

December 05, 2023

Final Investigative Report

Case Name: Joubran, Jad v Beau Monde Inc. et al

Case Number: 04-23-5313-8/PC-23-039

I. Jurisdiction

A complaint was filed on August 09, 2023 alleging that the complainant(s) was injured by a discriminatory act. It is alleged that the respondent(s) was responsible for: Discriminatory terms, conditions, privileges, or services and facilities; and Failure to make reasonable accommodation. It is alleged that the respondent(s)'s acts were based on Disability. The most recent act is alleged to have occurred on June 14, 2023, and is continuing. The property is located at: 4950 Gulf Boulevard, Apt. 409, St. Pete Beach, FL 33706. The property in question is not exempt under the applicable statutes. If proven, the allegation(s) would constitute a violation of Sections 804(f), and 804(f)(3)(B) of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988 and Chapter 70 of the Pinellas County Code of Ordinances.

The respondent(s) receive no federal funding.

II. Parties and Aggrieved Persons

A. Complainant(s)

Jad Joubran
6538 Spinnaker Circle
Mississauga, --

Complainant Representative(s)

Complainant Allegations

Complainant Jad Joubran (CP Joubran) and his wife Roula Joubran (AP Roula) belong to a class of persons whom the Fair Housing Act (the Act) protect because they are involved in a protected activity. CP Joubran and AP Roula own the property located at Gulf Blvd. Apt. 409 St. Pete Beach FL 33706. The property is governed by Beau Monde Inc. (RP Beau) and managed by Castle Group (RP Castle). CP Joubran states that he requested a reasonable accommodation to walk his support animal (SA) in the common areas and his request was denied.

On May 9, 2023, CP Joubran received a letter from Deborah Ippolito (RP Ippolito) (Property Manager) authorizing the support animal. CP Joubran was given a set of rules that indicate that the animal must be carried in the common areas, nor walked outside. CP Joubran states that the animal weighs 40 pounds and due to his disability, he is unable to carry the animal. CP Joubran then met with Kay (last name unknown) at the managers office to discuss how the rules and

regulations make it impossible for him and AP Roula to live and enjoy the property. CP Joubran then notified her that he had done extensive research and forwarded to TP Beau's attorneys asking for a review of the research in order to justify the reasonable accommodation request.

A week later AP Roula was walking the dog, and was approached by two board members who started asking questions regarding the SA. AP Roula answered as much as she could, however felt harassed by the board members who consistently asked who was the SA for and other disability related questions that were not pertinent to AP Beau members. On June 30, 2023 CP Joubran received letter from the attorney's for RP Beau advising that he was not in compliance of the rules and regulations indicating that the SA was now a liability. RP Beau's attorney advised CP Joubran that either he complied with the regulations regarding the animals, or that the animal would have to be removed. CP Joubran states that the letter sent by the attorney is a denial of the reasonable accommodation.

B. Other Aggrieved Persons

Roula Joubran
6538 Spinnaker Circle
Mississauga, --

C. Respondent(s)

Castle Management LLC d/b/a Castle Group
Beau Monde Inc.
Registered Agent:
12270 SW 3rd Street
Suite 200
Plantation, FL 33325

CT Corporation System
Castle Management LLC d/b/a Castle Group
Registered Agent:
12270 SW 3rd Street
Suite 200
Plantation, FL 33325

Respondent Representative(s)

Joseph Riopelle
Boyd Richards
40 N. Ashely Drive
1150
Tampa, FL 33602

Representing: Beau Monde Inc., Castle Management LLC d/b/a Castle Group

Notes:

Anne Hathorn
Anne Hathorn Legal Services, LLC
150 2nd Avenue N.
1270
St. Petersburg, FL 33701

Representing:

Beau Monde Inc.

Notes:

Respondent Defenses

After registering the emotional support animal with the Association, Complainant failed to submit a picture of the animal, failed to submit vaccinations of the animal and failed to properly attend to the animal's excretions. Additional violations of the rules and regulations were noted by the Association including:

- a. Members of Complainant's family have repeatedly walked the emotional support animal on a leash throughout the condominium building and on the Condominium Property, instead of carrying the dog or using a carrier as required by the rules and regulations. Management for the Respondents spoke to Complainant regarding this issue, but to no avail.
- b. On June 6, 2023, the Complainant's ESA was observed relieving itself on the side of the path into the first-floor garage in violation of the Rules and Regulations.
- c. Complainant engaged in confrontational, threatening, and harassing behavior towards members of the Respondents, in incidents occurring on June 5, and June 19 and/or 20, 2023, regarding his recently approved ESA, where, among other things, Complainant threatened to take legal action against the Association.
- d. The Complainant received a letter from the Association's legal counsel on June 30, 2023, further detailing these concerns and violations by Complainant with a request for immediate compliance.

4. The factual record will demonstrate that the Association has not discriminated against the Complainant in any way whatsoever and has instead sought to balance the interests of the Complainant with those of other unit owners. The rules and regulations regarding the emotional support animals imposed on Mr. Joubran, as set forth in Respondent's May 9, 2023 letter, are consistent with the rules and regulations applied to other owners. If the Respondent did not impose such rules on Mr. Joubran, this may imply discrimination against other owners who have also sought ESAs prior to Mr. Joubran.

Respondents admit that Complainant received an approval letter for his emotional support animal on May 9, 2023, which included a set of rules and regulations. Respondents are unaware of the weight of the ESA and have not been provided any information related to physical disabilities of Complainant that would prevent his carrying of the ESA, as required by the rules and regulations.

Respondents deny that Kay Belfance and Rose Noritake asked any questions regarding the ESA

in their interaction with Roula Joubran, which was cordial and professional. To the contrary, during this interaction, Roula Joubran volunteered that the dog was her ESA.

Respondents admit that Complainant, in an agitated, harassing and intimidating manner, corned Ms. Ippolito and Ms. Belfance at the manager's office, but deny that the rules and regulations make it impossible to live and enjoy the property.

Respondents further deny that any research was provided and that an accommodation was requested. Respondents further deny that Ms. Belfance asked any specific questions regarding the ESA. Respondents admit that a June 30, 2023 letter was sent to Complainant from the Association's counsel. Respondents deny that any request for an accommodation was made by Complainant to be excused from carrying the ESA through the property, as required by the rules and regulations.

D. Witnesses

Rose Noritake
Respondent board member

Kay Belfance
Respondent board member

Deborah Ippolito
Castle Mgmt LLC
12270 SW 3rd St.
200
Plantation, FL 33325

III. Case Summary

A. Interviews

Complainant: Joubran, Jad
Date of Interview: August 23, 2023
Type of Interview: Telephone
Interviewer: Esparza, Mark S.

Interview with CP on this date. He stated he had gotten very stressed and that he suffered from anxiety and depression. He added his wife did as well.

The cp stated that from day one the harassment began in the lobby. He stated property manager Debbie told him to take the side door. He stated he was not going to do that.

He stated he could not carry the dog and that he had researched the law. He stated he shared this information with the respondent property manager. He then followed up with her. He stated that during that time his wife had been walking the dog back to the apartment when a resident named

Rose, who was the cousin of the president, asked his wife about the dog.

The complainant stated that another person named Kay, who was an attorney, was also present and also asked his wife who the dog was for. He stated his wife was surprised and answered their questions. He stated that encounter upset him.

The CP stated he then saw Kay and told her to either go through the property manager or him if she needed information. However, she denied the event had occurred. He then stated or suggested that they both visit Debbie. He stated that Kay then asked him who the dog was for, whereupon he refused to answer that question. He added that property manager Debbie also thought the question was inappropriate. He stated they discussed together his questions about the rules and that Debbie agreed he had the right to answer the questions.

When asked by the investigator who the dog was for, the CP replied it was for him. However, he stated he had sent a note for both of them, saying they both struggled with anxiety.

He stated the first note was denied but that a letter for him was approved. He stated he knew another resident who had submitted a letter 3 or 4 times to get approved. He indicated there were many other support animals at the complex.

He stated he saw someone else with that dog. He stated this person was not required to carry his dog.

The complainant stated he had received a letter from the respondent's attorney saying he was threatening. He stated he had never spoken to rose or Brian extensively, maybe once or twice, and had gone through the property manager as proper procedure.

He stated that the letter was an affront to him.

He stated he got on the phone with Debbie and that the only conversations with her were about to process.

He denied he had threatened or harassed anyone and wanted that corrected.

The CP stated that Kay admitted he had the right to ask questions.

The cp stated he got so stressed that he drove all the way back to Canada to relax for a few days before returning.

The CP denied his dog had gone to the bathroom, as asserted by the respondent. He stated his tenant was also accused of lending a key out, which he denied as false. He stated the previous property manager named Kathy confirmed it was a false accusation. He stated this occurred roughly 2 years ago.

