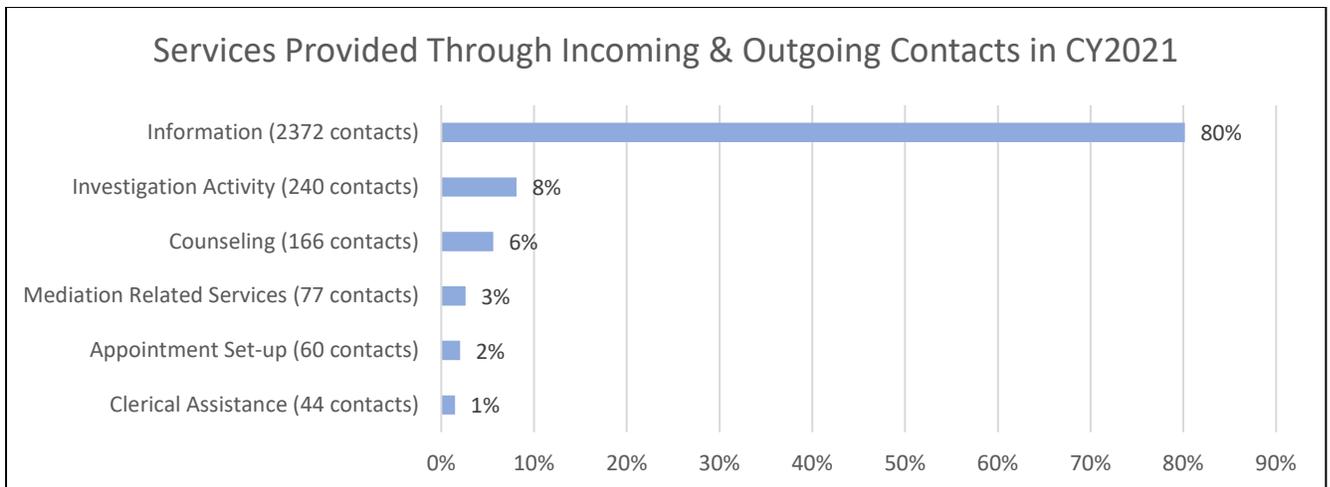


**Services Provided Through Individual Contacts**  
*(Objective 1, Measure 10 in the Department Scorecard)*

**Key Takeaways and Observed Trends**  
 While most incoming and outgoing contacts handled by the OHR in CY2021 involved information sharing, investigation activity and counseling regarding inquiries and complaints were the second and third most provided services by the OHR.

<b>Term(s) used in this section</b>	<b>Definition(s)</b>
<b>Appointment Set-up</b>	A contact involving the scheduling of an appointment with the Office of Human Rights.
<b>Clerical Assistance</b>	Any activity involving creating documents or other materials on behalf or at the request of the client.
<b>Counseling</b>	Assistance provided to an individual who presents an inquiry or complaint in which staff present various courses of action to address a concern.
<b>Information</b>	A contact in which staff answers questions of a general nature or provides information regarding services, events, or programs.
<b>Investigation Activity</b>	Any activity associated with the formal investigation of a complaint.
<b>Mediation Related Services</b>	Any activity associated with the request for or coordination of mediation services, as provided by a licensed third-party mediator, in conjunction with a complaint.

In CY2021, services provided by the OHR through 2,959 incoming and outgoing contacts were classified by the primary services of Appointment Set-up, Clerical Assistance, Counseling, Information, Investigation Activity, and Mediation Related Services. The chart below shows the total number of service contacts by type and percentage of total services provided in CY2021:



Given the greater number of formal complaints received in CY2021 compared to recent years, the number of contacts involving investigation activity was higher. For the same reason, contacts involving mediation-related services were also elevated. Contacts involving information-sharing in relation to service provision nearly doubled when compared to CY2020.

Contacts related to outreach coordination, volunteer coordination, and events were few and were classified as information. Going forward, contacts related to community outreach will be tracked in a separate system to avoid mixing data with service provision.

## Referrals to Other Services

*(Objective 1, Measure 11 in the Department Scorecard)*

Key Takeaways and Observed Trends
Most referrals to other service providers in CY2021 involving a housing concern did not include an allegation of housing discrimination; more frequently, an individual sought assistance with rent or deposit relief, housing navigation, utility relief, or homelessness.

When individuals seek assistance from the OHR for services that the OHR cannot provide, staff will attempt to connect the individual to the most appropriate service provider. Listed below are the four primary service providers most closely related to the services provided by the OHR. Most referrals from the OHR are to agencies other than the primary four providers and are classified as “Other.” A list of these agencies is included below.

**EEOC (Equal Employment Opportunity Commission):** Individuals are referred to the EEOC for employment discrimination cases that are outside the jurisdiction of the Office of Human Rights, as defined by state and federal law and the Charlottesville Human Rights Ordinance.

**DPOR (Department of Professional and Occupational Regulation):** Individuals are referred to DPOR for formal fair housing discrimination investigations when the complainant expressly seeks civil action against the respondent. This is a state government department that includes the Virginia Fair Housing Office.

**CVLAS (Central Virginia Legal Aid Society):** Individuals are referred to CVLAS for assistance with a variety of legal issues raised during intake, often pertaining to the protected activities identified in the Charlottesville Human Rights Ordinance. In some cases, individuals have simultaneous cases with CVLAS and the Office of Human Rights.

