

April 03, 2023

## **Final Investigative Report**

**Case Name:** Hughes, Brenda v Glen Ellen Mobile Home Park LP et al

**Case Number:** 04-22-2371-8

### **I. Jurisdiction**

A complaint was filed with the Pinellas County Office of Human Rights (OHR) on August 05, 2022 alleging that the complainant(s) was injured by a discriminatory act. It is alleged that the respondent(s) was responsible for: Failure to make reasonable accommodation; and Failure to permit reasonable modification. It is alleged that the respondent(s)'s acts were based on Disability. The most recent act is alleged to have occurred on June 29, 2022, and is continuing. The property is located at: 2882 Gulf to Bay Boulevard, Lot 231, Clearwater, FL . The property in question is not exempt under the applicable statutes. If proven, the allegation(s) would constitute a violation of Chapter 70 of the Pinellas County Code of County Ordinances.

The respondent(s) receive no federal funding.

### **II. Parties and Aggrieved Persons**

#### **A. Complainant(s)**

Brenda Hughes  
2882 Gulf to Bay Boulevard  
Lot 231  
Clearwater, FL 33759

#### **Complainant Representative(s)**

#### **Complainant Allegations**

Brenda Hughes (CP Hughes) is a disabled woman who with her son Christopher Theos (AP Theos) resides at 2882 Gulf to Bay Blvd lot 231, Clearwater, Fl 33755. The land is owned by Glen Ellen Mobile Home Park LP (RP Glen), and she owns the mobile home that is being replaced by Timberline Construction Group LLC, with assigned funds from Rebuild Florida. CP Hughes states that as part of the replacement of the mobile home she requested a reasonable modification to have a ramp placed to access the entrance of the home. CP Hughes states that once the mobile home was replaced, and construction was being processed Timberline Construction and Equity Lifestyle Properties Inc. are now refusing to honor the reasonable modification that she was initially approved for, and it's a violation of her rights. CP Hughes states that on or around March 2020, she was approved to receive a mobile home unit replacement from the Rebuild Florida Program. On or around April 2020, when submitting the request for a replacement mobile home unit, CP Hughes requested a reasonable accommodation

and a reasonable modification request to add a ramp to access the home. On October 2, 2020, CP Hughes received confirmation that both her reasonable accommodation and reasonable modifications were approved, and she forwarded the information to Glen Ellen community manager Bob Kesley (RP Kesley). Replacement and construction did not start until the beginning of 2022. RP Hughes states her old mobile home was removed on February 1, 2022, and the new unit was delivered on February 25, 2022. On May 12, 2022, CP Hughes states she was informed by Glen Ellen's new community manager Penny Garcia (RP Garcia) that the wooden ramp is not being installed on the back door as agreed and that it would be placed on the front door. CP Hughes states that placing the ramp to the front door will take the space intended to park her vehicle. CP Hughes also states that RP Garcia also stated that they are also building a storage shed in the front of the mobile home unit blocking the living room window and making it a fire hazard as they would not be able to exit the mobile home unit in case of emergency. On May 12, 2022, CP Hughes communicated to both RP Garcia and RP Rebuild the issues regarding the ramp and the shed and they refused to change the plans back to the original approved by RP Rebuild. On June 29, 2022, CP Hughes had a conference call with RP Rebuild regarding the placement of the shed and the ramp, at this time she received a site revision placing a wheelchair lift on the side of the door, making it accessible however they are not placing concrete steps at both entrances. in addition, she advised them that the platform needs to be made in concrete to make it stable due to the weight of the lift. CP Hughes states that both RP Rebuild and RP Garcia advised her to take possession of the home and then she would have to cover the costs for the reasonable modification. CP Hughes states that the denial of the original reasonable modification and accommodation is a violation of her rights.

#### B. Other Aggrieved Persons

Christopher Theos  
7780 49th Street North  
#235  
Pinellas Park, FL 33781

#### C. Respondent(s)

Glen Ellen Mobile Home Park L.P.  
Registered Agent: C T Corporation System  
1200 South Pine Island Road  
Plantation, FL 33324

Timberline Construction Group LLC  
C/O: Dan Burnham  
87 Pardue Road  
Pelham, AL 35124

Penny Garcia  
Equity Lifestyle Properties Inc.  
4300 West Cypress Street

Suite 400  
Tampa, FL 33607

Equity Lifestyle Properties Inc.  
C/O: Stanley L Martin  
4300 West Cypress  
400  
Tampa, FL 33607

Scott Cao  
Florida Department of Economic Opportunity  
107 East Madison Street - Caldwell Building  
Tallahassee, FL 32399-4120

Tim Lagudi  
IEM  
2801 Slater Road  
200  
Morrisville, NC 27560

Respondent Representative(s)

Theresa L Kitay  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
3414 Peachtree Road N.E.  
1600  
Atlanta, GA 30326

Representing: Dan Burnham (Timberline Construction Group LLC)

**Notes:**

Respondent Defenses

Answer from Equity LifeStyle Properties, dated 8/22/2022

Respondent asserts that it did not deny any accommodation or modification request from or on behalf of CP. R understands that CP had discussions with Timberline concerning construction of a wheelchair ramp and shed on her lot and the placement of the same, and that local government setback, space and/or engineering issues arose. R asserts that those are issues between CP, Timberline, and the local government.

Answer from Timberline, dated 9/29/2022

Timberline asserts that it is a construction company hired by the Florida Department of Economic Opportunity's 'Rebuild Florida' program to replace CP's mobile home. Timberline

states that it has no authority to grant or deny accommodation or modifications to the approved scope of work for the replacement of CP's mobile home. Timberline carries out the scope of work approved and requested by Rebuild Florida, and in compliance with the dictates of the local government authorities and property owners associations.

