



U.S. Department of Housing and Urban Development  
Fort Worth Regional Office, Region VI  
Office of Fair Housing & Equal Opportunity  
307 W. 7th Street, Suite 1000  
Fort Worth, TX 76102  
Phone: 1-888-560-8913 Fax: 817 978-5876

December 12, 2022

Erin Gaines  
Earthjustice  
845 Texas Avenue, Suite 200  
Houston, TX

Dear Representative (of Hillcrest Residents Association and Citizens Alliance for Fairness and Progress):

**Subject:** Housing Discrimination Complaint  
Hillcrest Residents Association and CAFP vs. City of Corpus Christi et al.  
Inquiry No. 707553  
Fair Housing Act Case No. 06-23-5804-8  
Title VI Case No.: 06-23-4011-6  
Section 109 Case No.: 06-23-4011-9

Attached is a copy of the Notification Letter and attachments sent to your client on the filing of the subject Housing Discrimination Complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Lewis", written over a dotted line.

Christina Lewis, Director  
Fort Worth Regional Office of  
Fair Housing and Equal Opportunity  
Region VI

Enclosures



## Housing Discrimination Complaint

**1. Complainants:**

Hillcrest Residents Association and Citizens Alliance for Fairness and Progress

Represented By: Erin Gaines (Earthjustice), Zora Djenohan (Earthjustice)

**2. Complainant Representatives:**

Erin Gaines  
Earthjustice  
845 Texas Avenue  
Suite 200  
Houston, TX  
Representing: Hillcrest Residents Association and Citizens Alliance for Fairness and Progress

Zora Djenohan  
Earthjustice  
845 Texas Avenue  
Suite 200  
Houston, TX  
Representing: Hillcrest Residents Association and Citizens Alliance for Fairness and Progress

**3. Other Aggrieved Parties:**

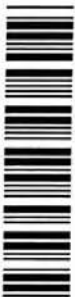
None

**4. The following is alleged to have occurred or is about to occur:**

- Discriminatory terms, conditions, privileges, or services and facilities
- Other discriminatory acts

**5. The alleged violation occurred because of:**

- Color
- Race
- National Origin



**6. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):**

Corpus Christi, TX 78401

**7. Respondents:**

Peter Zanoni  
City of Corpus Christi, City Manager  
1201 Leopard St  
Corpus Christi, TX 78401

**8. The following is a brief and concise statement of the facts regarding the alleged violation:**

The Complainants, Hillcrest Residents Association (HRA), and Citizens Alliance for Fairness and Progress, alleges discrimination based on race and color against the Respondent, the city of Corpus Christi, TX. The Complainant, Hillcrest Residents Association (HRA) is an advocacy group comprised of Hillcrest residents and their allies. HRA's membership mirrors the population it serves, which is predominantly African American and Hispanic. HRA works to protect public health, safety, the environment, and the quality of life for all residents of the Hillcrest neighborhood and the immediately surrounding area, and to combat community deterioration. Additionally, HRA aims to help Hillcrest residents expand economic and educational opportunities and to obtain safe and affordable housing. The Complainant, Citizens Alliance for Fairness and Progress, is a community advocacy group of residents from the Hillcrest and Washington-Coles neighborhoods along Refinery Row in Corpus Christi, Texas. It was founded out of concern for the deteriorating conditions in the neighborhoods resulting from heavy industry encroachment into the residential area. The Complainants are represented by Earthjustice, a nonprofit public interest organization based in the United States dedicated to litigating environmental issues. The last date of harm was on or about October 26, 2022, and is continuing. The Complainants allege the City of Corpus Christi is in violation of Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance. The City of Corpus Christi receives Community Development Block Grant funding; therefore, they also appear to be in violation of Section 109 of the Housing and Community Development Act of 1974 as well. The Complainants allege the actions of the City of Corpus Christi are discriminatory because choosing to site its planned Inner Harbor desalination plant in the Hillcrest neighborhood continues a pattern of City land use decisions that have resulted in the increased industrialization of the historically African American community. Hillcrest is an environmental justice community in Corpus Christi, Texas, right across the fence line from an area known as "Refinery Row," which houses a dense concentration of refineries. The Complainants allege the construction and operational impacts of the City's Inner Harbor desalination plant