He stated he was currently still required to carry the animal.

Complainant: Joubran, Jad

Date of Interview: August 25, 2023

Type of Interview: Email

Interviewer: Esparza, Mark S.

Cp email wherein the cp stated that other board members had rented out other units, and thus he did not believe the letter he received from the board in March 2023 was due to his role as a landlord in the renting of his unit. He noted two other board members (Noritake/Kunzer) had multiple units.

Complainant: Joubran, Jad
Date of Interview: August 26, 2023
Type of Interview: Telephone
Interviewer: Esparza, Mark S.

Interview with CP On this date. He stated that both Kay and Rose were board members. He stated the February 2023 incident had nothing to do with the dog. Regarding what motivated the apparent different treatment between him and Sandy, he stated one needed to go back a few years to understand, adding that he was a landlord.

He stated that some of the residents did not like tenants and he understood that some disgruntled board members had a list of undesirables whom they wished to get rid of.

He stated they had threatened his tenant in the past. He recounted the story of his tenant being accused of lending out his community. The cp stated this turned out not to have been investigated at all, despite a letter being issued.

Regarding what was motivating the apparent different treatment, the complainant speculated that it could be related to him being Middle Eastern.

When told that only harms motivated by the protected categories could be investigated, he stated he would have to think about the different treatment issue further.

Regarding whom he believed Hathorn was referring to regarding the assertion he was harassing someone, VCP replied there had been no harassment. He stated that after he got the letter from Debbie, he asked her if he had been rude and she denied that. He stated he had called Debbie a few days after the encounter.

He stated that during his meeting with Debbie and Kay he communicated that he couldn't carry the dog. He stated that it was an open conversation and in the same tone he always used. He stated when he left the meeting Rose was outside the door. The CPS stated that Rose and Brian controlled the board.

He stated that Kay had shared with him that she had a disabled person in her life. She then proceeded to ask the cp who the dog was for. The CP stated he declined to answer her question, telling her she should not ask that.

The complainant stated that he would see his doctor at least once a month and sometimes twice. He added that his wife had muscle spasms and could not carry the dog. The cp stated there was a resident on the 5th floor who routinely walked his dog without carrying it.

Regarding whether he considered himself disabled, he replied yes. He stated that stress got the better of him at work and that he has been retired for the last 2 years. He stated he struggled with anxiety and depression and that the dog was relevant to this.

Complainant: Joubran, Jad
Date of Interview: September 04, 2023
Type of Interview: Email
Interviewer: Esparza, Mark S.

Cp email wherein he recounted how he had arrived on 6/2 and that his wife was told there were complaints about the dog and to take the dog down the stairs. She was also asked if she was carrying the ESA letter with her. The cp wrote that he emailed her back to address those issues, saying she should not be imposing such.

Complainant: Joubran, Jad
Date of Interview: September 07, 2023
Type of Interview: Telephone
Interviewer: Esparza, Mark S.

Call from cp on this date. He stated he had taken notes during his follow up meeting with Debbie after receipt of the 6/30 letter, and that she confirmed he was not rude. He intimated he had proof of the conversation. Regarding his doctor's note, he stated he had been denied twice before Anne approved it. Regarding whether the elevator issue was relevant to his harms, he stated it was not because the dog had not been present at that time. The cp remarked that his neighbor walked his dog at the complex, and that his was a service animal, not an ESA. He stated the person's daughter was even walking the dog.

Complainant: Joubran, Jad
Date of Interview: September 20, 2023
Type of Interview: Telephone
Interviewer: Esparza, Mark S.

Call from the cp on this date.

The cp had reviewed the respondent's position. He stated he had provided proof of vaccination, which was emailed to the attorney and board president. He stated the only thing he did not do was to carry his animal.

He denied he had been rude and said he even had spoken with Debbie by speakerphone after receipt of the attorney's letter, who admitted he had not been rude or threatening. He denied he had cornered anyone, but asked if they had a minute. They said yes and Kay asked him who the dog was for. He stated he was primarily speaking with Kay, and that Debbie was present. The cp wanted Debbie to acknowledge that he was not rude or threatening during the encounter, and had expressed such to him before. He repeated he had contacted Debbie after receipt of the letter and that she acknowledged he was not threatening.

The cp stated that when Rose and Kay confronted his wife, his wife had walked around the building to avoid them. However, Rose asked his wife if she picked up the dog poop, of which his wife had a bag in her hand, and Kay asked who the dog was for.

The cp stated his wife did not sleep that night and did not volunteer her status, with the cp asking who would do that without questions. He stated she felt like she had to answer because they were board members.

He denied his dog had peed anywhere and noted the rules simply called for it to be cleaned up. He added there were plenty of cameras and doubted an animal would go to the bathroom on cement.

He stated that Rose told him to walk the dog down the stairwell, which was not even a rule.

Complainant: Joubran, Jad

Date of Interview: September 26, 2023

Type of Interview: Telephone

Interviewer: Esparza, Mark S.

Interview with CP On this date. He stated that both Kay and Rose were board members. He stated the February 2023 incident had nothing to do with the dog. Regarding what motivated the apparent different treatment between him and Sandy, he stated one needed to go back a few years to understand, adding that he was a landlord.

He stated that some of the residents did not like tenants and he understood that some disgruntled board members had a list of undesirables whom they wished to get rid of.

He stated they had threatened his tenant in the past. He recounted the story of his tenant being accused of lending out his community. The cp stated this turned out not to have been investigated at all, despite a letter being issued.

Regarding what was motivating the apparent different treatment, the complainant speculated that it could be related to him being Middle Eastern.

When told that only harms motivated by the protected categories could be investigated, he stated he would have to think about the different treatment issue further.

Regarding whom he believed Hathorn was referring to regarding the assertion he was harassing someone, CP replied there had been no harassment. He stated that after he got the letter from Debbie, he asked her if he had been rude and she denied that. He stated he had called Debbie a few days after the encounter.

He stated that during his meeting with Debbie and Kay he communicated that he couldn't carry the dog. He stated that it was an open conversation and in the same tone he always used. He stated when he left the meeting Rose was outside the door. The CPS stated that Rose and Brian controlled the board.

He stated that Kay had shared with him that she had a disabled person in her life. She then proceeded to ask the cp who the dog was for. The CP stated he declined to answer her question,

telling her she should not ask that.

The complainant stated that he would see his doctor at least once a month and sometimes twice. He added that his wife had muscle spasms and could not carry the dog. The cp stated there was a resident on the 5th floor who routinely walked his dog without carrying it.

Regarding whether he considered himself disabled, he replied yes. He stated that stress got the better of him at work and that he has been retired for the last 2 years. He stated he struggled with anxiety and depression and that the dog was relevant to this.

Complainant: Joubran, Jad

Date of Interview: October 03, 2023

Type of Interview: Telephone

Interviewer: Esparza, Mark S.

The cp inquired into other animals approved as support animals, and wanted to know who they were. He asked if Rose was on the list, as she had a cat and bird. He stated he had done the research for the respondent regarding animals and denied the respondent's contention he had never inquired. He stated he had provided vaccination information. He stated he had seen others carrying their small dogs. He stated a person on the 5th floor apparently had surgery on his back and was not carrying his dog, asking if that person had sought an exemption from the respondent attorney. He stated he had recently started a chat group and was sent a letter by the association about it. He stated the forum was about different topics, and asked the investigator to review his chat to see if there was any potential issues.

Complainant: Joubran, Jad

Date of Interview: October 16, 2023

Type of Interview: Telephone

Interviewer: Esparza, Mark S.

Call from cp on this date. The discussed his chat group issue and confirmed issues of disability were not raised. He stated it concerned the spending of money by the board. He stated the whole building received notification about the online chat group. The cp wanted to know if Rose had any approved animals. He was told the names on the list were not for dissemination and that the relevance of the information concerned their support animal policy.

Complainant: Joubran, Jad

Date of Interview: October 23, 2023

Type of Interview: Telephone

Interviewer: Esparza, Mark S.

Call from cp on this date. The cp denied he had been threatening and stated his tone was not belligerent. He wanted Rose, Kay and Debbie interviewed. The cp did not have a direct number for the previous property manager Gaskins. He stated the printed support animal rules showed they were created in 2021. He speculated the event the respondent cited as aggressive was his

meeting with Kay and Debbie. He stated he requested they approach him and not his wife. He denied his animal had defecated, and stated his wife always picked up anyway. The cp stated that others walked their dog and would defecate in the same area his dog did.

Complainant: Joubran, Jad

Date of Interview: November 07, 2023

Type of Interview: Telephone

Interviewer: Esparza, Mark S.

Call to the cp on this date who indicated the property manager Ippolito had been removed immediately from her position, without specifying why, and that the regional director was now the interim.

