[ms-0398.028.009.016]

ROUTE SLIP

OFFICE OF THE BOARD OF SUPERVISORS
COUNTY OF SAN DIEGO, CALIFORNIA

DATE ROUTED
July 24, 1990

DATE DUE
August 7, 1990

TO
Lloyd Harmon, County Counsel

SUBJECT
Attached Correspondence Dept. of Housing

ACTION

- [ ] FOR YOUR INFORMATION
- [ ] INVESTIGATE AND TAKE APPROPRIATE ACTION
- [XX] INVESTIGATE AND TAKE APPROPRIATE ACTION WITH REPORT TO SUPERVISOR
- [ ] YOUR COMMENTS
- [ ] OTHER

COMMENTS:

Please investigate the issue raised in the attached correspondence.

Thank You,

Benelia Santos-Hunter
Chairman's Assistant, Chairman Williams Office

BSH:bsh

RETURN THIS ROUTE SLIP WITH YOUR REPLY

U.S. Department of Housing and Urban Development
Washington, D.C. 20410-0500

OFFICE OF GENERAL COUNSEL

JUL 10 1990

RECEIVED
JUL 20 1990
Ans'd.....

Mr. Leon Williams
Chairman
San Diego County Board of Supervisors
1600 Pacific Highway, Room 335
San Diego, CA 92101

Re: Swineheart v. County of San Diego
Title VIII Complaint No. 09-90-1322-1

Dear Mr. Williams:

This letter concerns the above-referenced complaint filed on March 12, 1990, with the Department of Housing and Urban Development's (HUD) Office of Fair Housing and Equal Opportunity involving allegations that the San Diego County Department of Planning and Land Use (Respondent) discriminated against the Complainant on the basis of the handicap status of her residents (mentally retarded). Specifically, Complainant alleges that Respondent is requiring that she obtain a Major Use Permit to operate her facility for the mentally handicapped in violation of the Fair Housing Act.

Since this complaint raises a significant issue involving the legality of local land use ordinances, I have referred this matter, pursuant to section 810(g)(2)(C) of the Fair Housing Act and 24 C.F.R. §103.400(a)(2) (1989), to the Department of Justice for appropriate action under section 814(b)(1).

Sincerely yours,

David H. Enzel

David H. Enzel
Acting Assistant General Counsel
for Fair Housing