

February 28, 2022

Final Investigative Report

Case Name: Curtis Stowe d/b/a CWS Enterprises v Chalet Capri Condominium Association Inc

Case Number: 04-22-8869-8; PC-22-009

I. Jurisdiction

A complaint was filed on November 03, 2021 alleging that the complainant(s) was injured by a discriminatory act. It is alleged that the respondent(s) was responsible for: Discriminatory refusal to rent; Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable; and Discriminatory acts under Section 818 (coercion, Etc.). It is alleged that the respondent(s)'s acts were based on Race; Color; and Retaliation. The most recent act is alleged to have occurred on August 27, 2021, and is continuing. The property is located at: 275 Capri Circle North, Unit A103, Treasure Island, FL 33706. The property in question is not exempt under the applicable statutes. If proven, the allegation(s) would constitute a violation of Article II, Division 3 of Chapter 70 of the Code of Ordinances of Pinellas County, Florida and Sections 804(a) or (f), 804(b) or (f), 804(a), and 818 of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

The respondent(s) receive no federal funding.

II. Parties and Aggrieved Persons

A. Complainant(s)

Curtis Stowe
d/b/a CWS Enterprise Inc.
2266 Arcadia Court
Aurora, IL 60503

Complainant Representative(s)

Complainant Allegations

Curtis Stowe (CP) purchased the property located at 375 Capri Circle N. unit A103 Treasure Island, FL 33706. CP is currently using the property for a few months a year, and then doing short term rentals during the summer. CP advised Chalet Capri Condominium Association Inc, and the President Mr. David A. Kidd (R Kidd), of his intent to rent the property as a short-term rental during the months that he was not occupying the unit. CP had an attorney verify that he was allowed to rent the unit and confirmed with R Kidd that he was able to do so. CP hired Vacasa, an agency that managed the short-term rentals and availability of the property.

CP indicates that he has received communication from Vacasa representative Jodi Wert, that his tenants were being harassed and discriminated against by R Kidd. On one occasion, an African American tenant was staying at the property and visited the pool, and R Kidd called the police department, and advised the tenant that they do not accept his kind here. CP has been advised that R Kidd has acted discriminatory against his tenants and himself, and he has received written communication from R Kidd indicating that he would continue to harass and discriminate to his tenants.

B. Other Aggrieved Persons

C. Respondent(s)

Chalet Capri Condominium Association Inc.
C/O Lamont Management Inc
250 104th Avenue
Treasure Island, FL 33706

Respondent Representative(s)

Respondent Defenses

Respondent deny race and color had anything to do with the events that have occurred at the condominium property. Respondent state the legality of CP's frequent rentals of less than 14 days is disputed by the Association as a violation of its rules as well as Treasure Island zoning laws. What has occurred is the direct and proximate result of CP's misuse of his unit.

D. Witnesses

Lauren Robinson
Lemont Management

Jodi Wert
Vacasa

III. Case Summary

A. Interviews

Other Witnesses: Wert, Jodi;
Date of Interview: February 07, 2022
Type of Interview: Telephone
Interviewer: Postell, Lisa Ann Marie

Property manager for CP vacation rentals.
She is the point of contact for persons wanting to rent CP's unit.

Asked if she knew the race of the persons that rented the unit. She said no, she does not ask their race.

Asked if she knew what the problem was, she said "they don't like renters period."

Asked about specific racial issues, she said comments made to one African American family at the pool was "we don't want your kind here" she then said she didn't know if they meant it was racial or because they were renters.

Asked how many complaints she receives. She said complaints are pretty consistent from the renters.

Asked who is responsible for giving the renters the rules, her or are they already in the unit. She said they are posted in the unit, by the pool ect.

Asked about how many renters approximately, She said he had 5 renters already this month and approximately 20 - 30.

Complainant: Stowe, Curtis;
Date of Interview: February 07, 2022
Type of Interview: Telephone
Interviewer: Postell, Lisa Ann Marie

Asked his race as it is not on the record, CP is Caucasian.
Asked if he was filing based on his race/color or his renters race/color, he stated his race/color.
Asked if he knows the race of his renters. He does not know the race of the renters except the one family who complained of the racial comment.
He says his harms are that he is not comfortable staying there due to the harassment, the bad review have lost him guests, stress, attorneys fees.
He says he believes he is being treated this way because he is younger than the rest of them. They are mostly retirees.
He said Mr. Kidd told him that he tried to deny his application, that he didn't want him here.