**LAJC (Legal Aid Justice Center):** Individuals are referred to LAJC for assistance with a variety of legal issues raised during intake, often pertaining to the protected activities identified in the Charlottesville Human Rights Ordinance. In some cases, individuals have simultaneous cases with LAJC and the Office of Human Rights.

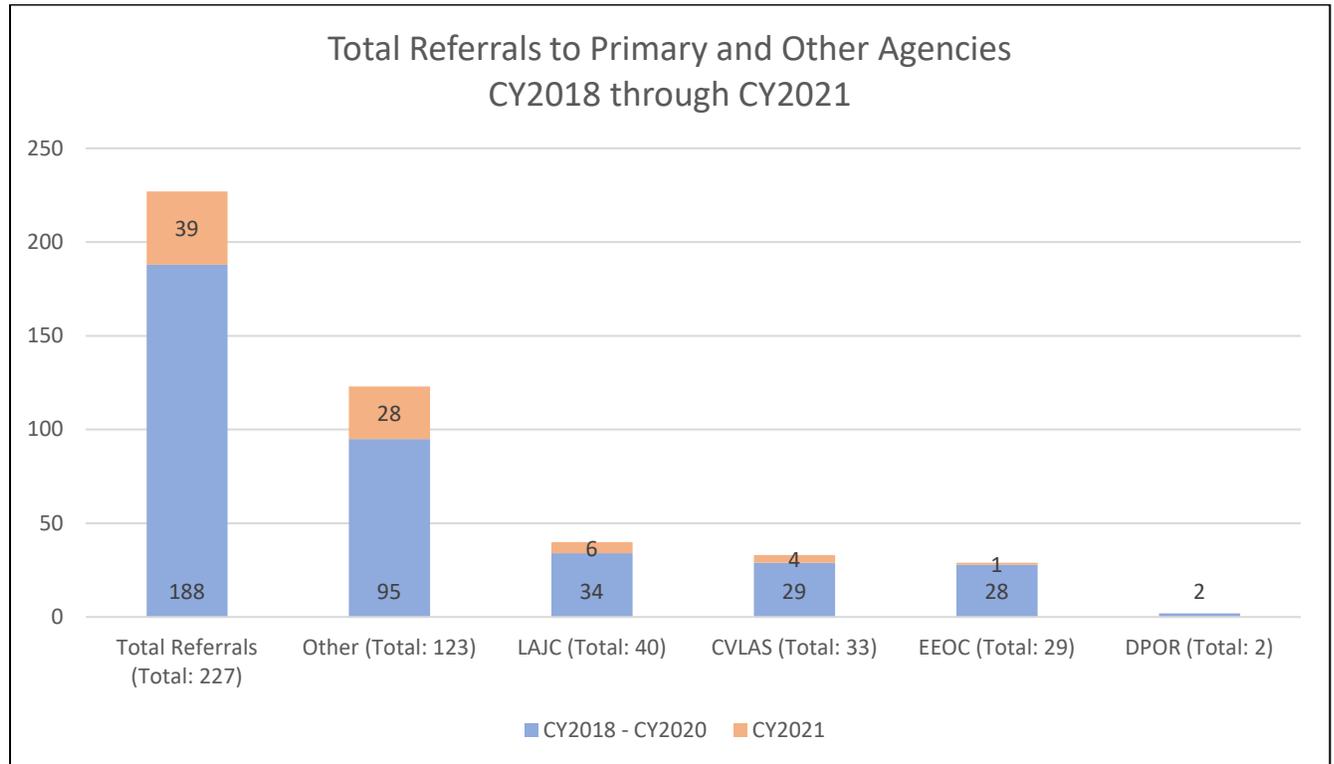
**Other:** The OHR refers individuals to a wide variety of other agencies and offices depending on their specific concerns.

Below is a list of agencies that fall into the "Other" referral category. These agencies were determined by staff during CY2021 to be a viable option for some people seeking assistance. Note that some individuals were referred to several of these organizations following a single contact with the OHR. The organizations listed below received one or more referrals in CY2021.

- Alexandria, VA, Office of Human Rights
- Charlottesville Department of Human Services
- Charlottesville FOIA Officer
- Community Resource Hotline - English
- Community Resource Hotline - Spanish
- Monticello Area Community Action Agency (MACAA)
- Network2Work
- Piedmont Housing Alliance
- The Haven
- UVA Maxine Platzer Lynn Women's Center Free Legal Clinic
- Virginia Attorney General's Office of Civil Rights
- Virginia Lawyer Referral Service
- Virginia Rent Relief Program
- Virginia Restoration of Rights Office

Most referrals over the past four years were to agencies other than the four identified primary agencies. This is due in part to the number of housing inquiries involving individuals who, rather than alleging housing discrimination, sought assistance with rent or deposit relief, housing navigation, utility relief, or homelessness. In CY2021 the OHR assumed more responsibility for processing employment and housing discrimination cases following the passage of amendments to the Charlottesville Human Rights Ordinance in February. Consequently, the need to refer cases to the EEOC and DPOR decreased. Referrals to CVLAS and LAJC were unaffected by the OHR's change in enforcement authority.

