

**Please be advised that the attached documents are an example of my attempt to bring awareness to a very serious concern. All agencies or individuals I approached referred me to Mr. Timmothy Tibbs, ADA Coordinator. I remain quite frustrated that this individual does not share my concerns. I never received a response from my contact with him until I called the County Managers office. I still did not receive an answer to my question as to what caused me to fall out of my wheelchair, lack of safety straps or lack of safety monitoring of the medical transport vans.**

**Since my initial complaint a second disabled senior has fallen out of her wheelchair due to lack of straps. For Mr Tibbs to let such a length of time go by and not respond to my concerns is unacceptable and dangerous to the disabled passengers.**

**When Mr. Tibbs contacted me he stated that the drivers had all been trained on safety straps and all vehicles now have safety straps. He did not tell me how these unsafe vehicles were transporting the disabled without straps, or whether the contracts with Dept of Social Services stipulated in the contract that the vehicles must adhere to ADA guidelines. I requested a response from Mr. Tibbs in writing presently I have not received any letter, nor an apology for waiting so long in providing me with a response, only when I called the County Manager's office.**

**We certainly would not provide a car seat for a child without the proper straps thus the same care for a senior or wheelchair bound disabled passenger. I also inquired of Mr. Tibbs what would he do if he found vans in ADA violation what is the proper procedure I never got an answer. I am requesting that this body take a serious look at the functioning of the ADA Coordinator and how we can prevent the possible harm of at risk passengers. When is the next safety inspection and who does the process?**

## **Discrimination Complaint**

**Brenda Anderson**

**5221 Airport Dr.**

**Charlotte N C 28208**

**January 17, 2019**

**704-451-7023**

**TO: Timmothy Tibbs, ADA Coordinator**

**Charlotte, Mecklenburg COUNTY**

**600 East 4<sup>th</sup> St 11<sup>th</sup> Fl**

**Charlotte N C 28202**

**Both public and private organizations must meet ADA requirements. A public entity entering into a contract or agreement with a private entity to operate transportation services must ensure that the private entity meets all ADA requirements for the public entity.**

**Private transportation providers that use vehicles that are not accessible (ramps, securement devices, safety restraint straps) must provide equivalent service, a different accessible vehicle is used. Providing service to the same traveling points for the same cost within the same timeframe.**

**Being disabled and wheelchair bound I utilize the Social Service transportation service. I am unable to ride in the front passenger seat of the vehicle and use the standard seatbelt. The driver also is safe with the standard secure seatbelt as required by North Carolina seatbelt law. In the private vehicle contracted by the public entity**



**Social Services the disabled wheelchair is not provided the required ADA safety restraint straps. Having being denied equal access to the mandatory safety straps and thus forced to travel in unsafe conditions, I believe I have been discriminated against because of my disability.**

**Private entities providing services, cannot discriminate against individuals with disabilities by refusing to provide ADA required safety straps.**

**In addition, the dept of Social services have canceled the option for passenger to request the vehicle that does meet the ADA requirement**

**Although it is clearly indicated this denial is in violation of my right to accessible safety straps vehicle, act of discrimination due to my disability. Causing possible serious harm, even death due to injury.**

Brenda Anderson

5221 Airport Dr.

Charlotte N C 28208

704-451-7023

November 19, 2018

TO: Ella B Scarborough

County Commissioner Chair at Large

Charlotte Mecklenburg Government Center

600 E 4<sup>th</sup> Street

Charlotte N C 28202

In accordance with Title II of the Americans With Disabilities Act

Also, being referred to your office by Disability Rights where I made my original complaint of this issue.

I present to your office the following complaint. Please be advised that I attest all information provided is true and pertinent.

,

Mecklenburg County Transportation 3205 Freedom Dr.

The ride system is composed of several transport van that the Dept of Social Services has contracted for disabled transport.

All transport vans are required to meet ADA guidelines and pass regular inspections. Unfortunately, these requirements have not been adhered to.

I am a disabled senior who utilize this service in a manual wheelchair for regular doctor visits. There are three vans used A1 which has the proper safety straps to secure the passenger, and Prestige, transport service and Royal transport service, who do not have the proper equipment to secure the wheelchair passenger.

