

April 14, 2020

## Final Investigative Report

**Case Name:** Gregory Blais V. Bayway Isles-Point Brittany Three Corporation, Inc.

**Case Number:** 04-20-0295-8; PC-20-009

### I. Jurisdiction

A complaint was filed on January 17, 2020 alleging that the complainant(s) was injured by a discriminatory act. It is alleged that the respondent(s) was responsible for: Discriminatory acts under Section 818 (coercion, Etc.); and Failure to make reasonable accommodation. It is alleged that the respondent(s)'s acts were based on Handicap. The most recent act is alleged to have occurred on January 06, 2020. The property is located at: Bayway Isles-Point Brittany Three, 5130 Brittany Dr. S, 806, St. Petersburg, FL 33715. 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 3 of Chapter 70 of the Code of Ordinances of Pinellas County, Florida and Sections 818, and 804f3B 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)

Gregory Blais  
Bayway Isles-Point Brittany Three  
5130 Brittany Dr. S  
806  
St. Petersburg, FL 33715

#### Complainant Allegations

Gregory Blais (CP) is a disabled male veteran who resides at 5130 Brittany Dr. S #806, St. Petersburg, FL 33715. The Property is owned by Matthew Blais and Heidi Blais. The property is governed by Bayway Isles-Point Brittany Three Corporation, Inc. (R Association).

CP alleges that for approximately five (5) years, (R Association) has engaged in an ongoing course of conduct that is harassing and discriminatory based on the CP's need to drive a truck, in lieu of a car because of his medical disabilities.

On November 6, 2019, CP received a letter from the attorney representing (R Association) advising that his vehicle does not meet the standards and regulations of (R Association). CP alleges the letter stated, "Item 1 I had a spare tire on the right side rear and didn't match the other tires Rule #8 #2 There was a small dent in left front fender Rule #8 #3 There are items in the bed of my truck Rule #3."

"On 11/23/2019 They had my truck from the visitors parking lot where I had been parking for the past 5 years. Glen Ball, Don Blouin (R Association) witnessed the truck getting towed they had it towed." "They said that since my truck was towed that I was not allowed to park anywhere on Point Brittany Property. The President of Board while out Town told the rest of the Board members That if my truck was seen on the property it is to be towed after my Parents spent money they didn't have to spend and the hardship it has caused my parents and me."

CP Blais believes that the Respondent's actions constitute a violation of the Fair Housing Laws.

B. Other Aggrieved Persons

C. Respondent(s)

Glenn Ball  
Bayway Isles-Point Brittany Three Corporation, Inc.  
Bayway Isles-Point Brittany  
5055 Brittany Drive South  
St. Petersburg, FL 33715

Respondent Defenses

Rp asserts that the CP had no authority to reside at the property and is no longer residing in the unit. The homeowner, which happens to be the CP's brother, had him evicted. Even if the CP had a valid claim, the Rp would have denied his RA request because he has been seen driving a Focus, walking over a half a mile to the corner store and climbing a ladder (a pic was included). Each unit has one parking spot and the additional 18 parking spaces are reserved for guests and contractors. Two units have owners/residents with more than one vehicle parked in a guest space. CP and the other unit owner had been grandfathered in and permitted to park in a guest space. Upon fining the CP for violating the rules (truck needing repairs), Rp revoked his grandfathered status and he was no longer permitted to park in the guest space. So, if the CP still resided at the Association he would not be permitted to park in a guest space; however, given that he has been evicted, the question whether CP should be granted some accommodation to park on Rp's property is moot.

D. Witnesses

**III. Case Summary**

A. Interviews

Complainant Blais, Gregory  
Date of Interview: January 21, 2020  
Type of Interview: Telephone  
Interviewer: Lewis, Alana

CP stated that he wanted to pursue complaint despite the pending eviction lawsuit. He stated that his brother is evicting him due to the ongoing complaints from the Rp about his vehicle. He stated that as a RA he wanted to park in a visitor's spot or be assigned to a second spot. He indicated that he had furnished the RP with a dr's note in 2015 verifying the nature of his disability. However, his truck was towed while parked in a visitor's spot in Nov. 2019.

Respondent Ball, Glenn  
Date of Interview: February 13, 2020  
Type of Interview: Correspondence  
Interviewer: Lewis, Alana

Position Statement forwarded to the CP. He was asked to rebut it and furnish documentation of his disability and RA request.

B. Documents

Nature of Document: 903, conciliation, letters  
Who Provided: CP  
How Transmitted to HUD: US Mail  
Date of Document: January 13, 2020  
Date Obtained: January 15, 2020

Nature of Document: Position Statement  
Who Provided: Scott Jackman  
How Transmitted to HUD: Email  
Date of Document: February 13, 2020  
Date Obtained: February 13, 2020

Rp asserts that the CP had no authority to reside at the property and is no longer residing in the unit. The homeowner, which happens to be the CP's brother, had him evicted. Even if the CP had a valid claim, the Rp would have denied his RA request because he has been seen driving a Focus, walking over a half a mile to the corner store and climbing a ladder (a pic was included). Each unit has one parking spot and the additional 18 parking spaces are reserved for guests and contractors. Two units have owners/residents with more than one vehicle parked in a guest space. CP and the other unit owner had been grandfathered in and permitted to park in a guest space. Upon fining the CP for violating the rules (truck needing repairs), Rp revoked his grandfathered status and he was no longer permitted to park in the guest space. So, if the CP still resided at the Association he would not be permitted to park in a guest space; however, given that he has been evicted, the question whether CP should be granted some accommodation to park on Rp's property is moot.

Nature of Document: RA Request from P. Blais  
Who Provided: Penelope Blais  
How Transmitted to HUD: Mail  
Date of Document:  
Date Obtained: February 28, 2020

The CP's mother requested that her son, Gregory Blais, be permitted to serve as his parents' caregiver. The request was forwarded to the Rp's attorney.

Nature of Document: Predetermination letter  
Who Provided: PCOHR  
How Transmitted to HUD: in person  
Date of Document: April 13, 2020  
Date Obtained: April 13, 2020

Pre-determination, leaning Cause letters sent to the parties inviting them to conciliate.

Nature of Document: CP's evidence  
Who Provided: CP  
How Transmitted to HUD: In-Person  
Date of Document:  
Date Obtained:

CP furnished a dr's statement verifying that he has a disability. He also furnished a letter from the Association dated Dec. 27, 2019, that indicates he may park the truck in the space assigned to the unit.

### C. Interrogatories

Jeffery Lorick, Human Rights, Compliance Manager

*Jeffery Lorick* 4-29-2020  
CAUSE PENDING