Answer from Tim Lagudi, IED:

Mr. Lagudi states that on June 14, 2022, CP was informed that - due to municipal restrictions identified by the general contractor - the Program could either install a wheelchair lift or concrete steps, but a wheelchair ramp is not permitted due to conflicts with municipal setbacks and other covenant-restricted site improvements required by Glen Ellen Mobile Home Park. Specifically, engineer-produced drawings for the proposed ultimately identified municipal requirements that restrict the ability to situate a ramp on this lot. The only option based on Program and HUD Guidelines is to replace the ramp with a wheelchair lift.

#### D. Witnesses

Bob Kesley  
Equity Lifestyle Properties Inc.  
4300 West Cypress Street  
Suite 400  
Tampa, FL 33607

### III. Case Summary

#### A. Interviews

Complainant: Hughes, Brenda  
Date of Interview: August 12, 2022  
Type of Interview: Telephone  
Interviewer: Genova, Peter J.

CP described how she qualified to have her mobile home replaced. It had been damaged in a hurricane. She outlined the many problems with the approvals and quality of work. She requested a ramp, but the placement of the ramp was changed in a way that would limit her ability to use her driveway. CP also said that the park changed the specs and wanted to install a wheelchair lift, even though she said that she doesn't use a wheelchair. CP has been in temporary housing as the new home is being built. Meetings have been held to discuss the scope of work, and CP felt that she has been pressured to sign off on work that altered the original plans.

Respondent: Garcia, Penny  
Date of Interview: November 04, 2022  
Type of Interview: Internet  
Interviewer: Genova, Peter J.

Ms. Garcia arrived as Property Manager after CP had been awarded a new home through the Rebuild Florida program.

Ms. Garcia contacted the Rebuild Florida representatives to ensure that she was now going to be included on emails instead of the prior manager.

Ms. Garcia wanted to ensure that the home complied with the prospectus. She was in ongoing communication with Rebuild Florida and provided them with the prospectus.

She states that there were problems because the CP directed the builder to turn the mobile home around. The back of the home is now at front near the road, and the air conditioning unit is at the front. Because the home was flipped, this caused logistical problems with the placement of the shed and the driveway.

Ms. Garcia explains that the CP was demanding. Ms. Garcia participated in telephone conference calls and these calls were mostly unproductive. CP spent a lot of time speaking her mind and demanding certain conditions.

Ms. Garcia explains that the home is still on blocks. The CP has been difficult. She does not sign off on plans so the builder can move forward. CP has also requested additional features that were not approved in the original scope of work, such as a driveway at the front and a dog park in the back.

Ms. Garcia states that CP has never requested a reasonable accommodation from the park. They have been trying to work with her to ensure that building is completed and that it complies with the prospectus.

Respondent: Lagudi, Tim

Date of Interview: January 23, 2023

Type of Interview: Correspondence

Interviewer: Genova, Peter J.

1. *Please provide the specific municipality (City of Clearwater) restrictions with regard to setbacks that prevent a wheelchair ramp from being installed.*
  - a. Please see the first **Attachment – Rebuild Florida DEO/CDBG Program Replated – 2882 Gulf to Bay** communication with response from Melissa Hauck-Baker, AICP, PP – Senior Planner with the Planning & Development Department of the City of Clearwater. In this message in response to the initial site plan provided 12/15/2021, the Planning & Development Department indicated setback code restriction requiring a minimum of a 10-foot separation between structures and also indicating the 10 foot spacing to the neighboring home would have been acceptable.
2. *Please provide a copy of the communications in which you were informed that the municipal setbacks prevented the installation of a wheelchair ramp.*
  - a. Please see the second **Attachment – FW: ID-010587 Brenda Hughes Revised Site Plans** with a message from Scott Cao – IEM CPM – to the applicant,

indicating that a revised scaled site plan was received and reviewed; however, it was determined that the ramp design will not work with the approved MHU floor plan due to the fact that, if a ramp is installed, the utility shed would have to be placed in front of the only egress window in the living room. Per HUD code, an egress window must not be blocked for safety reasons. The only option (due to set up height) is to eliminate the ramp and install a wheelchair lift with stairs. This will allow us to place the utility shed in the rear of the carport without obstructing any egress windows. We presented a scaled site plan showing how this new option – which would be compliant with **both** municipal setbacks **and** park restrictive covenants would look as the only option to meet both HUD code and Glen Ellen MHP covenants.