While being transported to my doctor appointment I was traveling in the Prestige transport van unsecured, the driver made a turn he hit a bump, I went flying out of my wheelchair and rolled around the van the driver was unaware until I cried out. This was van number 25 driven by Terrence Jones.

Mr. Jones pulled over put me back into my wheelchair, he took me home and asked me not to mention the incident.

The second complaint is regarding the Royal transport van once again I was traveling in a van with no safety straps, the driver was traveling on a bumpy road very fast I had to hold on to my wheelchair to keep from flying out and possible injury.

Both incidents were reported to Mecklenburg Social Services Transportation customer complaint a supervisor also a manager, all to no avail. When I called back and requested to file a grievance I was informed the telephone call was considered , a grievance, I then stated I did not receive a

response. It was explained to me that it was at the discretion of the manager if a response was necessary

At this point I turned my complaint over to Disability Rights who in turn has referred this complaint to your office

How is it possible for such an agency as Dept of Social Services contract unsafe vehicles to transport the disabled? Exposing myself to possible death, even permanent injury with little regard.

It is my sincere desire that your office will share my grave concern and take immediate appropriate action on the behalf of myself and others being put in harm, way.

Presently I have not received any response from any agency that have presented my complaint to.



Brenda Anderson

5221 Airport Dr.

Charlotte N C 28208

704-451-7023

December 6, 2018

TO: Those Appropriate

Concerned Individuals

North Carolina Coalition On Aging

P. O. Box 12762

Raleigh, N.C. 27605

In accordance with Title II of the Americans With Disabilities Act

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While being transported to my doctor appointment I was traveling in the Prestige transport van unsecured, the driver made a turn he hit a bump, I went flying out of my wheelchair and rolled around the van the driver was unaware until I cried out. This was van number 25 driven by Terrence Jones. Mr. Jones pulled over put me back into my wheelchair, he took me home and asked me not to mention the incident.

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At this point I turned my complaint over to Disability Rights who in turn has referred this complaint to your office

How is it possible for such an agency as Dept of Social Services contract unsafe vehicles to transport the Seniors, and disabled? Exposing myself to possible death, even permanent injury with little regard. How long has this situation existed? Who is responsible for signing off the approval of safety inspection of these vehicles? Are the Vendors even aware of ADA requirements?

It is my sincere desire that your office will share my grave concern and take immediate appropriate action on the behalf of myself and other Seniors being put in harm, way.

Presently I have received a telephone confirmation of my letter any response from the Mecklenburg County Manager agency that I have presented my complaint to.

Brenda Anderson

5221 Airport Dr.

Charlotte N C 28208

704-451

December 6, 2018

TO: Disability Rights & Resources

Marty Musser

5801 Executive Center Dr Suite 101

Charlotte N C 28212

In accordance with Title II of the Americans With Disabilities Act

Also, being referred to your office by Disability Rights where I made my original complaint of this issue.

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It is my sincere desire that your office will share my grave concern and take immediate appropriate action on the behalf of myself and other Seniors being put in harm, way.

Presently I have received a telephone confirmation of my letter any response from the Mecklenburg County Manager agency that I have presented my complaint to. No intervention action taken at this time.

Brenda Anderson

5221 Airport Dr.

Charlotte N C 28208

704-451-7023

November 19, 2018

TO: Vilma Leake

County Commissioner District 2

Charlotte Mecklenburg Government Center

600 E 4<sup>th</sup> Street

Charlotte N C 28202

In accordance with Title II of the Americans With Disabilities Act

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response. It was explained to me that it was at the discretion of the manager if a response was necessary

At this point I turned my complaint over to Disability Rights who in turn has referred this complaint to your office

How is it possible for such an agency as Dept of Social Services contract unsafe vehicles to transport the disabled? Exposing myself to possible death, even permanent injury with little regard. Who signed off on such unnegotiable agreement within the Dept. of Social Services contracts with these vans.

How did these unfit vans pass inspection being not meeting ADA requirements., by law. what is the verification process, and who is to be held accountable if there is a serious injury in a unsafe vehicle?

It is my sincere desire that your office will share my grave concern and take immediate appropriate action on the behalf of myself and others being put in harm, way.

Presently I have not received any response from any agency that I have presented my complaint to. I respectfully await your response. Thank you for your time and consideration.

Brenda Anderson