Other Witnesses: Ippolito, Deborah

Date of Interview: November 14, 2023

Type of Interview: Telephone

Interviewer: Esparza, Mark S.

Interview with property manager Deborah Ippolito on this date. Ippolito indicated she had begun as property manager for the respondent in April of 2023 and had just been reassigned by her employer to a different building. She stated she “was not a good fit” and that it was a decision by the respondent board.

Regarding who had decided to have the June 30th letter issued to the complainant, Ippolito replied it had been the board president Brian Bodor. She stated he was the one who normally made decisions on whether letters got sent out from their attorney. She stated was sent because the dog was not being carried while on property.

She stated that as property manager she asked to enforce the rule. Regarding who had complained about the complainant’s dog, she replied it was only Rose and Kay. Ippolito stated that Rose had begun speaking with other residents about the dog.

Ippolito stated that in speaking to Roula, the cp’s wife, about the animal walking through the lobby, Roula indicated the dog was too heavy to carry. Ippolito then suggested, in a manner she described as being in good faith, that she use the stairs. Ippolito stated that is what others did.

Ippolito denied she had told Roula that she needed to carry a doctor's note with her.

Ippolito stated that two other persons currently walked their dogs through the common areas, saying one was a board member (Joe Kunzer) and the other lived in unit 502. She stated she was vocal with the board about needing to enforce the rules evenly and fairly and that this was one of the reasons why she was gone from the community.

She stated that after speaking with the complainant's wife, the cp came to see her. She stated he had taken offense and she apologized to him. She stated she was under pressure by board members to be on the CP over this.

Regarding whether Ippolito knew of any others who had complained that caused the issuance of the of the June 30th letter she replied she did not know of any others. She understood that Rose had complained to her, and that they did not know who the support animal belonged to.

Ippolito stated that rose had started talking to other neighbors and had mentioned the dog to her.

Regarding whether she had witnessed the cp be threatening, harassing and/or confrontational, she replied no. Regarding whether others had complained that the complainant was threatening, harassing or confrontational, Ippolito replied the cp could be overbearing. She stated that in the past he would call her about doing tasks for his unit. She felt he got a little bit more aggressive after the conversation with his wife about the stairs.

Ippolito denied she had witnessed the complainant be threatening and/or confrontational with others. The only example she remembered was when Kay Belfance asked the complainant who the support animal was for. She stated the CP told Belfance in a firm but nice way that she could not ask that question. Ippolito characterized the CP as a person standing up for his rights.

Regarding whether she and the CP had a conversation sometime after the issuance of the 6/30 letter wherein she confirmed to him that he had not been threatening or confrontational, she stated they did talk about that, but she had also told him that his persistence at times could be harassing. Ippolito cited the cp's persistent request for clarification of the support animal policy as an example of this.

Ippolito added she did not believe the CP was being harassing when speaking to Belfance while in her office.

Regarding whether she had complained about the complainant and his dog on or about June 6th, she replied she had. She stated she had told President Brian Bodor about her interactions with the complainant and about how he wanted a response to the policy. She stated the complainant never asked for an accommodation but only complained about their policy. She stated he would continually check back with Bodor but was not in a position to respond. She stated that the board president was controlling on what information would go out.

When asked again if she had complained to Bodor about the cp, she replied, "more or less", adding that was when he submitted the article with the legal opinion and followed up.

Regarding whether the complainant's dog had defecated, she replied the dog had peed while the son was walking the dog near the garage. She stated the dogs were not to be walked on property and were to be carried off property to use the bathroom. She stated there was no designated bathroom on their property for animals.

Regarding what the correct path was for the animals to exit the building, she replied it was either in a carrier or stroller.

Regarding the complainant's contention his son only walked the dog in the lobby to exit the

building, she replied that made sense and that he would walk the dog around the garage area.

Ippolito denied she had asked the complainant's wife to carry a doctor's note while with the dog and denied having told her to use the stairs. Ippolito stated no one instructed her to tell Roula to use the stairwell.

Ippolito did not know the respondent's rationale for having residents carry their animal on property, saying she did not know their thought process. She speculated it was to avoid the animals going to the bathroom and to keep the building clean.

Regarding whether the complainant ever received clarification from the respondent regarding his concerns with the support animal rules, Ippolito replied the cp never asked for clarification and cited this as the harassment part. She stated that he would bring it up but never asked for a variance, adding the thought, "had he raised the issue of weight." She stated the way the cp communicated was defensive, saying he was not allowed to do things.

Ippolito stated that a person in #502 had an approved support animal but was not approved to walk the dog. However, she stated no action was taken against this person. When asked why not, she replied it was selective enforcement, and one of the reasons why she was no longer there. She stated that 502 had a husband and wife as occupants and was not sure who the animal was for. She stated the animal had been walked and not carried since she arrived as property manager.

She stated that another board member named Joe Kunzer walked his dog on property. When asked why he was allowed to, she replied he reportedly had a service dog and not a support animal.

Regarding whether Kay and Rose had been following Roula, she stated she had heard some talk about this in the office and that they may have asked him who the animal was for. Regarding the discussion on June 19th between Kay and the cp, Ippolito did not remember everything that was discussed but stated that Kay did ask the cp who the animal was for.

Ippolito denied the Cp had been threatening or confrontational during this meeting.

In closing Ippolito stated she had it made it clear to the board they could not selectively enforce the rules. When asked why they were selectively enforcing the rules on the cp, she replied they did not like him. She believed it was due to prior stuff with board member and the property manager in the past.

After people Ippolito left the telephone conference, attorney Joseph Riopple stated the person in unit 502 had an approved accommodation. He stated he would check on the other person mentioned by property manager Ippolito.

Other Witnesses: Belfance, Kay
Date of Interview: November 14, 2023
Type of Interview: Telephone
Interviewer: Esparza, Mark S.

Interview with Kay Belfance on this day. As background she stated she had been a unit owner since 1985 and had been on the board for the last two years, as Secretary.

Regarding whether she and Rose approached the CP's wife while she was walking the dog, Belfance stated this was untrue. She stated they were on their way back from lunch and simply came into the building entrance at the same time the wife arrived from walking. She stated it was a very nice moment wherein they pet the dog and that the complainant's wife volunteered her need for the ESA. Belfance denied they asked questions at all and stated it had been a nice moment wherein they were all smiling. Belfance stated she waived to the cp's wife the next day, and that it had not been confrontational. She noted the cp had not been present that day and did not know what was stated or how the conversation went.

Belfance stated they had trouble in the past with animals defecating in the front, noting the cp's wife picked up her animal's waste.

Belfance stated that a few days later the CP came "barreling in" and indicated he wished to speak with her. She characterized him as "huffing and puffing", and with "fire coming out of his ears." She stated the CP then directly told her workman to wait for her as he wanted to speak with Belfance. Belfance said she proceeded to take her workman to her unit for work before speaking with the cp.

Belfance stated she noticed from upstairs that the complainant had been pacing in front of the building so she stepped into the property managers office. She stated the CP saw her and came to the doorway, using his body to block her exiting from the room. She stated she could tell he was agitated. She stated he told her that she had no right to question his wife, whereupon Belfance denied to him they had and replied she understood the dog to belong to the cp. He reportedly replied that she couldn't say that, and then explained his understanding of the law. Belfance stated she was a 5' tall, 85-year-old woman and that the CP was a large man, over 6 feet tall. She stated that after speaking for a while he finally "got softer" and dropped his arms, allowing her to leave the room.

Belfance denied they had asked the wife who the ESA belonged to.

Regarding the issuance of the June 30th letter to the complainant, Belfance denied she had complained to anyone about this but believed she had mentioned the event to Rose about how the CP had ordered her workmen around. She stated she told attorney Ann Hathorn about the encounter after the complainant filed a complaint.

Other Witnesses: Noritake, Rose
Date of Interview: November 16, 2023

Type of Interview: Telephone
Interviewer: Esparza, Mark S.

Interview on this date with Rose Noritake.

Prior to the interview attorney Riopelle communicated that board Joe Kunzer's daughter, who did not live at the building, would walk the service animal. He stated the other person that lived in #502 had a small dog that was always carried in a baby stroller.

Noritake then joined the interview. She stated she had been on the board since 2013, as Treasurer, and had been a permanent resident since August of 2021.

Regarding whether she and Kay had approached the cp's wife regarding whether she had an ESA and whether she cleaned up after the animal, Noritake denied this and said they simply encountered the cp's wife at the building entrance after returning from lunch. In returning from lunch Noritake stated she saw the cp's dog go to the bathroom in the front grass area in front of their building sign, which she said was still prohibited as it was their property. She stated she did watch to see if the person would pick it up, which they did. She stated she and Belfance then parked and encountered the cp's wife, the dog and another male at the building entrance.