would exacerbate the existing disproportionate health and safety harms from decades of City plans and policies that have resulted in industrialization, isolation, and pollution in this predominately African American and Hispanic neighborhood. For example, in the City's current comprehensive plan, Plan CC, the City proposed to targeting Hillcrest as a "transition district" recommending that residents move out of the area entirely and be replaced by industrial facilities, without consulting residents of Hillcrest. After intense pushback from residents, the relocation was removed from the final Plan, however, the City's actions have continued to create a de facto industrial transition district through ongoing neglect and land use decisions that continue to industrialize the community. The Complainants state that on September 6, 2022, the City Council approved an ordinance adopting the Corpus Christi Fiscal Year 2022-2023 Capital Budget. As proposed, the budget included a projected \$220,736,326 in funding for seawater desalination for fiscal years 2023 to 2025. Notably, the only site location named in the proposed budget is the Inner Harbor seawater desalination plant. The Complainants allege that the City has chosen to take steps to move forward with the purchase of the property in the Hillcrest neighborhood for the proposed Inner Harbor desalination plant despite a clear history of discrimination by the City and other governmental entities in the Hillcrest neighborhood and vocal opposition to this proposed location from Hillcrest residents and faith leaders. This history is demonstrated in part by the City's decision to site its desalination plant in the same general location, in the Northwest Corner of Hillcrest, as a proposed sewage treatment plant that HRA thwarted by filing a previous Title VI complaint against the City for discrimination in the siting of the facility, and for the City's perpetuation of discriminatory past land uses. The Complainants believe the City's proposed Inner Harbor Desalination Plant would further industrialize a residential neighborhood, adding to the existing disproportionate health impacts and burdens Hillcrest residents face from decades of segregation, disinvestment, industrial expansion, and highway expansions in their neighborhood. Based on these allegations, the Complainants believe these ongoing actions reveal the City's prioritization of industrial development in the Hillcrest community that will exacerbate existing disparate harms based on race and color. The Complainants believe the City's decision to move forward with the Inner Harbor location threatens the health, safety and well-being of the Hillcrest community and its existence as a residential neighborhood and its ongoing actions to site this facility constitute a continuing violation of Title VI of the Civil Rights Act of 1964 and Section 109 of the Housing and Community Development Act of 1974.

**9. The most recent date on which the alleged discrimination occurred:**

October 26, 2022, and is continuing.

**10. Types of Federal Funding Identified:**

- CDBG
- HOME



**11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:**

804(b), and 804(a) or (b) of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

Title VI of the Civil Rights Act of 1964  
Section 109 of the Housing and Community Development Act of 1974

**Please sign and date this form:**

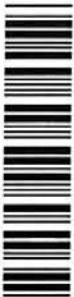
**I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.**



12/9/2022

Date

**NOTE : HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.**





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December 12, 2022

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845 Texas Avenue, Apt. 200  
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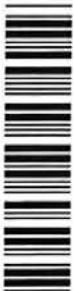
Your complaint, alleging one or more discriminatory housing practices, was officially filed on December 09, 2022 as a complaint under the Fair Housing Act, 42 U.S.C. Sections 3601-3619. The Fair Housing Act prohibits discrimination in housing because of race, color, religion, national origin, sex (including gender identity and sexual orientation), familial status and disability. For your records, we are enclosing a copy of your complaint, and, as required by law, a copy has been sent to the respondent(s).

The respondent organization is a recipient of Federal financial assistance and the complaint will be investigated under Title VI of the Civil Rights Act of 1964 [42 U. S. C. 2000d - 2000d-4] as amended. Title VI states:

No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

In addition, since a respondent organization is also a recipient of Community Development Block Grant funds, the complaint has been accepted and will be investigated under Section 109 of the Housing and Community Development Act of 1974, which states:

No person in the United States shall, on the ground of race, color, sex, religion, or national origin be excluded from participation in, be denied the benefits of, or be



otherwise subjected to discrimination under any program or activity funded in whole or in part with funds made available under this chapter.