3. *Please provide a copy of the communications in which you were informed by Glen Ellen Mobile Home Park that covenant restrictions prevented the installation of a wheelchair ramp.*
  - a. After speaking with program stakeholders, we are unable to locate an email communication from Glen Ellen Mobile Home Park; this was, however, discussed in our meeting with the applicant, program management, and MHP manager Penny Garcia on Monday, June 27th at 2:45 PM ET. See attached and previously referenced email from the municipality that indicates setback requirement of 10' between structure. The mobile park required a shed that we attempted to place in the front so that we could allow room to build the ramp and meet required setbacks. However, due to the code requirement of egress window not being obstructed, this is not possible (ref: Egress Window Requirements | IRC Code for Fire Safety). This issue was again discussed during a meeting with the program, mobile home park manager, applicant and Timberline on 8/23/22 between 2 and 2:30PM ET. Without an approval by Glen Ellen MHP, the program cannot complete construction that is outside accordance with binding, restrictive covenants. I have included a subsequent e-mail communication chain **Attachment – Re: Brenda Hughes 10587** dated August 25, 2022 at 1:16 PM, in which we were attempting another coordination discussion between Ms. Hughes, the Program, and Penny Garcia – but we were unable to reach Ms. Hughes on the matter.
4. *Please provide copies of all emails between you and Ms. Hughes after your email of June 14, 2022, in which you offered a lift with stairs as an alternative to the original plan.*
  - a. Please see introductory paragraph above. I am working to compile **all** e-mail communications between program staff on the Rebuild Florida and IEM server pertaining to this issue. I have included the two communications cited above for reference, as they are a fairly comprehensive compilation of communications with respect to this issue, the program's communication with Ms. Hughes, and documentation of her decision not to approve the new site plan provided.
5. *To your knowledge, in your prior work on such Rebuild Florida projects, has a resident and/or Rebuild Florida requested an accommodation or a variance to municipal restrictions? If so, provide examples.*
  - a. Yes, this is a fairly common occurrence in CDBG-DR Housing Programs. We have dealt with requests for accommodations/variances to municipal restrictions on this program and others I have worked (including NY Rising – NY's Housing

Program for applicants affected by Tropical Storms Irene and Lee and Superstorm Sandy, and Restore Louisiana – LA’s program for homeowners affected by the Great Floods of 2016). With certain program policy restrictions in place, program-required new construction activities related to Reconstruction (Single-Family Stick-Built) and Replacement (Mobile Home and Modular Unit) construction may infringe upon existing setbacks that require the program to work with the applicant, the general contractor, and the municipality to approve certain setback restrictions due to certain hardships caused by the program requirements for certain site plans. Often times, we are able to work with building departments to grant those variances in instances where restrictive covenants and other limitations are not a factor in determining that hardship.

6. *To your knowledge, in your prior work on such Rebuild Florida projects, has a resident and/or Rebuild Florida requested an accommodation or a variance to a property’s covenant/prospectus restrictions? If so, provide examples.*
  - a. No, to my knowledge and after conferring with our construction project management team – with experience working programs dating back to and since the Road Home program for Hurricanes Katrina/Rita in Louisiana in 2005, we (the program) have never requested a formal variance to a program prospectus as a function of the program due to the fact the program’s position that we cannot interfere with a legally-binding restrictive covenant between the applicant and the Mobile Home Park. We can refer the applicant to work directly with the Mobile Home Park to receive that accommodation and may proceed with any signed allowance (in writing) by the Mobile Home Park that would amend such regulations bound by covenant.

Respondent: Martin, Stanley  
Date of Interview: January 24, 2023  
Type of Interview: Correspondence  
Interviewer: Genova, Peter J.

Mr. Genova,

The following residents have requested and received accommodations under the FHA (please also see attached):

Accommodation Animals - 6 Residents (Site# 101, 152, 221, 235, 304, 332)

Caretaker - 3 Residents (Site# 119, 148, 232)

Blank Form - (Site# 209)

(Form was approved by both physician and property manager - but does not list reason or request)

Proof of residency - 1 (Site# 235)

(Resident listed as a reasonable accommodation in written request)

Request that all communication be through email - 1 (Site# 235)  
(Resident listed as a reasonable accommodation in written request)

Complainant: Hughes, Brenda  
Date of Interview: February 14, 2023  
Type of Interview: Telephone  
Interviewer: Genova, Peter J.

CP was interviewed on 2/14/2023 so I could get more details as to the current status of the interactive process.

She states that on 3/3/2022, Erika Romero called her (she said that Erika works for the builder) because she wanted the CP to be part of the process, as to where things should go. CP drew a design and emailed it to Ms. Romero and Ryan Langley.

On 5/11/2022, the CP was part of a phone call with the Respondents. During this call, the plans placed the shed in front of a window. They did not see a problem with it. Then the CP was told by Penny Garcia, property manager, that the shed had to be attached. CP explained that others' sheds aren't attached, but Ms. Garcia said that has nothing to do with the CP.

CP received a docusign on 5/12/2022, but it was not the site plan that was discussed the prior day. It was an older floor plan. It didn't show the ramp. Then the CP was given a 5/13, 8 am deadline to sign the plans by Tim Lagudi. CP texted Mr. Lagudi to discuss, but he told her to contact him during normal business hours. CP states that he pressured her to sign the plans, and that he threatened to kick her out of temporary housing. Because of this, CP said that she signed it.

CP said that she never received a notice of commencement until July, when this was supposed to be a 90-day project. CP also added that after signing the plan on 5/13, she learned that the ramp wouldn't work. She states that the ramp could work if it was placed on the east side (the back), but her entrances are on the north and south side. There wasn't enough room on the north side.

CP had a call with Scott Cao, a project manager who works for Lagudi. There was a discussion about how they should have known about the ramp and how it would be placed.

There was a 6/29/2022 conference call. All parties had already known about the changes to install a lift instead of a ramp. CP wanted to see the info before the meeting. CP said that this could have been constructed differently. She saw a diagram on 6/28 where the exterior ramp was removed and a lift would be installed. CP said she understood previously that a wheelchair lift may be needed but she didn't know the details. CP also added that during this phone call, she mentioned that she co-owns the home with her son and that there's an ESA dog. CP expressed concern over the lift being able to transport enough weight. CP said that she later explained her concerns to them in a 6/30/22 email.