She stated it was an amiable encounter wherein Noritake petted the dog, asked what kind of dog it was and its name whereupon the cp's wife volunteered her need for the ESA, due to issues in recent years. Noritake stated they did not ask any further questions and left the encounter.

Regarding whether she had complained of the cp violating the support animal rules, she stated she had reported it to property manager Ippolito and perhaps to other board members because the cp had been walking his dog through the lobby. She stated this was part of her duty as a board member to report such. She added the rules call for the animals to be carried.

Regarding whether she had complained of the cp engaging in harassing or confrontational behavior, Noritake replied she had not. However, she stated she was made aware of such conduct by Belfance, saying his conduct was described to be threatening to the person and had used the word "lawyer", which she usually meant something needed to be escalated accordingly. Noritake believed an email had been sent by Ippolito to the board about this. The respondent's attorney was then asked to obtain this. Regarding whether there had been a specific incident that comprised the threatening characterization, she stated yes, that the cp had a tone while in the office. Noritake confirmed she had only spoken to the cp in passing.

Regarding why some animals were allowed to be walked, she stated if they had requested that formally the board would have considered it. Further, she stated another allowable reason would be if the animal were a service animal.

Regarding why the respondent required animals to be crated or carried, she replied it was a no pet building per their rules. She stated they had a policy to allow such animals and rules for them.

Regarding any other information she wished to share, she suggested it could be asked whether the cp had been an owner in good standing. She stated if the cp had violated rules previously, it would be an indicator of character. She added the cp had said he did not care about following the rules. When asked about any examples she could think of at the moment, she raised the issue of the cp having moved furniture during unauthorized hours out of the building so he could rent the unit, adding that he knew the rules. When asked for any other examples she stated she was sure there were more and that the attorney had the cp's file.

Other Aggrieved Parties: Joubran, Roula

Date of Interview: November 21, 2023

Type of Interview: Telephone

Interviewer: Esparza, Mark S.

Telephone interview with AP Roula and CP Joubran on this date. She stated she struggled with anxiety and wrote some notes to help her with the interview.

She stated she had gone walking with "Charlie", the dog. She stated she had her son allowed the dog to defecate and noticed someone watching them. She then walked back to the building whereupon Noritake approached her, asking her in an aggressive tone, "can I help you?" Noritake then stated she did not recognize Charlie and asked Roula if she retrieved after the animal. Roula showed her the waste and threw it out. Noritake then stated the gardener had been complaining of dog waste. Roula said she was lectured by Noritake and that Belfance asked her who the dog was for. Roula stated she felt like she had to explain her medical condition and was trying to leave. Noritake stated she had a cat and that Charlie had picked up on that scent.

Roula stated two other persons used the front grassy area near the RP Beau sign as a dog bathroom area, and that she and others always cleaned up.

CP Joubran added the property had cameras everywhere and denied their dog had ever defecated with being retrieved.

Regarding the encounter with RP Ippolito about using the stairs, Roula stated she had used the elevator in walking the dog out through the lobby when RP Ippolito asked her if she had the letter. When asked which one, Ippolito replied the doctor's note, saying that people had been complaining and that she'd use the stairs. Roula replied she believed "it had been" approved.

B. Documents

Nature of Document: Aug 24 CP RFI and reply

Who Provided: Joubran, Jad

How Transmitted to HUD: email

Date of Document: August 24, 2023

Date Obtained: August 24, 2023

Regarding the questioning by the board members, HUD regulations generally do not allow such questions. As an analysis, I believe it would be analyzed under a harassment analysis.

Regarding the issue of you getting a letter from the attorney yet another resident not getting one despite assertedly more violative conduct, I have two questions about that below.

I do have some questions. Please provide the following information:

1. When did you obtain the dog?
2. When did you visit Florida in 2023, and when was the dog with you?
3. When, and how, did you tell the property manager and/or board members about the 2/21/2023 incident with a fellow resident?
4. Regarding your allegations of different treatment, what is/are the harm(s) associated with this?
5. Regarding the allegation of a denial of the reasonable accommodation, I understand the harms to be the attorney's letter threatening legal action and/or the imposition of restrictive rules on the support animal. Is this correct?
6. Please provide proof you (or anyone else claiming a disability related need for the animal) meet the definition of a disability, and the nexus information regarding the need for the support animal.

Please provide this information as soon as possible, but no later than September 1, 2023.

I very much appreciate your prompt responses.

Mr. Esparza, hoping you can help me better understand how this investigation process works. Do I need a lawyer? Do I need to come down to Florida at any point in time? Will this lead to court proceedings? How does the outcome get documented/ communicated? How long does it normally take? What can I expect from this?

Please see my responses below in red.

On Thursday, August 24, 2023 at 02:42:10 p.m. EDT, Esparza, Mark S
<mesparza@pinellas.gov> wrote:

Regarding feedback to your thoughts, I would opine that HUD guidance allows the animal to go most anywhere the person with the disability needs the animal to go.

I sent you the Condo regulations for ESA which clearly demonstrates non-compliance - see also below

That would mean the animal could go through most common areas with the disabled resident. I understand there is a Florida state statute that would not allow animals in communal pools. In that instance, the housing provider can rely on the state authority to bar such, unless someone makes a request to the state to have that enforcement waived. But not an issue for this

circumstance.

Correct, and we wouldn't take our dog into the pool, but we have a huge pool deck and there is a large dining area where folks can do BBQ's, if I understand correctly, this should be allowed, correct?

Regarding the carrying of the animals, I understand guidance to determine such restrictions to be unnecessary/unlawful.

thank you, I explained that to Debbie many times and that was a core part of our meeting with Debbie and Kaye, where they seemed to understand. This is another rule that is non-compliant with the law (see above rules). I did my own research and shared with Debbie to share with the attorney and the Board... she copied me on a follow up (shared with you) asking for an update... and still I received a very disturbing letter from our attorney.

Regarding the questioning by the board members, HUD regulations generally do not allow such questions. As an analysis, I believe it would be analyzed under a harassment analysis.

Is this a separate claim I need to make or would it be conducted through this claim? Please provide further guidance.

Regarding the issue of you getting a letter from the attorney yet another resident not getting one despite assertedly more violative conduct, I have two questions about that below.

I do have some questions. Please provide the following information:

1. When did you obtain the dog?

We purchased our dog June 13, 2021. He was a puppy. We purchased him to help us during the stresses of Covid.

1. When did you visit Florida in 2023, and when was the dog with you?

we came down to Florida twice this year. Once February 5 to February 28. We came down without our ESA as we had not filed an application for ESA approval... we tried to come down without the dog and found it stressful. We applied when we returned home and had our application approved before we came down the second time, arriving June 1, 2023. We returned home July 8th, 2023 to return our dog (after our horrible experience with the Board and Management). My wife and I returned by ourselves July 17 and stayed until July 31. Needless to say our visit to our happy place in Florida was horrible because of the harassment and requirement to abide by rules that were not only non-compliant with the law but very much limited our enjoyment of the common areas with the family.

1. When, and how, did you tell the property manager and/or board members about the 2/21/2023 incident with a fellow resident?

To be clear, as we discussed earlier this week, the incident with the the fellow resident was unrelated to ESA and about how I got written up for after hours delivery and the person who assaulted me did not even get any reprimand by the Board (or at least as far as I know). If there was any such reprimand, I was never notified. It was an example of double standards. Management at the time stated this is not as association issue but rather a legal one.

I came down the following morning Wednesday Feb 22 and told Cathy Gaskins (who was the property manager at the time that worked with Condominium Associates - noting that Condo Associates are no longer the property managers at Beau Monde as they were replaced with Debbie and Castle Group) about what happened. Cathy was very angry with me and solely addressed the after hours delivery and how bad it was that I allowed that delivery to take place. There was no acknowledgement of the assault. Only that it was a legal item and has nothing to do with the association. I would recommend you question Cathy about this incident and why she failed to report this to the Board. This would be highly unusual as the Board very much micromanages management. Something is very suspect with her reply. I am sending you by separate forwarded emails.

(a) Feb 26, I requested a full recording of the incident as we have cameras all over the place. What she sent me on Feb 27 was very limited. I question why the assault was not captured by camera or video?

(b) February 21, copy of the police report and admission of guilt.

(c) March 3 - email with the violation letter about after hours delivery from the Board

(d) March 3, email reply to Cathy questioning why it's only a legal issue, and to check with her management and the Board as this should be reported and there should be accountability. To date I have had no response.

1. Regarding your allegations of different treatment, what is/are the harm(s) associated with this?

Regarding the delivery violation / assault incident harm included a threatening letter from the Board that this incident may be referred to our association attorney for further legal action. Really? after hours delivery? Discrimination as in the same incident where I was assaulted, there is no action taken (at least I was advised about). However our association attorney is quick to advise me (on the ESA issue) that under paragraph 18(c) of the declaration of Condominium "prohibits members from committing or permitting any nuisance, immoral or

illegal act in his unit or common elements" I find this double standard discriminatory, insulting and very stressful.