Most referrals over the past four years having been to agencies other than the primary four, as shown in the chart below:



**Disposition of Cases Closed During the Calendar Year**  
*(Objective 1, Measure 12 in the Department Scorecard)*

Key Takeaways and Observed Trends
<ul style="list-style-type: none"> <li>• Maintaining an active contract with a third-party licensed mediator is an important component of effective and efficient complaint resolution.</li> <li>• The current staffing and organizational structure of the OHR is not sustainable and results in delayed investigation of complaints. OHR staff recommends the hiring of full-time employees for all components of the complaint and enforcement process.</li> </ul>

During CY2021, the OHR had 14 active cases, which is more active cases than in the previous three years combined. At the beginning of CY2021, the OHR did not have an active contract with a third-party mediation firm. OHR staff engaged in a procurement process resulting in a new contract awarded to Resolute Mediation and Arbitration, Inc (RMA). Collaboration with RMA proved to be very effective in resolving several complaints in CY2021.

By the end of CY2021, the OHR closed the following 8 cases:

Case #	Protected Activity	Protected Class(es)	Type of Closure
2019-1	Public Accommodation	<ul style="list-style-type: none"> <li>• Race</li> </ul>	Informal conciliation.
2021-1	Housing	<ul style="list-style-type: none"> <li>• Source of Funds</li> </ul>	Dismissed: non-jurisdictional.
2021-3	Public Accommodation	<ul style="list-style-type: none"> <li>• Disability</li> <li>• Sex</li> </ul>	Settlement through mediation.
2021-6	Housing	<ul style="list-style-type: none"> <li>• Race</li> </ul>	Informal conciliation.
2021-7	Employment	<ul style="list-style-type: none"> <li>• Race</li> </ul>	Settlement through mediation.
2021-8	Credit	<ul style="list-style-type: none"> <li>• Color</li> <li>• National Origin</li> <li>• Race</li> <li>• Sex</li> </ul>	Dismissed: non-jurisdictional.
2021-9	Housing	<ul style="list-style-type: none"> <li>• Disability</li> </ul>	Complaint withdrawn.
2021-10	Employment	<ul style="list-style-type: none"> <li>• Color</li> <li>• Race</li> <li>• Sex</li> </ul>	Dismissed: non-jurisdictional.

At the end of CY2021, the following 6 cases remained open:

Case #	Protected Activity	Protected Class(es)	Status
2020-2	Housing	<ul style="list-style-type: none"> <li>• Race</li> </ul>	<ul style="list-style-type: none"> <li>• Investigation completed.</li> <li>• Offer of mediation pending.</li> </ul>
2021-2	Employment	<ul style="list-style-type: none"> <li>• Race</li> </ul>	<ul style="list-style-type: none"> <li>• In mediation.</li> </ul>
2021-4	Employment	<ul style="list-style-type: none"> <li>• Sex</li> </ul>	<ul style="list-style-type: none"> <li>• Under investigation.</li> </ul>
2021-5	Employment	<ul style="list-style-type: none"> <li>• Sexual Orientation</li> <li>• Race</li> </ul>	<ul style="list-style-type: none"> <li>• In mediation.</li> </ul>
2021-11	Housing	<ul style="list-style-type: none"> <li>• Disability</li> </ul>	<ul style="list-style-type: none"> <li>• Awaiting authorization for further action.</li> <li>• Complainant seeks mediation.</li> </ul>
2021-12	Housing	<ul style="list-style-type: none"> <li>• Disability</li> </ul>	<ul style="list-style-type: none"> <li>• Unresolved due to inability to reach Complainant for follow-up information needed to establish a prima facie case.</li> </ul>

**Charlottesville Human Rights Ordinance Sec. 2-433. (b)**  
*(Objective 2 in the Department Scorecard)*

*Sec. 2-433. (b) Collaborate with the public and private sectors for the purpose of providing awareness, education, and guidance on methods to prevent and eliminate discrimination citywide.*

This role is shared between the HRC and the OHR. The specific duties and responsibilities of this role are further explained in *Sec. 2-434. Duties and responsibilities – Community dialogue and engagement* and *Sec. 2-435. Duties and responsibilities – Systemic issues*.

***HRC Actions***

In CY2021, the HRC engaged in 9 actions focused on public awareness, education, and guidance, and it refined the tools it uses to engage and reach the community. Below is a chart summarizing the actions taken by the HRC and their alignment with the duties and responsibilities in *Sec. 2-434.* and *Sec. 2-435.* in the Charlottesville Human Rights Ordinance and the goals Commissioners identified during their annual retreat. Documents referenced in the action summaries are publicly posted on the “Human Rights Documents” subpage within the “Human Rights” webpage on the City website.

**Total Number Community Awareness, Education, and Guidance Actions by the HRC**  
*(Objective 2, Measure 5 in the Department Scorecard)*

<b>Date</b>	<b>Alignment</b>	<b>Action</b>	<b>Summary</b>
4/19/2021	<p><b>Duties &amp; Responsibilities:</b>            Sec. 2-435            Systemic issues</p> <p><b>Annual Goals:</b>            No direct alignment.</p>	Letter of Position	The HRC presented an open letter affirming its support of Black and Brown victims of police violence locally and throughout the nation. The letter called for a detailed evaluation of functions currently handled by police, like responding to mental health crises, that could be better performed by other people or entities in the community.