CP also states that during the call, they told her that she would receive a wheelchair. She said that she needed a large one, and that she was concerned about the support and whether wood



would be effective because it deteriorates. CP explained that there's the weight of herself, the dog, and that the wood would deteriorate. CP states that she was told that she was NOT getting a wheelchair. Now she feels embarrassed for explaining all of her issues and weight to them. CP also states that on 6/29 she was told by Tim Lagudi that she would have to hire her own contractor to build a ramp. She states that Penny Garcia said that they would approve the ramp if CP got her own contractor and paid for it with her own money. CP pointed out that Rebuild Florida would be responsible for paying for ramps.

CP emphasized that the mobile home lot survey took place in May 2021 and over a year later they're still trying to figure it out. It was supposed to be a 90-day project.

CP adds that she's living week-to-week

She explained that on 8/22/22, they already knew that she wasn't signing. Mr. Cao sent an email on 8/29/22 asking for CP to sign off on docs, and that CP replied on 9/6/2022 that she would not sign anything that did not include a ramp.

CP explained that she was frustrated because she signed the plans in May but then they were still calling her afterward.

Complainant: Hughes, Brenda  
Date of Interview: March 28, 2023  
Type of Interview: Telephone  
Interviewer: Genova, Peter J.

CP called for an update. I explained what is happening. I've prepared draft reports but we decided to request additional information from the Respondent. That information is due on Friday. I explained the process if we find reasonable cause.

CP explained that if the storage unit was on the side, then the ramp could have been built. This was approved verbally by the prior property manager, but then Ms. Garcia became the new property manager in about the summer of 2021. CP said that during one of the phone calls, CP pointed out that some of the newer units have storage units on the side or that they're not attached to the unit. CP said that Garcia said that we're not talking about those units. We're talking about yours.

## B. Documents

Nature of Document: Notification Letters  
Who Provided: OHR  
How Transmitted to HUD: Email  
Date of Document: August 26, 2022  
Date Obtained: August 26, 2022

Email to Timberline officer Dan Burnham, who said that he had not received the complaint. I sent a copy of the packet via email.

Nature of Document: Respondent Answer  
Who Provided: Respondent Equity  
How Transmitted to HUD: Email  
Date of Document: August 22, 2022  
Date Obtained: August 22, 2022

Respondent asserts that it did not deny any accommodation or modification request from or on behalf of CP. R understands that CP had discussions with Timberline concerning construction of a wheelchair ramp and shed on her lot and the placement of the same, and that local government setback, space and/or engineering issues arose. R asserts that those are issues between CP, Timberline, and the local government.

Nature of Document: Respondent Answer Timberline  
Who Provided: Respondent  
How Transmitted to HUD: Email  
Date of Document: September 29, 2022  
Date Obtained: September 29, 2022

Timberline asserts that it is a construction company hired by the Florida Department of Economic Opportunity's 'Rebuild Florida' program to replace CP's mobile home. Timberline states that it has no authority to grant or deny accommodation or modifications to the approved scope of work for the replacement of CP's mobile home. Timberline carries out the scope of work approved and requested by Rebuild Florida, and in compliance with the dictates of the local government authorities and property owners associations.

Nature of Document: Respondent Answer  
Who Provided: Lagudi, Tim  
How Transmitted to HUD: Email  
Date of Document: December 02, 2022  
Date Obtained: December 02, 2022

Mr. Lagudi states that on June 14, 2022, CP was informed that - due to municipal restrictions identified by the general contractor - the Program could either install a wheelchair lift or concrete steps, but a wheelchair ramp is not permitted due to conflicts with municipal setbacks and other covenant-restricted site improvements required by Glen Ellen Mobile Home Park. Specifically, engineer-produced drawings for the proposed ultimately identified municipal requirements that restrict the ability to situate a ramp on this lot. The only option based on Program and HUD Guidelines is to replace the ramp with a wheelchair lift.

Nature of Document: Respondent Response to Request for Information  
Who Provided: Kitay, Theresa  
How Transmitted to HUD: Email  
Date of Document: November 16, 2022  
Date Obtained: November 16, 2022

Respondent Timberline (the builder) itemized estimation of cost of the rebuild. Respondent also included several photos of the exterior and interior of the prior mobile home.

Nature of Document: Respondent Response to Request for Information

Who Provided: Martin, Stanley

How Transmitted to HUD: Email

Date of Document: January 12, 2023

Date Obtained: January 12, 2023

Respondent Equity (representing the mobile home park and property manager Penny Garcia) states that the prospectus does not prohibit the installation of the ramp. It was the builder that altered the original plans to install a ramp.

Nature of Document: Respondent Response to Request for Information

Who Provided: Lagudi, Tim

How Transmitted to HUD: Email

Date of Document: January 23, 2023

Date Obtained: January 23, 2023

Response to RFI from Tim Lagudi, the senior project manager who is assigned to the Rebuild Florida project. Mr. Lagudi asserts that CP was informed that the original plans were not feasible due to municipal setbacks. Additionally, the shed could not be placed in front of a window due to a potential safety hazard.

CP was offered a lift in lieu of a ramp, but she did not sign off on these plans. Efforts were made to meet with CP via telephone conference but the work is on hold because the plans have not been approved.

Nature of Document: Respondent Response to Request for Information

Who Provided: Martin, Stanley

How Transmitted to HUD: Email

Date of Document: January 24, 2023

Date Obtained: January 24, 2023

Respondent MHP/property manager provide information to show that they've provided reasonable accommodations to residents in the past.

Nature of Document: Respondent Response to Request for Information

Who Provided: Kitay, Theresa

How Transmitted to HUD: Email

Date of Document: March 31, 2023

Date Obtained: March 31, 2023

RP Timberline explains that the ramp could not have been built due to municipal setbacks and because of the park's requirements concerning the storage unit. The unit would have blocked a living room window, so Scott Cao, project manager informed CP that they would install a lift.