1. Regarding the allegation of a denial of the reasonable accommodation, I understand the harms to be the attorney's letter threatening legal action and/or the imposition of restrictive rules on the support animal. Is this correct?

correct. Further a number of false accusations were made against me including that I approached Kay/ Debbie in a threatening manner. I took meticulous notes of our meeting and followed up with a call with Debbie where she confirmed our meeting was cordial and not threatening or confrontational but rather a "to the point and open conversation". The contents of this letter is in my view defamation of character. This is a small community in the building. I want to get along with all my neighbors. This letter undermines harmony with my neighbors. I would like the record corrected. Further, accusations were made that our dog was relieving himself on the common grounds. Firstly not sure what that exactly means... our dog absolutely does not poop on anything but grass and usually we walk for a while before he does. We have cameras all over the grounds... why was a photo never shared of this incident? Again false accusations amounts to defamation.

1. Please provide proof you (or anyone else claiming a disability related need for the animal) meet the definition of a disability, and the nexus information regarding the need for the support animal.

Please see below, my email to Ann (association attorney) with the attachment of my medical provider's letter.

Additional support is on it's way to you.. Mark please advise next steps.

In support of this case, the cp submitted the following documents:

1. Copy of support animal rules;
2. 5/3/2023 Dr. Note for the animal;
3. 3/3/2023 email from cp to manager about attack from Sandy, wherein he asked if she had notified the board of what had occurred with Sandy.
4. 2/21/2023 Police report.
5. 3/1/2023 Association warning letter about after-hours moving.
6. 6/19/2023 Email from manager to board member Brian and attorney Anne, asking about the legalities of the respondent's support animal rules.

Nature of Document: Cp Dr. Note

Who Provided: Joubbran, Jad

How Transmitted to HUD: email

Date of Document: May 03, 2023

Date Obtained: August 24, 2023

May3,2023

To Whom It May Concern:

RE: Mr. Jad Joubran

DOB: Feb 26, 1963

Mr. Jad Joubran has been under my care since October 2021. Mr. Joubran is currently experiencing symptoms of anxiety and depression that negatively impact his daily functioning. Specifically, his psychological symptoms have impacted his sleep, focus and concentration, energy levels, and ability to cope with stress.

Mr. Joubran's dog plays a significant role in his treatment and recovery. That is, the presence of his dog helps Mr. Joubran with behavioural activation goals {e.g., daily activity goals}, helps him cope with daily stressors and anxiety symptoms, and improves his overall functioning.

In summary, Mr. Joubran is currently experiencing significant mental health symptoms. His dog plays a pivotal role in helping mitigate the impact of these symptoms on his daily functioning.

Please feel free to contact me if you have any questions. Sincerely,

Nature of Document: Respondent Answer

Who Provided:

How Transmitted to HUD: email

Date of Document: September 15, 2023

Date Obtained: September 15, 2023

After registering the emotional support animal with the Association, Complainant failed to submit a picture of the animal, failed to submit vaccinations of the animal and failed to properly attend to the animal's excretions. Additional violations of the rules and regulations were noted by the Association including:

- a. Members of Complainant's family have repeatedly walked the emotional support animal on a leash throughout the condominium building and on the Condominium Property, instead of carrying the dog or using a carrier as required by the rules and regulations. Management for the Respondents spoke to Complainant regarding this issue, but to no avail.
- b. On June 6, 2023, the Complainant's ESA was observed relieving itself on the side of the path into the first-floor garage in violation of the Rules and Regulations.
- c. Complainant engaged in confrontational, threatening, and harassing behavior towards members of the Respondents, in incidents occurring on June 5, and June 19 and/or 20, 2023, regarding his recently approved ESA, where, among other things, Complainant threatened to take legal action against the Association.
- d. The Complainant received a letter from the Association's legal counsel on June 30, 2023, further detailing these concerns and violations by Complainant with a request for immediate compliance.

4. The factual record will demonstrate that the Association has not discriminated against the Complainant in any way whatsoever and has instead sought to balance the interests of the Complainant with those of other unit owners. The rules and regulations regarding the emotional

support animals imposed on Mr. Joubran, as set forth in Respondent's May 9, 2023 letter, are consistent with the rules and regulations applied to other owners. If the Respondent did not impose such rules on Mr. Joubran, this may imply discrimination against other owners who have also sought ESAs prior to Mr. Joubran.

Respondents admit that Complainant received an approval letter for his emotional support animal on May 9, 2023, which included a set of rules and regulations. Respondents are unaware of the weight of the ESA and have not been provided any information related to physical disabilities of Complainant that would prevent his carrying of the ESA, as required by the rules and regulations.

Respondents deny that Kay Belfance and Rose Noritake asked any questions regarding the ESA in their interaction with Roula Joubran, which was cordial and professional. To the contrary, during this interaction, Roula Joubran volunteered that the dog was her ESA.

Respondents admit that Complainant, in an agitated, harassing and intimidating manner, corned Ms. Ippolito and Ms. Belfance at the manager's office, but deny that the rules and regulations make it impossible to live and enjoy the property.

Respondents further deny that any research was provided and that an accommodation was requested. Respondents further deny that Ms. Belfance asked any specific questions regarding the ESA. Respondents admit that a June 30, 2023 letter was sent to Complainant from the Association's counsel. Respondents deny that any request for an accommodation was made by Complainant to be excused from carrying the ESA through the property, as required by the rules and regulations.

Nature of Document: Cp rebuttal

Who Provided: Joubran, Jad

How Transmitted to HUD: email

Date of Document: September 18, 2023

Date Obtained: September 18, 2023

In summary, the cp Cp provided proof of vaccination to the respondent on 5/9. He wrote he only walked the dog through the lobby and not the other prohibited areas. He stated there would be no video proof to the contrary. The cp stated the dog was 40 pounds and too heavy to carry. He noted the instruction to walk their dog down the stairwell was not even one of their rules. The cp noted there was a white dog on the 5th floor that never got carried, stating this was a double standard.

The cp stated there was no proof his animal had gone to the bathroom, and further, the rules required them to pick up poop, which was not done by the dog.

The cp believed his 6/6/2023 email communication to Debbie was one the respondent characterized as rude. He provided an email with notes of a conversation with Debbie on 7/5, wherein she admitted he had not been rude in conversing with Kay and herself in the office. The cp noted he had asked Debbie to share with the board some research he had done about their restrictions, saying they were unlawful. He stated he followed up various times about this.

The cp questioned the respondent's denial they had asked any questions and their contention his wife had volunteered her information, the cp denied this, asking whether persons walking their dog would speak to strangers about such as subject. The cp further stated he had provided all requested information after approval of his support animal, and provided an email showing he submitted proof of vaccination and that nothing else was needed. He noted he could have been asked at anytime for a photo, or any other missing information.

In support of his rebuttal, the cp submitted the following documents:

1. 6/6/2023 email from cp to Deborah Ippolito, with a link to an article from the Poliakoff law firm specifying that similar restrictions were unlawful; He suggested she share it with the board;
2. 9/18/2023 Cp email to PCOHR with notes allegedly taken on 7/5.
3. 5/9/2023 Cp email to Ippolito asking if anything else was needed, with his vaccination record attached. Attached was a vaccination record, appearing to show the last date as 1/2_/2022.

Please find my comments in red

September 18, 2023

RESPONDENT RESPONSE LETTER

Re: Re: Joubran, Jad v Beau Monde Inc. et al
Case Numbers: PC-23-039/HUD: 04-23-5313-8

As their position, the respondent stated the following:

1. Complainant, Jad Joubran, is an owner of a condominium Unit located in the Beau Monde community located in St. Pete Beach, Florida. He purchased the unit in December 2009. Although the Declaration of Condominium for the Association provides that pets are not allowed within the community, the Association will permit a service animal/emotional support animal if the unit owner registers the animal with the community, provides documentation pertaining to the animal's registration status, a picture of the animal and sufficient documentation under the FHA to support the requesting parties need for such an accommodation to the no pet policy.
2. In the spring of this year, the Respondents and Complainant engaged in the interactive process related to Complainant's request for an emotional support animal. As a result, Respondents sent a May 9, 2023, letter to Complainant confirming approval of his emotional support animal and attaching the current rules and regulations regarding the emotional support animal. (Exhibit 1). Included in those rules were the following requirements:
 - a. Within one week of notification of approval, a picture of the animal is to be submitted to the property manager for identification of the animal on premises.
 - b. Within one week of notification of approval, the resident/guest must provide proof of animal inoculations. Verification of inoculation must be provided on an annual basis to the property manager.