Date	Alignment	Action	Summary
6/17/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-434 Community dialogue and engagement</p> <p><b>Annual Goals:</b> No direct alignment.</p>	Public Discussion	The HRC hosted a public panel discussion with Mayor Walker and Police Chief Brackney regarding police policies and practices.
8/12/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-435 Systemic issues</p> <p><b>Annual Goals:</b> No direct alignment.</p>	Letter of Position	In honor of those who worked for social justice before, during, and after the summer of 2017, the HRC called on the City to continue to push toward equity and racial justice through its policy and practice.
9/16/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-434 Community dialogue and engagement</p> <p><b>Annual Goals:</b> 2. Address barriers to housing.</p>	Public Discussion	The HRC hosted a public panel discussion with Sunshine Mathon (Piedmont Housing Alliance Executive Director) and Dan Rosensweig (Habitat for Humanity Executive Director) about the City’s Comprehensive Plan and proposed zoning revisions.
11/10/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-434 Community dialogue and engagement</p> <p><b>Annual Goals:</b> 2. Address barriers to housing.</p>	Public Discussion	The HRC Chair, representatives of Legal Aid Justice Center, and OHR staff visited Midway Manor to listen to resident concerns about the conditions in their building. The HRC subsequently voted to hold a future public panel on public and subsidized housing. The OHR wrote a letter to the property owner summarizing the concerns residents expressed and requesting an in-person meeting with corporate representatives to discuss solutions.

Date	Alignment	Action	Summary
11/18/2021	<p><b>Ordinance:</b> Sec. 2-434 Community dialogue and engagement</p> <p><b>Annual Goals:</b> 2. Address barriers to housing.</p>	Public Discussion	The HRC hosted a presentation by Anna Mendez (Partner for Mental Health Executive Director) regarding housing discrimination on the basis of mental health and substance use.
11/24/2021	<p><b>Ordinance:</b> Sec. 2-435 Systemic issues</p> <p><b>Annual Goals:</b> 2. Address barriers to housing.</p>	Letter of Position	The HRC, in collaboration with Partner for Mental Health, sent a letter to People and Congregations Engaged in Ministry (PACEM) encouraging the inclusion of substance use disorder on the list of high COVID-19 risk criteria that might qualify an individual for shelter at Premier Circle.
11/30/2021	<p><b>Ordinance:</b> Sec. 2-435 Systemic issues</p> <p><b>Annual Goals:</b> 2. Address barriers to housing.</p>	Letter of Position	The HRC, in collaboration with Partner for Mental Health, wrote an open letter to local hotels to express concern over the refusal to rent rooms to individuals based on a diagnosis or perceived diagnosis of mental illness.
12/16/2021	<p><b>Ordinance:</b> Sec. 2-434 Community dialogue and engagement</p> <p><b>Annual Goals:</b> 2. Address barriers to housing.</p>	Public Discussion	The HRC hosted a presentation by Victoria Horrock (Legal Aid Justice Center Attorney) regarding proposed amendments to the Virginia Residential Landlord & Tenant Act.

### ***OHR Actions***

Community outreach is one of the primary tools used by the OHR to both encourage citizens to report allegations of discrimination and to prevent discrimination from happening in the first place. Systemic change requires major shifts in how society operates. Societal shifts start with individual awareness, education, and a willingness to make change.

The OHR categorizes outreach in three ways:

1. Service Provision
2. Education & Awareness
3. Collaboration & Leadership

Over many years of engaging the community through a variety of community events, meetings, and presentations, OHR staff observed that this categorization system emerged naturally and made it easier to quantify and track the work.

As in CY2020, during CY2021, the OHR had only one full-time staff person in addition to two part-time Interns with highly specific duties. Given the volume of incoming individual service requests this year, outreach activities were again very limited and mostly confined to Collaboration & Leadership work.

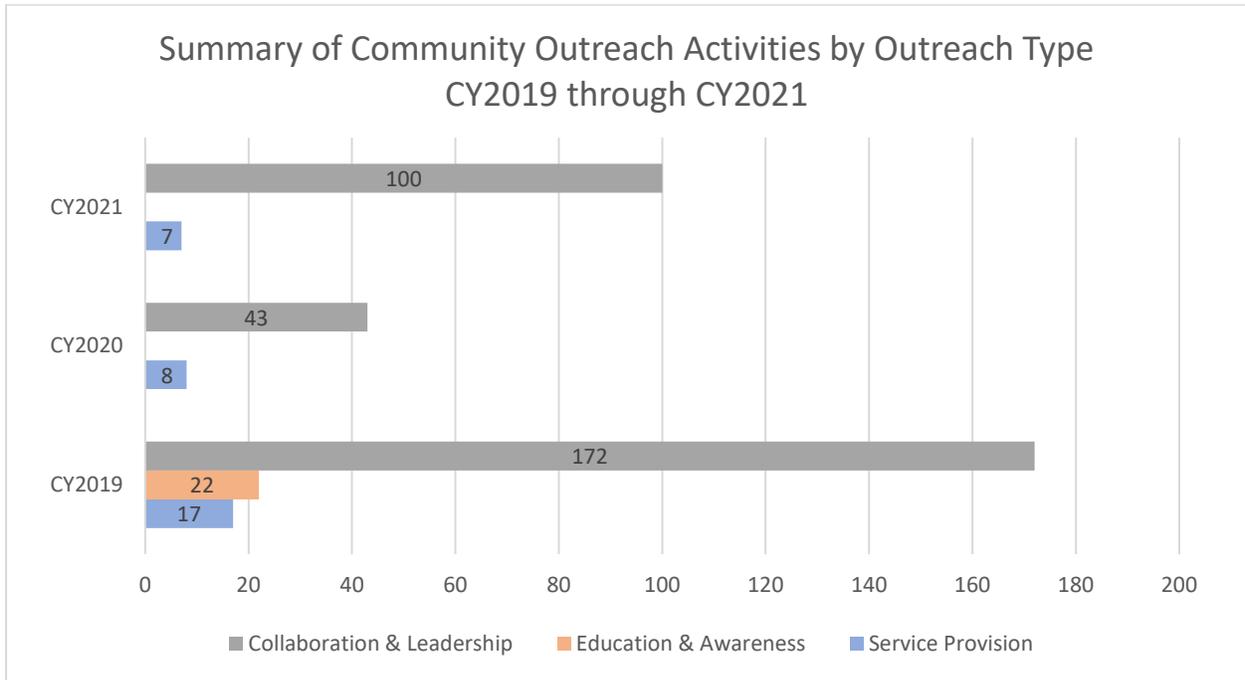
### **Total Number of OHR Community Outreach Activities by Outreach Type** *(Objective 2, Measure 1 in the Department Scorecard)*