Nature of Document: 100-Day Notification Letters  
Who Provided: OHR  
How Transmitted to HUD: Email  
Date of Document: November 17, 2022  
Date Obtained: November 17, 2022

Letter explaining why the case was not closed within 100 days.

Nature of Document: 100-Day Notification Letters  
Who Provided: OHR  
How Transmitted to HUD: Email  
Date of Document: November 17, 2022  
Date Obtained: November 17, 2022

Letter to builder explaining why the case was not closed within 100 days.

Nature of Document: 100-Day Notification Letters  
Who Provided: OHR  
How Transmitted to HUD: Email  
Date of Document: November 17, 2022  
Date Obtained: November 17, 2022

Letter to CP explaining why the case was not closed within 100 days.

Nature of Document: Rebuild FL docs  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: May 14, 2020  
Date Obtained: August 02, 2022

Documents from the CP to Rebuild Florida. This includes a reasonable accommodation signature from CP's healthcare provider. This document states that CP requires a cane for ambulation and would benefit from repairs on house for safety. The document lists the accessibility features that are offered by the Rebuild Florida program, including an exterior ramp up to six feet in vertical height.

Nature of Document: Reconsideration Determination letter  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: December 07, 2020  
Date Obtained: August 02, 2022

The determination letter from the Rebuild Florida Appeals Team states that the CP's Reconsideration of Scope of Work has been approved. The initial determination of Scope of Work has been amended

Nature of Document: CP appeal of site plan  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: June 10, 2022  
Date Obtained: August 02, 2022

CP states that she is appealing the site plan. In her email, she provides a list of problems that she has experienced with the approval and completion of work.

Nature of Document: Additional Rebuild FL docs  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: February 08, 2021  
Date Obtained: August 02, 2022

Additional documents describe the type and size of storage shed (10' by 8'). It also describes type of ramp and the slope.

Nature of Document: Notice of Reconsideration from CP  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: November 03, 2020  
Date Obtained: August 02, 2022

CP submitted a Notice of Reconsideration and Notice of Informal Appeal. She states that there is incorrect information in the scope of work. She states that there was no response to her reasonable accommodation request.

Nature of Document: Drawing of Site Plan for Mobile Home and Ramp  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document:  
Date Obtained: August 15, 2022

CP provided drawing of site plan. She states that they cannot block windows with storage shed or wheelchair lift. CP notes that there should be concrete steps with safety railing and gate.

Nature of Document: Email regarding carport  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: December 21, 2020  
Date Obtained: August 15, 2022

CP provided a portion of an email from Natalie Philabaum of Equity Lifestyle stating that the carport will need to be attached to the home. CP wrote on the copy of the email to emphasize that the carport would be attached.

Nature of Document: Reasonable Accommodation Request info  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: June 18, 2020  
Date Obtained: August 15, 2022

This is a portion of the form that Rebuild Florida received from CP. It's called Recon/Replacement Reasonable Accommodation Request.

CP's licensed healthcare professional states that she requires a cane for ambulation, would benefit from repairs on house for safety.

The second page of the form offers standard reasonable accommodation accessibility features offered by Rebuild Florida.

Nature of Document: Email 1 from Laguli  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document:  
Date Obtained: August 15, 2022

Emails from Tim Laguli, who requested CP's acceptance of the site plans in writing. He states that the scope of work already references the attached carport and clarified. He states that he needs her written acceptance by 8 am or he will be recommending her removal from Temporary Housing. He states that CP is solely delaying construction.

Nature of Document: Email 2 from Laguli  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: July 08, 2021  
Date Obtained: August 15, 2022

CP provided a copy of a portion of Mr. Laguli's email from 2021, which states that the scope will include a ramp.

Nature of Document: Drawing of Ramp  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document: October 02, 2020  
Date Obtained: August 15, 2022

CP provided a drawing of the type of wheelchair ramp that was approved by Rebuild Florida.

Nature of Document: Mobile Home Requirements from the Prospectus  
Who Provided: CP  
How Transmitted to HUD: Email

Date of Document: December 21, 2020  
Date Obtained: August 15, 2022

CP wrote on copies of emails that there would be a storage shed, 10' by 8', and that it does not have to be attached to the mobile home.

Nature of Document: Site Plan with no ramp  
Who Provided: CP  
How Transmitted to HUD: Email  
Date of Document:  
Date Obtained: August 15, 2022

CP provided a copy of the site plan. This plan shows a wheelchair lift, a stoop and steps, but does not show a ramp.

Nature of Document: Equity Lifestyle answer to complaint  
Who Provided: Respondent Equity  
How Transmitted to HUD: Email  
Date of Document: August 22, 2022  
Date Obtained: August 22, 2022

Respondent asserts that it did not deny any accommodation or modification request from or on behalf of CP. R understands that CP had discussions with Timberline concerning construction of a wheelchair ramp and shed on her lot and the placement of the same, and that local government setback, space and/or engineering issues arose. R asserts that those are issues between CP, Timberline, and the local government.

Respondent is also interested in conciliation, provided that the builder, Timberline, is also participating.

Nature of Document: Email to Builder  
Who Provided: OHR  
How Transmitted to HUD: Email  
Date of Document: August 26, 2022  
Date Obtained: August 26, 2022

Email confirming conversation with Dan Burnham of Timberline Construction Group. We had not received any correspondence from his company. He said that he didn't receive the complaint. I emailed complaint to him and gave him a week to elect conciliation and two weeks to submit answer.