Other Witnesses: Robinson, Lauren;
Date of Interview: February 07, 2022
Type of Interview: Telephone
Interviewer: Postell, Lisa Ann Marie

Lauren is the account manager for the Association. She does no other management duties.
Asked if there are any other Air BnB style units there, she said no, CP's is the only one.
Asked about long term renters. She only knows of one, not sure if any others.
When asked how CP is treated she said she had no comment.
She has not personally witnessed any discrimination issues.
She said there have been no indication the issue is race, color or age.
When asked what she thought the problem was, she said it seems the problem is the Air BnB.
All the complaints have come through Mr. Kidd, she has not spoken to any of the other unit owners.

Board did not deny hybrid meetings.

Other Witnesses: Robinson, Lauren;
Date of Interview: February 15, 2022
Type of Interview: Telephone
Interviewer: Postell, Lisa Ann Marie

Association Accountant

Asked if Mr. Kidd had the Dec. 31, 2021 letter approved by the Board. She did not know.

Asked if the application fee change had been applied. She did not believe so as it is so drastic and she has not had an application come through since the change.

Asked if Mr. Kidd sends out end of the year letters every year. She said she believes so, he sends letters frequently to all unit owners.

B. Documents

Nature of Document: 100 day Letters
Who Provided: PCOHR
How Transmitted to HUD:
Date of Document: February 14, 2022
Date Obtained:

Nature of Document: Respondent Reponse to Request for Information
Who Provided: Respondent
How Transmitted to HUD: email
Date of Document: January 23, 2022
Date Obtained: January 24, 2022

Nature of Document: 903
Who Provided: Complainant
How Transmitted to HUD: email
Date of Document: October 28, 2021
Date Obtained: October 28, 2021

Nature of Document: Position statement
Who Provided: Respondent
How Transmitted to HUD: in person
Date of Document: November 12, 2021
Date Obtained: November 12, 2021

Respondent deny race and color had anything to do with the events that have occurred at the condominium property. Respondent state the legality of CP's frequent rentals of less than 14 days is disputed by the Association as a violation of its rules as well as Treasure Island zoning laws. What has occurred is the direct and proximate result of CP's misuse of his unit.

Nature of Document: CP Rebuttal
Who Provided: Complainant
How Transmitted to HUD: email
Date of Document: December 02, 2021
Date Obtained: December 02, 2021

CP states Mr. Kidd, Board President, made it clear from the first interaction with them he would harass anyone and everyone, and that is exactly what they have done for the last 8 months. They have been true to their word doing all they can to harass anyone and everyone who come to our home. Dave has made it clear he has been board president for 25 years and no one is telling him how to run his community.

Nature of Document: Additional information from CP
Who Provided: Complainant
How Transmitted to HUD: email
Date of Document: December 03, 2021
Date Obtained: December 03, 2021

A review left of the unit. Renter states they were harassed and told only residents could use pool.

Nature of Document: Additional information from CP
Who Provided: Complainant
How Transmitted to HUD: email
Date of Document: December 17, 2021
Date Obtained: December 17, 2021

A letter dated April 11, 2021 sent by CP to all unit owners. CP attempts to correct misleading information provided to residents from Mr. Kidd, Board President.

1. Increase in rental application fee concerns. Fee increased from \$50 to \$1,000.00.

2. Sprinkler suppression system not required for his unit.
3. Stairs needed sanding and repainting, not replacing.
4. Health Dept. does not need to inspect vacation rentals.
5. Vetting responsibility for vacation rentals does not fall on the Board.
6. Mr. Kidd's planned harassment of any tenants.

Nature of Document: Respondent 1 letter
Who Provided: intake
How Transmitted to HUD:
Date of Document: November 02, 2021
Date Obtained:

Nature of Document: letter to cp ohr
Who Provided: intake
How Transmitted to HUD:
Date of Document: November 02, 2021
Date Obtained:

Nature of Document: CP information
Who Provided: Complainant
How Transmitted to HUD: email
Date of Document: February 07, 2022
Date Obtained:

Link for reviews to his rental.

At the time of investigators review I did not see any negative reviews listed.

<https://abnb.me/at1j8oATsnb>

Nature of Document: CP evidence
Who Provided: Complainant
How Transmitted to HUD: email
Date of Document: February 07, 2022
Date Obtained:

Text message of a review left by a renter of how they were harassed by other residents while staying at the property.

Nature of Document: Certificate of Amendment to Declaration of Condo
Who Provided: Complainant
How Transmitted to HUD: email
Date of Document: October 28, 2021
Date Obtained:

The amendments to the Declaration of Condominium.

showing what was removed and added to the declarations.

Nature of Document: CP evidence
Who Provided: Complainant
How Transmitted to HUD: email

Date of Document: February 07, 2022
Date Obtained:

CP states it's a renters complaint text to his property manager.

C. Interrogatories

D. Factual Observations

Betina Baron

Betina Baron, Compliance Manager