In CY2021, OHR staff engaged in a total of 107 community outreach activities classified as the following:

Outreach Type	Total Number of Activities
Service Provision	100
Education & Awareness	0
Collaboration & Leadership	7

Over the past two years, the OHR has been unable to maintain Education & Awareness outreach. This work was primarily conducted at in-person events in previous years was primarily held by the former Director who left the OHR in March of 2020. With the hire of a Community Outreach Specialist in CY2022, the OHR plans to rebuild a regular calendar of Education & Awareness events.

The chart below shows a summary of outreach activities conducted by the OHR over the last three years:



## **Total Number of Collaborative Activities and Partner Agencies Engaged** *(Objective 2, Measure 2 in the Department Scorecard)*

As noted above, most of the OHR's outreach in CY2021 was classified as Collaboration & Leadership. The OHR engaged with a variety of community partners to organize outreach events, develop referral networks for individuals seeking services, and lead discussion in projects that serve people who engage in protected activities or are members of protected classes.

Of the 107 outreach activities conducted by the OHR in CY2021, 106 were in collaboration with other community partners. In CY2021, the OHR worked with the 27 primary collaborators listed below through a variety of meetings and collaborative events:

- BUCK Squad
- Charlottesville Department of Human Services (DHS)
- Charlottesville Low-Income Housing Coalition (CLIHC)
- Charlottesville Office of Community Solutions
- Charlottesville Office of Equity, Diversity, and Inclusion
- Charlottesville Planning Commission
- Charlottesville Public Works - Climate Action
- Charlottesville Redevelopment and Housing Authority (CRHA)
- Code for Cville
- Community Climate Collaborative (C3)
- Cultivate Charlottesville
- Just C-ville
- Northern Real Estate Urban Ventures
- Partner for Mental Health
- People And Congregations Engaged in Ministry (PACEM)
- Piedmont Environmental Council (PEC)
- Piedmont Housing Alliance (PHA)
- Prince William County Human Rights Commission
- Public Housing Association of Residents (PHAR)
- Region Ten
- Richmond Virginia (RVA) Eviction Lab
- Sin Barreras
- The Haven
- Thomas Jefferson Area Planning District (TJPDC)
- UVA Equity Center
- Visible.org
- Welcoming Greater Charlottesville

**Charlottesville Human Rights Ordinance Sec. 2-433. (c)**  
*(Objective 3 in the Department Scorecard)*

*Sec. 2-433. (c) Identify and review policies and practices of the City of Charlottesville and its boards and commissions and other public agencies within the City and advise those bodies on issues related to human rights issues.*

This role falls primarily with the HRC, with the OHR providing administrative support. The specific duties and responsibilities under this role are further explained in *Sec. 2-435. Duties and responsibilities – Systemic issues.*

***HRC Actions***

The HRC engaged in 4 actions focused on City policies. Below is a chart summarizing the actions taken by the HRC and showing the alignment with the duties & responsibilities sections in the Charlottesville Human Rights Ordinance and the goals Commissioners identified during their annual retreat. Documents referenced in the action summaries are publicly posted on the “Human Rights Documents” subpage within the “Human Rights” webpage on the City website.

<b>Date</b>	<b>Alignment</b>	<b>Action</b>	<b>Summary</b>
9/21/2021	<b>Duties &amp; Responsibilities:</b> Sec. 2-435 Systemic issues.  <b>Annual Goals:</b> 2. Address barriers to housing.	Council Recommendation	The HRC sent a letter to City Council and the Planning Commission outlining its support for the inclusion of specific details in the Future Land Use Map (FLUM) to permit and encourage the construction of affordable housing.

Date	Alignment	Action	Summary
11/9/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-435 Systemic issues.</p> <p><b>Annual Goals:</b> No direct alignment.</p>	Council Recommendation	<p>The HRC presented a letter to City Council outlining recommendations to address systemic inequities in City employment practices, including publishing an updated organizational equity report, conducting a compensation and class study, reporting the full basis for the termination of the former Police Chief, publishing a plan to continue the internal reforms of the police department begun by the recently dismissed Chief, and reviewing the previous recommendations provided by the HRC regarding bias-based policing and constitutional procedures.</p>
11/18/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-434 Community dialogue and engagement.</p> <p><b>Annual Goals:</b> No direct alignment.</p>	HRC Resolution	<p>The HRC adopted Resolution A21-1 Advocacy and Action to codify its methods when taking action on community issues brought to its attention. This resolution also defined the scope of the Chair's ability to act on the HRC's behalf regarding urgent concerns that arise between regular meetings of the HRC.</p>
11/18/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-434 Community dialogue and engagement.</p> <p><b>Annual Goals:</b> 1. Accessibility and ADA Compliance.</p>	HRC Resolution	<p>The HRC adopted Resolution A21-2 Use of Plain Language to codify its intent to use plain language in future resolutions when possible and to create plain language versions of resolutions and other documents when the original document was written in less understandable language.</p>