Jad: Please check email dated May 9th forwarded to **Mark 9/18 12:07** of email to Deborah Dippolito (Castle Group) of my ESA's complete proof of inoculations. Deborah was asked if there is anything else required and she confirmed nothing else is required. Please see email dated May 9th forward to **Mark 9/18 12:23**. Email copied both Brian Bodor (President of Board) and Anne Hathorne (Association Attorney). Can't understand why they are denying receipt?

- a. The animal cannot become a nuisance, including but not limited to excessive barking, aggressive behavior, biting; pet owner failure to pick up waste, etc.
 - b. There is no designated animal area on the property. The animal is to be walked outside of the Condominium Property.
 - c. The resident/guest is required to carry the animal or use a carrier throughout the building.
 - d. The animal is not allowed on the patio or in the swimming pool or gym.
 - e. Some residents in the building may have allergies to animals, therefore washing and drying of any article which is used by the animal is prohibited in the laundry rooms.
 - f. Animals are not allowed in the laundry rooms.
 - g. Any violations of these Rules may result in the removal of the animal from the Condominium property.
-
1. However, after registering the emotional support animal with the Association, Complainant failed to submit a picture of the animal, failed to submit vaccinations of the animal and failed to properly attend to the animal's excretions. Additional violations of the rules and regulations were noted by the Association including:
 - a. Members of Complainant's family have repeatedly walked the emotional support animal on a leash throughout the condominium building and on the Condominium Property, instead of carrying the dog or using a carrier as required by the rules and regulations. Management for the Respondents spoke to Complainant regarding this issue, but to no avail.

Jad: Required proof for dog vaccination provided – see note above and emails forwarded to Mark 9/18/2023

Jad: The above rules are a validation of the rules (have to carry the dog in the lobby, can't take the dog to the patio, can't take the dog to the gym or laundry etc). To be 100% clear, I never took the dog to any common area of the property (except in and out of the building through the lobby)... never to the pool patio, never to the gym, never to the laundry room, and certainly never to the pool. Even though I believed those rules were a violation of my rights, we respected those rules. If they say otherwise, there are cameras throughout the property. Ask Deborah for video proof – it never happened. The least they need to do is show photo/ video proof to support such a threatening legal letter. And please remind Debbie she may be asked to testify under Oath so telling the truth matters.

Mark I can promise you that if there was a dog found being walked in the pool area or the gym area or anywhere else in the common area, management would hear about it real time. Ask Debbie if anyone complained (except for the lobby as we walked in and out of the building).

Walking the dog in the lobby was necessary because I simply cannot carry the dog and neither can my wife. He is simply too heavy (weighing around 40 lbs).

Mark I forwarded to you an email (on **Sept 4, 2023**) I sent to Debbie dated June 5, 2023 (1:20 PM). We arrived to our Florida home June 2nd (and a couple days later, my wife was stopped by Debbie stating there are complaints (but no specifics by who or for what reason), asked about the ESA letter (confusing my wife as Debbie was actually the person who sent approval email) and asking us to walk the dog down the stairs, which is not even in the policy anywhere. We regularly observed an owner from the 5th floor (white dog) walking his dog in and out of the building. To me this double standard is discriminatory in addition to non-compliance with the law.

I consider the documented rules by the condo, plus the arbitrary rules imposed by Debbie amount to nothing less than a denial of the need for my ESA.

I urge you to remind Debbie that if this goes to court, she will be sworn oath. Ask about the owner on the 5th floor. Ask if there is any video proof of me walking the dog anywhere other than in and out of the building (and to the street). Ask who was complaining (my strong sense is Rose) and what is the basis for that? Who directed Debbie to tell us to take the dog out through the stairs and side door. These are important points as they amount to discrimination.

- a. On June 6, 2023, the Complainant's ESA was observed relieving itself on the side of the path into the first-floor garage in violation of the Rules and Regulations.

Mark please refer to my email to you summarizing harm inflicted dated Sept 9/ 2023.

This point I believe is defamatory, my email is very clear. Not sure about June 6th as I vehemently deny this happened. Again, serious accusations supported by threatening legal letter, should at a minimum include photo evidence...Cameras are there for a reason. Mark please ask for them and if they say they don't have any, that would be telling.

I am also confused about the violation. Our dog 100% did not poop on the side of the building. But the rules are clear that the rule is owners must pick up waste. So, what specifically is the violation? Is it someone failed to pick up the waste? If that's the case, when my wife was stalked by Rose/ Kay and interrogated about whether she picks up the dogs waste, my wife was actually carrying a poop bag that was thrown in the garbage in front of them. They saw she was walking the dog along Gulf Blvd on the east side of the building.

- a. Complainant engaged in confrontational, threatening, and harassing behavior towards members of the Respondents, in incidents occurring on June 5, and June 19 and/or 20, 2023, regarding his recently approved ESA, where, among other things, Complainant threatened to take legal action against the Association.

June 5th I believe refers to the email I sent to Debbie about her confrontation with my wife. I sent this to you on Sept 4, 2023. I was asking her to address all questions/ concerns about the dog to me and not my family. My wife has enough stress (as I do) and I don't want management to add to it. Mark please read the letter and let me know if this was threatening. The experience itself was harassment. Imposing random rules to keep us out of sight is harassment and discrimination.

In addition to the Sept 9, 2023 email I sent to you (detail of harm) detailing the false accusation of my behavior, I would strongly suggest again reminding Debbie the law requires her to tell the truth. And to describe the tone of the meeting. Please ask her to provide the communication to the broader Board summarizing that meeting. I did call Debbie on July 5 on the phone about that meeting and made meticulous contemporaneous notes. I sent these notes to you Mark on **Sept 18, 2023.**

- a. The Complainant received a letter from the Association's legal counsel on June 30, 2023, further detailing these concerns and violations by Complainant with a request for immediate compliance. (Exhibit 2).

This letter in my heart I believe is the Boards way of intimidating me and my family from bringing the ESA. It is evidence of discrimination and harassment. It triggered my decision to leave my Florida home and return to Canada to return my kids with the ESA dog.

4. The factual record will demonstrate that the Association has not discriminated against the Complainant in any way whatsoever and has instead sought to balance the interests of the Complainant with those of other unit owners. The rules and regulations regarding the emotional support animals imposed on Mr. Joubran, as set forth in Respondent's May 9, 2023 letter (Exhibit 1), are consistent with the rules and regulations applied to other owners. If the Respondent did not impose such rules on Mr. Joubran, this may imply discrimination against other owners who have also sought ESAs prior to Mr. Joubran. For all the reasons set forth above and in greater detail below, Respondent respectfully requests that the Pinellas County Office of Human Rights and/or HUD dismiss the above-referenced Complaint and issue a "No-Cause" determination.

ANSWER TO ALLEGATIONS IN THE HOUSING DISCRIMINATION COMPLAINT

1. Admitted that Jad Joubran is the Complainant. Respondents admit that Complainant's cited address is in Canada.

2. N/A

3. Respondents deny that Roula Joubran is an other aggrieved party. Only Mr. Joubran, and not his wife, was approved for an ESA. At no point in time have Respondents received any request for an ESA for Roula Joubran.

Roula is my support during my visit and as the ESA requires maintenance, my condition sometimes allows me to walk the dog but sometimes I don't and would have to lean on my wife for that help. She was subjected to harassment and embarrassment from Board members being asked personal questions in the form of a face-to-face investigation. Board member is a lawyer

(Kay) and she should be aware of her professions code of ethics/ conduct. I too was also asked personal questions (Debbie was a witness)

Also please note I forwarded the initial note from my doctor requesting ESA approval for both Roula and I. Anne received and reviewed both and denied subject to further detail being required. To say respondents never received anything relating to Roula is false.

4. Respondents deny that any discriminatory conduct has occurred or is about to occur, and further deny that they have failed to provide reasonable accommodation.

Mark sorry I am at a loss, this summary basically repeats the point in the letter from Anne. Nothing new and failed to justify why these rules are imposed if they are non-compliant with HUD laws.

5. Denied as to any violation or alleged discrimination based on disability.

6. Respondents deny that any discrimination has occurred at the listed address, or at any other location.

Management and the Board know my primary residence is in Canada but I have a home in Florida. I am confused about the claim.

7. Each Respondent admits that it has been named as a Respondent in the Complaint but denies that any discrimination has occurred.

8. Respondents admit that Complainant belongs to a class of persons whom the Fair Housing Act protects but denies that Roula Joubran belongs to a protected class, as no request for an ESA has been made for Roula Joubran. Respondents admit that Complainant owns the property located on St. Pete Beach but denies that Roula Joubran is an owner of the Unit. Respondents admit that the community is governed by the governing documents of the Association and managed by Castle Management LLC. Respondents deny that Complainant made any request for an accommodation to walk his support animal in the common areas.