Nature of Document: Notice of Representation  
Who Provided: Respondent  
How Transmitted to HUD: Email  
Date of Document: September 02, 2022  
Date Obtained: September 02, 2022

Attorney for Timberline requested an extension and said that they are not in a position to agree to a formal conciliation at this time.

They said that they are open to hearing any conciliation demands from the CP.

Nature of Document: Request for Rebuttal

Who Provided: OHR

How Transmitted to HUD: Email

Date of Document: October 07, 2022

Date Obtained: October 07, 2022

Request for rebuttal. CP given copies of answers, with each Respondent claiming that they did not have decision-making authority as to the modification request.

Nature of Document: Request for Information

Who Provided: OHR

How Transmitted to HUD: Email

Date of Document: October 07, 2022

Date Obtained: October 07, 2022

Respondent Timberline asked to submit copies of documents that it referred to in its answer, including initial scope of work, change order, and revised scope of work.

Nature of Document: Accessibility Features

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: October 02, 2020

Date Obtained: October 17, 2022

This letter from Rebuild Florida states that it has approved CP's request for accommodation. The home will have accessibility features, including a wheelchair accessible bathroom, a bedroom with a 36" door with outward swing pattern, exterior ramp up to six feet in vertical height, and an exterior lift when the elevation height is required above six feet.

Nature of Document: Rebuild FL docs 2020

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: November 06, 2020

Date Obtained: October 17, 2022

CP's collection of Rebuild Florida communications from 2020. Many, if not all, can be found elsewhere in the Documents section.

Nature of Document: Rebuild FL Homeowner Grant Agreement

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email



Date of Document:

Date Obtained: October 17, 2022

Rebuild Florida's Homeowner's Grant Agreement, in which CP has to agree to the rules outlined by the program. The agreement also explains the right to submit requests for reconsideration, file fair housing complaints, and report contractor fraud.

Nature of Document: Letter from Rebuild Florida

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: June 06, 2019

Date Obtained: October 17, 2022

Letter to CP from Rebuild Florida program, inviting her to begin the application process.

Nature of Document: Glen Ellen mobile home docs

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: May 12, 2020

Date Obtained: October 17, 2022

Park rules regarding carport, utility building, skirting, and steps.

Nature of Document: Rebuild FL docs 2022 part 1

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: June 29, 2022

Date Obtained: October 17, 2022

Collection of Rebuild FL docs from 2022 - Part 1

Nature of Document: Rebuild FL docs 2021

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: December 12, 2021

Date Obtained: October 17, 2022

Collection of Rebuild Florida documents from 2021.

Nature of Document: Proposed Scope of Work Estimate

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: February 08, 2021

Date Obtained: October 17, 2022

A Proposed Scope of Work Estimate of February 8, 2021. There are no changes to accessibility features that we listed in prior Scopes of Work.

Nature of Document: Award Letter from Rebuild FL

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: October 02, 2020

Date Obtained: October 17, 2022

CP provided a copy of the letter from Rebuild Florida, in which she qualified for a mobile home replacement after her prior home was damaged in a storm.

Nature of Document: Notice of Commencement

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: July 16, 2021

Date Obtained: October 17, 2022

Letter of Commencement signed by CP and notarized.

Nature of Document: CP Description of Tim Lagudi interactions

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document:

Date Obtained: October 17, 2022

CP describes her interactions with Tim Lagudi, who is the Senior Project Manager for the rebuild. She asserts that he has intimidated, harassed, and coerced her. She cites communications from May 11, 2022. CP believes that her temporary housing is being threatened. She also states that she wants Timberline Construction Group to be removed from the project. When CP brought these issues up, she states that she was told by Mr. Lagudi that she could opt out of the temporary housing program. She also states that he told her that she could opt out of the Rebuild FL agreement.

Nature of Document: FDEO Homeowner's Grant Agreement

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: February 12, 2021

Date Obtained: October 17, 2022

This is another Homeowner's Grant Agreement that the CP was asked to sign. It outlines the terms of the agreement and avenues for appeal.

Nature of Document: Recent Communications with Project Mgr

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: July 02, 2022  
Date Obtained: October 17, 2022

More recent communications between CP and Tim Lagudi

Nature of Document: Floor Plans  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: June 29, 2022  
Date Obtained: October 17, 2022

Floor plans of what the home should look like.

Nature of Document: Hughes Signed Agreement  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: March 17, 2021  
Date Obtained: October 17, 2022

Housing Replacement and Repair Grant Agreement from the FDEO. This agreement was signed by Christopher Theos, the CP's son.

Nature of Document: Rebuttal to Glen Ellen  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: October 17, 2022  
Date Obtained: October 17, 2022

CP detailed all of her communications with prior property managers regarding the rebuild. She explains that everything had been approved prior to Penny Garcia coming on as the property manager.

Nature of Document: Attachments that CP emailed to Proj Mgr  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: March 28, 2022  
Date Obtained: October 17, 2022

CP, in response to an earlier email to her from Tim Lagudi, Sr. Project Manager, sent the following attachments to Mr. Lagudi. These attachments described her initial contacts with Rebuild Florida representatives and her appeals.

Nature of Document: Revised Scope of Work with Change Order  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email

Date of Document: December 21, 2021  
Date Obtained: October 17, 2022

Revised scope of work that includes a Change Order. This incorporates some of the requirements of the park bylaws that were referenced in the Glen Ellen document of November 9, 2021. There are references to the carport requirements, the utility building (storage shed), and steps to the entrance.