**Charlottesville Human Rights Ordinance Sec. 2-433. (d)**  
*(Objective 4 in the Department Scorecard)*

*Sec. 2-433. (d) Seek work share agreements with the Equal Employment Opportunity Commission (“FEPA”) and the Department of Housing and Urban Development (“HUD-FHAP”) to conduct investigations of employment and housing discrimination on their behalf, and enter into such agreement(s) subject to approval of City Council upon a finding that the agreement(s) would be in the best interest of the City.*

This majority of the duties and responsibilities relating to the pursuit of a Fair Employment Practices Agency (FEPA) workshare with the Equal Employment Opportunity Commission (EEOC) and a Fair Housing Assistance Program (FHAP) workshare with the U.S. Department of Housing and Urban Development (HUD) fall to the OHR, with the HRC playing a supporting role. This role, though not further clarified within the ordinance, will have a dramatic effect on the enforcement processes detailed in *Sec. 2-437. Duties and responsibilities – Investigation of individual complaints and issuance of findings* and *Sec. 2-439.1. Enforcement authority – The role of the Commission.*

***HRC Actions***

Date	Alignment	Action	Summary
1/21/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-439.1 Enforcement authority.</p> <p><b>Annual Goals:</b> 4. Pursue FHAP workshare.</p>	Public Discussion	<p>The HRC hosted a question-and-answer session with Erik Steinecker, Staff Attorney with the Federal Department of Housing and Urban Development (HUD) Fair Housing Office about the process of the City applying and qualifying for a Fair Housing Assistance Program (FHAP) workshare. This discussion helped inform the HRC's strategic planning and its annual retreat in February, during which Commissioners decided to pursue a FHAP workshare prior to entering a Fair Employment Practices Agency (FEPA) workshare with the Equal Employment Opportunity Commission (EEOC).</p>

Date	Alignment	Action	Summary
2/23/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-439.1 Enforcement authority.</p> <p><b>Annual Goals:</b> 4. Pursue FEPA workshare.</p>	Work Session	<p>The HRC Chair, HRC Vice Chair, and HRC Director met with Cheryl Mabry (Director) and James Yao (Deputy Director) of State, Local, and Tribal Programs for the U.S. Equal Employment Opportunity Commission (EEOC) to discuss the process of applying and qualifying for a Fair Employment Practices Agency (FEPA) workshare agreement with the EEOC. Based on the information provided, the HRC decided to prioritize pursuit of a FHAP workshare agreement prior to pursuing a FEPA workshare agreement.</p>

***OHR Actions***

The Director began the necessary steps for entry into both the FEPA and FHAP workshares, though pursuit of the FHAP workshare was prioritized over the FEPA because simultaneous pursuit of both workshares without additional staff support was not practical. While entry into the FHAP workshare required the most initial work, including major revisions to the Charlottesville Human Rights Ordinance, interim FHAP certification also offered substantial funding for capacity building during the first three years. FEPA certification offered no additional funding for capacity building, and the reimbursement rate offered by the EEOC for completed cases was half the 2021 rate offered by HUD.

Both the FEPA and FHAP workshare agreements still require extensive action in CY2022 by the HRC and OHR, including continuing to draft the required documents and sending them for review to the City Attorney, HRC, City Council, and federal agency before final approval by the federal agency.

**CY2021 FEPA Workshare progress**

*(Objective 4 Measure 1 in the Department Scorecard)*

The chart below shows the actions taken in CY2021 to enter a FEPA workshare agreement with the EEOC.

<b>Step</b>	<b>Summary of Actions</b>
<i>OHR initiates contact with federal agency.</i>	The Director set up the above-mentioned work session with the HRC Chair, HRC Vice Chair, Cheryl Mabry, and James Yao of the EEOC.
<i>OHR drafts necessary documents for application.</i>	The Director began a draft of the required request letter for consideration by the HRC prior to submission to the EEOC for informal review. This effort was put on hold to pursue the FHAP workshare agreement with HUD.

**CY2021 FHAP Workshare Progress**

*(Objective 4 Measure 2 in the Department Scorecard)*

The chart below shows the actions taken in CY2021 to enter a FHAP workshare agreement with HUD.

<b>Step</b>	<b>Summary of Actions</b>
<i>OHR initiates contact with federal agency.</i>	The Director set up the above-mentioned question-and-answer session with the HRC and Erik Steinecker from the HUD Fair Housing Office.
<i>OHR drafts necessary documents for application.</i>	The Director drafted a revised version of the Charlottesville Human Rights Ordinance that included language necessary for substantial equivalence with federal fair housing law.
<i>OHR submits draft documents to federal agency for informal review.</i>	The Director worked with Erik Steinecker at the HUD Fair Housing Office throughout 2021 to edit the initial draft of the revised Charlottesville Human Rights Ordinance.
<i>OHR submits draft documents to City Attorney for review.</i>	The Director met with Allyson Davies in the City Attorney’s Office for an initial review of the revised Charlottesville Human Rights Ordinance. Following this meeting, the Director contacted the Fairfax County Office of Human Rights to ask questions about the practical implications of some of the duties required by substantial equivalence to federal fair housing law.
<i>OHR revises draft documents based on federal agency and City Attorney feedback.</i>	<i>Work to be continued in 2022.</i>

**Charlottesville Human Rights Ordinance Sec. 2-433. (e)**  
*(Objective 5 in the Department Scorecard)*

*Sec. 2-433. (e) Make recommendations regarding the City's annual legislative program, with an emphasis on enabling legislation that may be needed to implement programs and policies that will address discrimination.*

This role rests primarily with the HRC with support from the OHR. This role also relates to the HRC's work under *Sec. 2-434. Duties and responsibilities – Community dialogue and engagement* and *Sec. 2-435. Duties and responsibilities – Systemic issues*.