I don't believe I need to make that request. The ability to walk the ESA is an obvious expectation. As a guidance the ESA should be able to accompany the disabled anywhere, they go. Carrying a heavy dog or even lifting such an animal can cause further injury – subjecting the association to more issues. But for arguments sake, Kay/ Rose/ and Debbie all saw the dog and saw the petite frame of my wife and can see I am over 60 years old and not in great shape...the only advise from Debbie I received was we should take the dog down by stairs and exit through side doors. Why did no one advise us to request accommodation to walk our dog. Again this is evidence of denial of accommodation.

Respondents admit that Complainant received an approval letter for his emotional support animal on May 9, 2023, which included a set of rules and regulations. Respondents are unaware of the weight of the ESA and have not been provided any information related to physical disabilities of Complainant that would prevent his carrying of the ESA, as required by the rules and regulations.

No where in the communication was there a requirement to provide weight information. And

weight shouldn't make any difference on what constitutes reasonable accommodation (including ability to walk the ESA on common areas)

Respondents deny that Kay Belfance and Rose Noritake asked any questions regarding the ESA in their interaction with Roula Joubran, which was cordial and professional. To the contrary, during this interaction, Roula Joubran volunteered that the dog was her ESA.

Think about it, who would in the twilight hours after walking a dog in the heat and heading home, just stop and start talking to perfect strangers and volunteering information about her personal disability? And Kay also asked me personal questions in front of Debbie (please ask Debbie) and read my email of harm Sept 9, 2023. Roula knew she was questioned by Board members and felt pressured to answer direct questions from the Board. She came home that night feeling uncomfortable and stressed from the experience. That is a fact. It was harassment/discrimination and nothing less.

Respondents admit that Complainant, in an agitated, harassing and intimidating manner, corned Ms. Ippolito and Ms. Belfance at the manager's office, but deny that the rules and regulations make it impossible to live and enjoy the property.

Mark I sent you my contemporaneous notes I took on July 5 on my phone call with Debbie. I wrote down word by word of her response. It was an interchange of what I believed to be the facts regarding ESA and privacy. Anything else stated by Debbie would be Board intimidation. Please remind her of the law (and she may be asked to testify under oath) and ask her to repeat what she told me on that call.

Respondents further deny that any research was provided and that an accommodation was requested. Respondents further deny that Ms. Belfance asked any specific questions regarding the ESA. Respondents admit that a June 30, 2023 letter was sent to Complainant from the Association's counsel (See Exhibit 2). Respondents deny that any request for an accommodation was made by Complainant to be excused from carrying the ESA through the property, as required by the rules and regulations.

Mark, I sent you my communication with Debbie regarding the research – email to you dated August 23. It is clear that Debbie is following up with Brian (Board President and Anne (Association Attorney) for an update on my research. And it clearly stated that my research was at odds with the rules of the building.

Also sent you Sept 18, 2023 the original email I sent to Debbie June 6th with the link of the research I did.

I remember having a decent conversation with her about...basically summarizing my understanding and actually stating if I am wrong, I will conform. And if I can't carry my dog then we have to deal with it. It was a pleasant conversation.

But isn't it up to the Board on the advise of our attorney to ensure the association is law compliant?

Mark I encourage you to review all the facts (emails, contemporaneous notes, by laws, and my

statements vs theirs) and note who is misstating facts and actually lying.

9. Respondents deny that any discrimination has occurred or is continuing.

10. Not applicable.

11. Respondents deny that any violations of the Fair Housing act or Chapter 70 of the Pinellas County Code, as amended, have occurred.

Nature of Document: Cp email evidence Aug 25

Who Provided: Joubran, Jad

How Transmitted to HUD: email

Date of Document: August 25, 2023

Date Obtained: September 20, 2023

Cp's email evidence and communications. The cp submitted a 6/6/2023 email from him to property manager Ippolito, asking her why she instructed his wife to use the stairs.

Nature of Document: Cp Oct 3 RFI rebuttal

Who Provided: Joubran, Jad

How Transmitted to HUD: email

Date of Document: October 20, 2023

Date Obtained: October 20, 2023

Thanks Mr Esparza,

see more replies please (in green)

On Friday, October 20, 2023 at 03:49:42 p.m. EDT, Esparza, Mark S <mesparza@pinellas.gov> wrote:

Mr. Joubran, I have received your rebuttal information. The respondent provided further information today:

1. When was the Assistance Animal policy created? Our rules governing ESA'S was adopted on March 18, 2013.

Jad: I question anything this board says - all Board approved policies must be adopted through Board vote approval. This can easily be validated and should include who voted. I was told at some point that this Policy was reviewed by our Attorney? The current Board should not be absolved from their responsibilities to remain on the right side of the law...especially when an owner questions it.

Let me see if I can dig up the related minutes for this.

2. How many support animal applications have been denied during the relevant time period? None.

Jad - not true. I know of one owner who was denied. If he is OK with my request, maybe he can forward to you the denial letter. Let me know.

3. Of the support animals approved, which ones need to be carried? All are supposed to be in a carrier or carried by its owner.

Jad: discussed on the earlier response: Owner on 5th floor is not required to carry his dog...was his approved?

a. On what date were the others approved to be walked on property? None were approved.

Jad: see above

4. On what date was the Complainant apprised he could request an accommodation to not carry his animal? The Complainant received the approval letter in which he was invited to ask questions or share any further concerns. The date of his approval letter is May 9th, 2023.

Jad: see earlier communication today

5. What is the rationale for mandating that persons carry their animals? As the policy was passed in 2013, the current board is unaware of the basis for implementing the carry rule.

Jad: Ignorance is no excuse for breaking the law. I brought this to their attention several times while I stayed there and repeatedly followed up. They chose to ignore my request and attacked me with their threatening letter.

6. Complainant says he provided property manager Ippolito a request on 6/6/2023, to check the legality of the current ESA restrictions. When was this email conveyed to the board, or board members? The email was sent to the Board President on 6/7/2023.

Jad: see earlier communication today

7. Complainant states that on 6/6/2023, his wife was told by Ippolito there had been complaints made about the animal. Is this accurate? Please provide a time/date for an interview, and/or a statement under penalty of perjury replying to this assertion. Please indicate who had complained about the Complainant's animal. Rose Noritake complained to Ms. Ippolito about the animal not being carried in common areas. Ms. Noritake and Ms. Belfance personally witnessed the dog defecating and urinating outside in common area. We can make Ms. Ippolito, Ms. Belfance and Ms. Noritake available for a telephonic interview.

Jad: I believe you and I Mark talked about this. Every day our first stop with the dog is a little patch of grass adjacent to the sidewalk by Gulf Blvd (see picture below). Our dog may relieve himself on the grass there - if not we keep walking along the sidewalk. I personally saw other dogs from the building and other passerbys do the same. On one day (I mentioned to you) Rose and Kay were parked on the right side of that patch before driving forward to park. May wife was spooked as it was getting dark and she didn't know who was stalking her. Dog pooped and Roula as always cleaned the poop and carried the bag to be disposed. At the front entrance she was approached by Rose and |Kay who began interrogating her...that's when they asked her if she cleans up after her dog...Roula was

offended obviously and told them she is a responsible owner (showing them the bag as she disposed of it).

I honestly don't know if that is the example they are referring to but if it is, please note the policy specifically says, we must clean up after the dog (and that was done). I don't think it is wrong to use that patch (as all passerbys do and this is my home and the policy allows for it). Dogs generally poop on grass and if it's not this patch it can be anywhere else along the sidewalk. I honestly don't think that's what they were alluding. If it is, we were compliant with the policy in place. Otherwise it is a full out lie. If they are saying our dog poop anywhere else on the property like the pool deck or lobby then that is a lie.

8. Complainant states that on 6/6/2023, his wife was told by Ippolito that she needed to walk the dog down the stairwell. Is this accurate? Please provide a time/date for an interview, and/or a statement under penalty of perjury replying to this assertion. Ms. Ippolito spoke to Mrs. Joubran and told her she was receiving complaints, because the animal is supposed to be in a carrier or carried when on the property. Ms. Ippolito suggested that she might want to walk the dog down via the stairs to avoid any issues.

Jad: see earlier comments today. I believe this suggestion was not only non compliant with the building policy, it was unlawful. My strong sense is Rose told Debbie to tell us that. Debbie would not make a move without specific instructions. Ask Debbie under oath where this came from.