Nature of Document: Park requirements for the rebuild  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: November 09, 2021  
Date Obtained: October 17, 2022

Document signed by CP and someone representing the Park and Property Management company. This document requires the dimensions of the carport, states that the carport must go from the rear of the carport to the street. It states that the carport must have carport curbs like the other homes in the park. There must be a utility building either under or immediately behind the carport.

The document also states that there must be a concrete patio with an aluminum cover, an outside planter at the front of the mobile home. There also must be concrete, brick, or stone skirting around the mobile home, and concrete steps at each entrance to the home.

Nature of Document: Scope of Work Estimate 2  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: December 02, 2020  
Date Obtained: October 17, 2022

This is a second Scope of Work Estimate that was dated December 2, 2020. There are no changes from the prior Scope of Work, which listed the following accommodation features:

That a UFAS accessible ramp must be built on site.

Low threshold shower with grab bar.

Comfort height toilet with one grab bar.

36" door with outward swing pattern.

One bedroom and one bathroom with 36" doors with outward swing patterns.

Nature of Document: CP summary of events  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email

Date of Document: October 17, 2022

Date Obtained: October 17, 2022

CP provides a summary of what transpired. She asserts that the Rebuild Florida Program is in breach of her contract with them. She maintains that the mobile home should have the ramp as described in the Scope of Work.

Nature of Document: CP additional summary of events

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: October 17, 2022

Date Obtained: October 17, 2022

CP questions how park manager could be involved in the conference calls, but state in the answer that the park did not have any input in reasonable accommodation decisions. CP also points out that none of the Respondents are accepting any responsibility for the decisions.

Nature of Document: Notice of Commencement with Respondent Timberline

Who Provided: Hughes, Brenda

How Transmitted to HUD: Mail

Date of Document: July 26, 2022

Date Obtained: October 17, 2022

Timberline Construction sent CP a Notice of Commencement letter dated July 18, 2022. CP signed the document on July 26, 2022.

Nature of Document: Scope of Work Estimate

Who Provided: Hughes, Brenda

How Transmitted to HUD: Email

Date of Document: October 01, 2020

Date Obtained: October 17, 2022

This is the Scope of Work Estimate that was dated October 1, 2020. In this Scope of Work, there is a Reasonable Accommodation section which states the following:

That a UFAS accessible ramp must be built on site.

Low threshold shower with grab bar.

Comfort height toilet with one grab bar.

36" door with outward swing pattern.

One bedroom and one bathroom with 36" doors with outward swing patterns.

Nature of Document: Rebuild FL Brochure  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document:  
Date Obtained: October 17, 2022

Rebuild Florida's brochure, which explains the steps in the rebuilding process and what the homeowner should expect at each step.

Nature of Document: Emails with Rebuild FL Case Manager  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: December 21, 2020  
Date Obtained: October 24, 2022

Emails between CP and Terri Sassin, who was assigned to be her Rebuild Florida Case Manager.

Nature of Document: Photo  
Who Provided: OHR  
How Transmitted to HUD: Onsite Photo  
Date of Document: October 26, 2022  
Date Obtained: October 26, 2022

Photo of the front of the home.

Nature of Document: Photo  
Who Provided: OHR  
How Transmitted to HUD: Onsite Photo  
Date of Document: October 26, 2022  
Date Obtained: October 26, 2022

Photo taken from car, of left side of home. No steps or ramp leads to the door.

Nature of Document: Photo  
Who Provided: OHR  
How Transmitted to HUD: Onsite Photo  
Date of Document: October 26, 2022  
Date Obtained: October 26, 2022

Photo taken from car of home. No ramp or steps to door.

Nature of Document: Photo  
Who Provided: OHR  
How Transmitted to HUD: Onsite Photo  
Date of Document: October 26, 2022  
Date Obtained: October 26, 2022

Photo from the right side (if standing on the street facing the home)

Nature of Document: Photo  
Who Provided: OHR  
How Transmitted to HUD: Onsite Photo  
Date of Document: October 26, 2022  
Date Obtained: October 26, 2022

Photo from the rear of the home.

Nature of Document: Additional Details from CP  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: October 31, 2022  
Date Obtained: October 31, 2022

CP sent additional details along with the signed amended complaint.

Nature of Document: Request for Rebuttal  
Who Provided: OHR  
How Transmitted to HUD: Email  
Date of Document: December 02, 2022  
Date Obtained: December 02, 2022

Request for CP's rebuttal to Tim Lagudi's answer. Mr. Lagudi is the senior project manager who contracted with the State to manage this rebuild.

Nature of Document: Rebuttal  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: December 12, 2022  
Date Obtained: December 12, 2022

In response to my request for rebuttal to Tim Lagudi's answer, CP provides a list of complaints about the Rebuild Florida program.

Nature of Document: Email from CP  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: January 31, 2023  
Date Obtained: January 31, 2023

CP requested a case status update and complained about the Rebuild Florida process.

Nature of Document: CP emails and attachments  
Who Provided: Hughes, Brenda

How Transmitted to HUD: Email  
Date of Document: February 21, 2023  
Date Obtained: February 21, 2023

Drawings and Rebuild Florida documents and agreements.

Nature of Document: CP emails and attachments  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: February 21, 2023  
Date Obtained: February 21, 2023

CP's emails exchanges with Respondents and drawings of plans.

Nature of Document: CP emails and attachments  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: February 21, 2023  
Date Obtained: February 21, 2023

CP sent several communications that she had with Respondents.

Nature of Document: CP emails and attachments  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: February 21, 2023  
Date Obtained: February 21, 2023

CP summarizes her problems dealing with Rebuild Florida and their representatives. She lists her communications in chronological order.