In CY2021, the HRC submitted recommendations to City Council via a letter. This letter can be found on the "Human Rights Documents" subpage on the "Human Rights" webpage on the City of Charlottesville website and is titled, "20211020 Recommendations for 2022 Legislative Priorities." The letter provides detailed recommendations in the following recommendations:

1. Enabling legislation for tenants' right to counsel in eviction proceedings.
2. Enabling legislation to support just cause evictions.
3. Enabling legislation for rent controls in Charlottesville.
4. Statewide abolition of R-1 zoning.

**Charlottesville Human Rights Ordinance Sec. 2-433. (f)**  
*(Objective 6 in the Department Scorecard)*

*Sec. 2-433. (f) Prepare recommendations to policies and procedures the Commission believes are necessary for the performance of the roles, duties and responsibilities assigned to the Commission within this article, and for modifications or operating procedures approved by City Council.*

This role is shared by the HRC and OHR and relates to all other duties and responsibilities detailed in the Charlottesville Human Rights Ordinance. The table on the following page summarizes the recommendations the HRC made to Council in CY2021.

Date	Alignment	Action	Summary
1/19/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-439.1 Enforcement authority.</p> <p><b>Annual Goals:</b> No direct alignment.</p>	Policy Review	<p>The HRC adopted proposed amendments to the Code of the City of Charlottesville Chapter 2, Article XV (Charlottesville Human Rights Ordinance) for recommendation to City Council. The proposed amendments included language to bring the ordinance into alignment with recent changes to state laws governing human rights and fair housing. The proposed amendments also broadened the potential applicant pool for new Commissioners, removed gendered language from the ordinance, and clarified aspects of the enforcement process. The proposed amendments were adopted along with some revisions presented by Council on 2/1/2021.</p>
3/1/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-435 Systemic Issues</p> <p><b>Annual Goals:</b> No direct alignment.</p>	Council Recommendation	<p>The HRC provided feedback to City Management and Council regarding the hiring of a Director for the Human Rights Commission and Office of Human Rights. City Management made an offer of hire on 10/15/2021, which was accepted on 10/21/2021.</p>
4/4/2021	<p><b>Duties &amp; Responsibilities:</b> Sec. 2-435 Systemic Issues</p> <p><b>Annual Goals:</b> 2. Address barriers to housing.</p>	Council Recommendation	<p>The HRC provided recommendations regarding the establishment of a program that would ensure legal counsel for tenants facing evictions. The HRC presented data collected on local court hearings as well as national data regarding other localities with similar programs.</p>

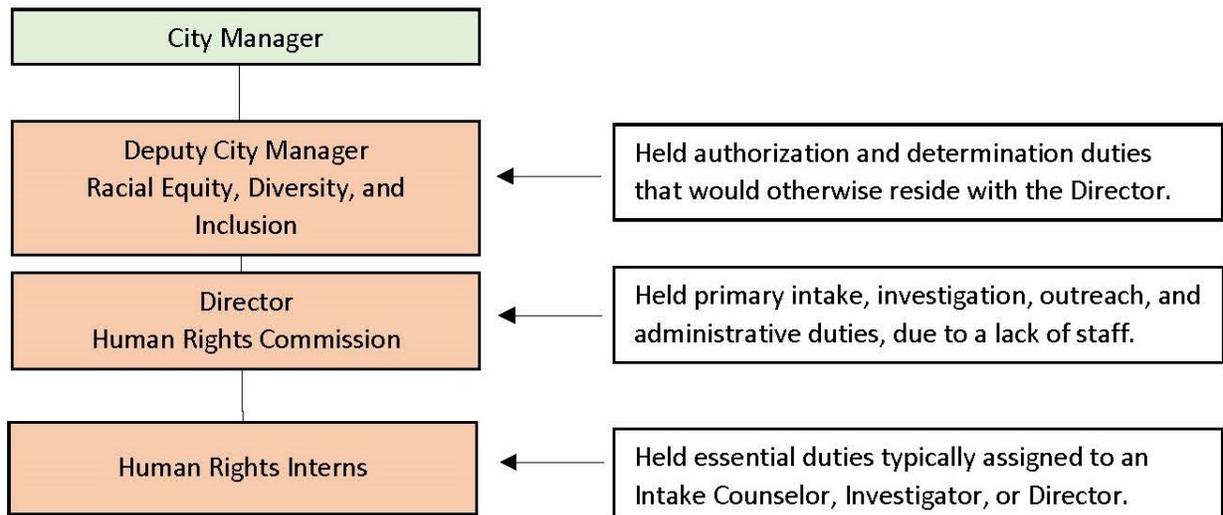
## Recommendations

In CY2021, the OHR had one full-time staff person, the Community Outreach and Investigation Specialist, authorized to receive and investigate complaints. The Community Outreach and Investigation Specialist, who was promoted to the role of Director of the Human Rights Commission in October 2021, held all intake, investigation, outreach, and administrative duties for the OHR, as well as administrative duties for the HRC. Other comparable OHRs with enforcement responsibilities have separate staff responsible for intake, investigation, outreach, and administration. This division of labor is especially essential for the separation of approving further action on complaints, complaint investigation, and rendering final determinations on complaints. To preserve the integrity of the investigation, the Investigator must remain a neutral third party to the complaint and thus typically relies on the Director to approve further action on complaints and serve as the Administrative Judge who renders a determination on the investigated complaint.