The purpose of this letter is to inform you of: 1) the rights you have during the processing of this complaint, 2) the rights each respondent has in responding to this complaint, and 3) the steps the U.S. Department of Housing and Urban Development (the Department) will take to determine whether the complaint has merit.

In order to ensure that the Department informs you properly of the law's requirements, this notification letter contains language required by the law. A similar letter is used to notify all parties whenever a formal complaint has been filed with the Department under the Fair Housing Act.

The Fair Housing Act and its regulations set out what steps we must take when a formal complaint is filed. The law also includes steps that each respondent can take to answer or refute the allegations of this complaint.

A respondent can file an answer to this complaint, or any amendment made to this complaint within 10 calendar days of receipt of the Department's notification letter to him or her. Each respondent's answer must be signed and affirmed that the response is truthful by including the statement "I declare under penalty of perjury that the foregoing is true and correct." A respondent can, with the agreement of the Department, amend his or her answer at any time during the investigation.

Our responsibility under the law is to undertake an impartial investigation and, at the same time, encourage all sides to reach an agreement to resolve the complaint, where appropriate, through conciliation. The law requires us to complete our investigation within 100 days of the date of the official filing of the complaint. If we are unable to meet the 100-day requirement for issuing a determination, the law requires that we notify you and the respondent(s) and explain the reasons why the investigation of the complaint is not completed.

In handling this complaint, we will conduct an impartial investigation of all claims that the Fair Housing Act has been violated. If the investigation indicates that there is no jurisdiction for HUD to accept the complaint, the case will be dismissed. At any point, you can request that our staff assist you in conciliating (or settling) this complaint with the respondent(s). If the case is not resolved, we will complete our investigation and decide whether or not the evidence indicates that there has been a fair housing violation. If the parties involved have not reached an agreement to settle the complaint, the Department will issue a determination as to whether or not there is reasonable cause to believe a discriminatory housing practice has occurred.

If our investigation indicates that there is reasonable cause to believe that an unlawful discriminatory housing practice has occurred, the Department must issue a charge. If the investigation indicates there is no reasonable cause to believe that discrimination has occurred, the complaint will be dismissed. In either event, you will be notified in writing.

If the determination is one of reasonable cause, the notification will advise you and the respondent(s) of your rights to choose, within 20 days, whether you wish to have the case heard



by an Administrative Law Judge, or to have the matter referred for trial in the appropriate U.S. District Court.

Even if the Department dismisses the complaint, you still have the right to bring an individual suit under the Fair Housing Act. You may file your lawsuit in an appropriate federal, state or local court within two years of the date of the alleged discriminatory practice or of the date when a conciliation agreement has been violated. This two-year period does not include any of the time when your complaint is pending with the Department. You also have the legal right to file a lawsuit in court, even if your complaint formed the basis for a charge, as long as an Administrative Law Judge has not started a hearing on the record with respect to the charge.

There may be other applicable federal, state or local statutes under which you and/or the respondent(s) may initiate court action. You may consult a private attorney in this regard.

The law also requires us to notify you that section 818 of the Fair Housing Act makes it unlawful for a respondent or anyone else to coerce, intimidate, threaten, or interfere with you in your exercise or enjoyment of, any right granted or protected under the Fair Housing Act. The law also makes it illegal for anyone to coerce, threaten or interfere with you for your having aided or encouraged any other person in the exercise or enjoyment of, any right or protection granted to them under the Fair Housing Act.

If you have any questions regarding this case, please contact our office at 1-800-669-9777. Please refer to the case number at the top of this letter in those contacts, and keep this office advised of any change of your address or telephone number. We hope this information has been helpful to you.

Sincerely,

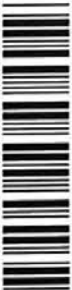


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