Nature of Document: CP emails and attachments  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: February 21, 2023  
Date Obtained: February 21, 2023

Emails from the CP in which she complains about the process.

Nature of Document: CP emails and attachments  
Who Provided: Hughes, Brenda  
How Transmitted to HUD: Email  
Date of Document: February 21, 2023  
Date Obtained: February 21, 2023

CP produced a chain of emails in which she complained about the process



Nature of Document: Photos of CPs Unit  
Who Provided: OHR  
How Transmitted to HUD: Onsite Photo  
Date of Document: February 22, 2023  
Date Obtained: February 22, 2023

Photos showing that the mobile home is still on blocks, as of February 22, 2023. Photography credit to Investigator Mark Esparza.

Nature of Document: Request for Information  
Who Provided: OHR  
How Transmitted to HUD: Email  
Date of Document: March 13, 2023  
Date Obtained: March 13, 2023

RFI to RP Garcia - Did she suggest to CP during the 6/29/22 conference call that she could hire her own contractor and have the ramp constructed after she took possession of the replacement home?

Nature of Document: Response to RFI  
Who Provided: Martin, Stanley  
How Transmitted to HUD: Email  
Date of Document: March 13, 2023  
Date Obtained: March 13, 2023

RP Garcia asserts that it did not deny any accommodation requests, and that this is between CP and the builder.

Nature of Document: Request for Information  
Who Provided: Kitay, Theresa  
How Transmitted to HUD: Email  
Date of Document: March 16, 2023  
Date Obtained: March 16, 2023

RP Builder is asked for specific information as to when and why the decision was made to switch plans from the ramp to the lift. RP Builder is asked who informed them of that decision. RP Builder is also asked questions about the shed and whether it was a barrier to the ramp plan. RP is also asked if they are prepared to build a ramp at this time.

Nature of Document: OHR ltr to CP  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

OHR letter to CP Sent to  
Brenda Hughes  
2882 Gulf to Bay Boulevard  
Lot 231  
Clearwater, FL 33759

Contains  
Cover letter  
903 signed copy  
100 day notice

Nature of Document: OHR Letter to RP 2  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

OHR letter sent to RP 2 sent to

Timberline Construction Group LLC  
c/o Corporation Service Company, Registered Agent  
1201 Hays Street  
Tallahassee, FL 32301

Contains  
Cover letter  
Copy of signed 903  
Conciliation form  
RFI questions  
100 day notice

Nature of Document: OHR Letter RP 5  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

OHR letter sent to RP 5 sent to  
Equity Lifestyle Properties Inc.  
c/o C T Corporation System, Registered Agent  
1200 South Pine Island Road  
Plantation, FL 33324

Contains  
Cover letter  
Copy of signed 903

Conciliation form  
RFI questions  
100 day notice

Nature of Document: OHR Letter to RP 1  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

OHR letter sent to RP 1 sent to  
Glen Ellen Mobile Home Park L.P.

c/o C T Corporation System, Registered Agent  
1200 South Pine Island Road  
Plantation, FL 33324

Contains  
Cover letter  
Copy of signed 903  
Conciliation form  
RFI questions  
100 day notice

Nature of Document: Case number request  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

Email sent to HUD for case number

Nature of Document: Property appraisers office  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

Property appraisers office search results

Nature of Document: OHR Letter to Respondent  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: November 07, 2022  
Date Obtained:

OHR letter sent to RP 5 sent to  
Scott Cao, Construction Project Manager  
107 E. Madison St. - Caldwell Bldg.  
Tallahassee, FL 32399-4120

Contains  
Cover letter  
Copy of signed 903  
Conciliation form  
RFI questions  
100 day notice

Nature of Document: OHR Letter to ROP 6  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: November 07, 2022  
Date Obtained:

OHR letter sent to RP 6 sent to  
Tim Lagudi, Senior Project Manager  
IEM  
2801 Slater Rd. Ste 200  
Morrsville, NC 27560

Contains  
Cover letter  
Copy of signed 903  
Conciliation form  
RFI questions  
100 day notice

Nature of Document: Evidence  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

Evidence documents provided by the complainant including communication with respondents

Nature of Document: OHR Letter to RP 3  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

OHR letter sent to RP 3 sent to  
Penny Garcia, Property Manager  
Equity Lifestyle Properties  
4300 West Cypress Street  
Suite 400  
Tampa, FL 33607

Contains  
Cover letter  
Copy of signed 903  
Conciliation form  
RFI questions  
100 day notice

Nature of Document: OHR Letter RP 4  
Who Provided: Intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

OHR letter sent to RP 4 sent to  
Bob Kesley, Property Manager  
Equity Lifestyle Properties  
4300 West Cypress Street  
Suite 400  
Tampa, FL 33607

Contains  
Cover letter  
Copy of signed 903  
Conciliation form  
RFI questions  
100 day notice

Nature of Document: Sunbiz Records  
Who Provided: intake  
How Transmitted to HUD:  
Date of Document: August 05, 2022  
Date Obtained:

Sunbiz and property appraisers' office records

Contain records regarding respondents  
Glen Ellen Mobile Home Park L.P.  
c/o C T Corporation System, Registered Agent  
1200 South Pine Island Road  
Plantation, FL 33324

Timberline Construction Group LLC  
c/o Corporation Service Company, Registered Agent  
1201 Hays Street  
Tallahassee, FL 32301  
Equity Lifestyle Properties Inc.  
c/o C T Corporation System, Registered Agent  
1200 South Pine Island Road  
Plantation, FL 33324

C. Interrogatories

D. Factual Observations

*Betina Baron*  
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Betina Baron, Compliance Manager