Given the lack of staffing in the OHR, the roles of approving complaints for further action and rendering final determination fell to the City Manager's Office. Throughout CY2020 and CY2021, these responsibilities were passed between several individuals within the City Manager's Office until the hire of the Deputy City Manager for Racial Equity, Diversity, and Inclusion in late April 2021. While the Deputy City Manager can hold both these roles in lieu of the Director, it is atypical for an Office of Human Rights to function in this manner and places an additional and undue responsibility on the Deputy City Manager.

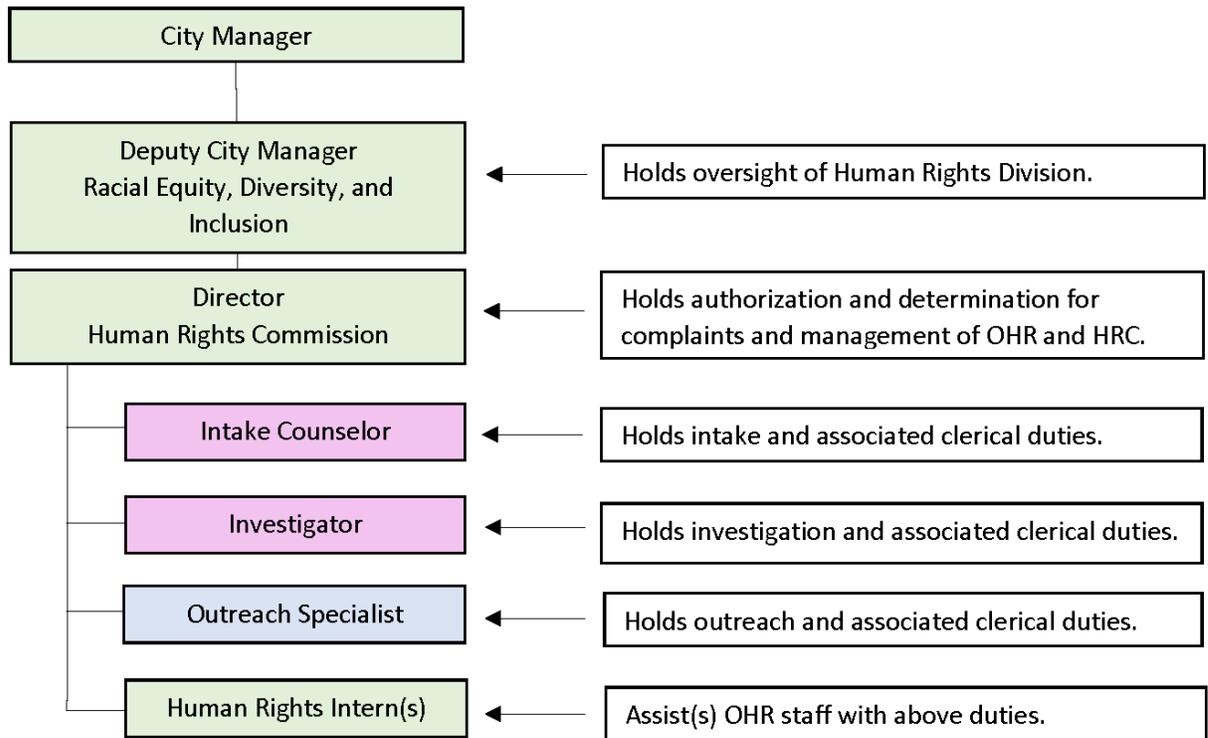
The chart below shows the OHR staff and organizational structure in CY2021. Green boxes indicate a position that holds the appropriate duties and responsibilities in relation to the OHR and HRC (City Manager). Orange boxes indicate a position that holds a duty for the OHR and HRC that is outside of that individual's prescribed role in the City (Deputy City Manager for Racial Equity, Diversity, and Inclusion; HRC Director; Human Rights Interns).

### CY2021 OHR Organizational Structure



The chart below presents the recommended organizational structure of the OHR consistent with other OHRs in Virginia. The same color scheme described above applies below with the added colors of blue to indicate a position scheduled for hiring in early CY2022 (Outreach Specialist) and lavender to indicate positions for which there was no approved funding in FY22 or FY23 (Intake Counselor, Investigator).

### **Recommended OHR Organizational Structure**



### **Conclusions**

In CY2022, the OHR will hire an Outreach Specialist to expand community engagement, continue the work begun on the FHAP workshare agreement, and continue working in partnership with the HRC to develop capacity for addressing systemic issues. With Council’s support to hire an Intake Counselor and an Investigator, the OHR will be better equipped to effectively process incoming inquiries and complaints and be prepared to enter the FHAP workshare.

### **Attachments**

1. OHR Data Dictionary
2. OHR CY2021 Individual Service Data