9. Complainant states that on 6/6/2023, his wife was requested by Ippolito that she carry her doctor's note with her at all times. Is this accurate? Please provide a time/date for an interview, and/or a statement under penalty of perjury replying to this assertion. Ms. Ippolito denies saying that to anyone

Jad: see earlier comments today

10. Complainant states that on 6/19/2023, the Complainant followed up again with Ippolito, Hathorn and Bodor on the legality of the ESA restrictions. When was this email considered by the board, or board members? The e-mail coming from Mr. Joubran on 6/19 never questioned the legality of the rules, only the fairness of them. Here is the wording of his e-mail: *"Thanks Debbie. This matter is important to all owners and tenants on this property who have an ESA. My understanding of fair housing legislation states that all owners of ESA should be allowed full enjoyment of the common areas. Requiring owners to carry their pet in the lobby is not fair and may actually cause injury to owners. Restricting the ESA from the pool area I'm afraid doesn't seem fair. This maybe viewed as restricting the owners / tenants as well. I look forward to your prompt response Please note I have a prospective tenants who has her ESA documentation. I need to know I am legally compliant."* Ms. Ippolito informed Brian Bodor, Patty Lee and Ann Hathorn that Mr. Joubran wanted a follow up to the ESA information he had forwarded. Ms. Ippolito was asked to provide a copy of the approval letter to Anne Hathorn. Around that time, it was Ms. Ippolito understanding that she was working on the response to Mr. Joubran.

Jad: not true that I never questioned the legality of the rules (I just sent you an email dated June 6 - addressing just that - with a request to forward to the Board). This was the day

after we arrived. You can see I took this situation very seriously and respectfully from day one.

And even in my words above. The last sentence states "I need to know if I am legally compliant.

This accusation is simply false.

11. Regarding the issue of repeatedly walking his dog throughout community property, Complainant denies this and states he has only walked the dog through the lobby to exit the building. Is this accurate or are there other complaints of the animal being walked in other community areas? The dog was walked through and around the garage of the property, mainly by his son. Ms. Ippolito witnessed this on several occasions.

Jad: responded to earlier today.

12. Who complained about threatening or harassing behavior asserted in the 6/30/2023, letter to the Complainant? Please indicate who complained for each cited event in the letter. I need a copy of the letter you are mentioned. Ms. Ippolito complained about Mr. Joubran's harassment on June 7 to Brian Bodor. Additional information from the board and general counsel are being gathered. Rose Noritake-June 5th complaint. Kay Belfacne-June 19/20.

Jad: did you see the email to Brian Bodor from Debbie?

On June 19 (I believe that was the meeting I had with Debbie and Kay - I sent you my detailed notes of a July 5th phone conversation I had with Debbie about that day. She was very clear about the overall tone of that meeting. I send you the notes taken almost verbatim. I actually asked her if I was threatening and she gave me an emphatic "no, no" Rose? Absolutely a lie. Mark I repeatedly told you other than hello, I never said a word to Rose about the ESA situation. NOT A WORD. I'm sorry her lies are not acceptable.

13. Which complaints were the basis of the issued 6/30/2023 letter? Please describe the complaints for each event cited in the letter. See above and further information being gathered from the board and general counsel.

Jad: Please request all communication emails to the Board from Debbie

Nature of Document: Oct 3 Resp RFI and Reply

Who Provided: Riopelle, Joseph

How Transmitted to HUD: email

Date of Document: October 03, 2023

Date Obtained: October 20, 2023

Here is everything else. Thank you.

1. When was the Assistance Animal policy created? Our rules governing ESA'S was adopted on March 18, 2013.

2. How many support animal applications have been denied during the relevant time period? None.

3. Of the support animals approved, which ones need to be carried? All are supposed to be in a carrier or carried by its owner.

a. On what date were the others approved to be walked on property? None were approved.

4. On what date was the Complainant apprised he could request an accommodation to not carry his animal? The Complainant received the approval letter in which he was invited to ask questions or share any further concerns. The date of his approval letter is May 9th, 2023.

5. What is the rationale for mandating that persons carry their animals? As the policy was passed in 2013, the current board is unaware of the basis for implementing the carry rule.

6. Complainant says he provided property manager Ippolito a request on 6/6/2023, to check the legality of the current ESA restrictions. When was this email conveyed to the board, or board members? The email was sent to the Board President on 6/7/2023.

7. Complainant states that on 6/6/2023, his wife was told by Ippolito there had been complaints made about the animal. Is this accurate? Please provide a time/date for an interview, and/or a statement under penalty of perjury replying to this assertion. Please indicate who had complained about the Complainant's animal. Rose Noritake complained to Ms. Ippolito about the animal not being carried in common areas. Ms. Noritake and Ms. Belfance personally witnessed the dog defecating and urinating outside in common area. We can make Ms. Ippolito, Ms. Belfance and Ms. Noritake available for a telephonic interview.

8. Complainant states that on 6/6/2023, his wife was told by Ippolito that she needed to walk the dog down the stairwell. Is this accurate? Please provide a time/date for an interview, and/or a statement under penalty of perjury replying to this assertion. Ms. Ippolito spoke to Mrs. Joubran and told her she was receiving complaints, because the animal is supposed to be in a carrier or carried when on the property. Ms. Ippolito suggested that she might want to walk the dog down via the stairs to avoid any issues.

9. Complainant states that on 6/6/2023, his wife was requested by Ippolito that she carry her doctor's note with her at all times. Is this accurate? Please provide a time/date for an interview, and/or a statement under penalty of perjury replying to this assertion. Ms. Ippolito denies saying that to anyone.

10. Complainant states that on 6/19/2023, the Complainant followed up again with Ippolito, Hathorn and Bodor on the legality of the ESA restrictions. When was this email considered by the board, or board members? The e-mail coming from Mr. Joubran on 6/19 never questioned the legality of the rules, only the fairness of them. Here is the wording of his e-mail: *"Thanks Debbie. This matter is important to all owners and tenants on this property who have an ESA. My understanding of fair housing legislation states that all owners of ESA should be allowed full enjoyment of the common areas. Requiring owners to carry their pet in the lobby is not fair and may actually cause injury to owners. Restricting the ESA from the pool area I'm afraid doesn't seem fair. This maybe viewed as restricting the owners / tenants as well. I look forward to your prompt response Please note I have a prospective tenants who has her ESA documentation. I need to know I am legally compliant."* Ms. Ippolito informed Brian Bodor, Patty Lee and Ann Hathorn that Mr. Joubran wanted a follow up to the ESA information he had forwarded. Ms. Ippolito was asked to provide a copy of the approval letter to Anne Hathorn. Around that time, it was Ms. Ippolito understanding that she was working on the response to Mr. Joubran.

11. Regarding the issue of repeatedly walking his dog throughout community property, Complainant denies this and states he has only walked the dog through the lobby to exit the

building. Is this accurate or are there other complaints of the animal being walked in other community areas? The dog was walked through and around the garage of the property, mainly by his son. Ms. Ippolito witnessed this on several occasions.

12. Who complained about threatening or harassing behavior asserted in the 6/30/2023, letter to the Complainant? Please indicate who complained for each cited event in the letter. I need a copy of the letter you are mentioned. Ms. Ippolito complained about Mr. Joubran's harassment on June 7 to Brian Bodor. Additional information from the board and general counsel are being gathered. Rose Noritake-June 5th complaint. Kay Belfacne-June 19/20.

13. Which complaints were the basis of the issued 6/30/2023 letter? Please describe the complaints for each event cited in the letter. See above and further information being gathered from the board and general counsel.

Nature of Document: 100-Day Notification Letters

Who Provided: Riopelle, Joseph

How Transmitted to HUD: USPS

Date of Document: November 22, 2023

Date Obtained: November 22, 2023

100 day letters sent to the parties.

Nature of Document: Respondent ESA minutes

Who Provided: Joubran, Jad

How Transmitted to HUD: email

Date of Document: January 20, 2021

Date Obtained: November 27, 2023

5.7 Review/Approval of Animal Policies

Ms. Keith reminded owners, in the past 6 months, the Board in coordination with our attorney, communicated to owners the rationale and process of Beau Monde's Animal Policy and its meeting Federal guidelines.

Ms. Keith stated the Board continues to recognize those who prefer ownership in a pet free building by upholding its Bylaws. We remain a no pet building. But we cannot be an animal free building by Federal Law.

Ms. Keith presented further clarification in noting the distinction of difference lies in definition and purpose. A pet is kept for companionship or pleasure. Again, our Bylaws do not allow for this nor does our property accommodate pets with designated spaces.

However, an "animal" is engaged for support and/or service whether that support be visible or "invisible" to others. Ours is not to sit in judgment of another as to their need. Ours is not to determine the definition of a medical condition or its severity. The Board asks its attorney to follow the law and determine said need. In doing so, we must follow her opinion and accommodate accordingly.

Ms. Keith, noted for her personally, the Animal Policies presented to the Board for updating and approval acknowledge a place of balance and respect for all within the community. While animals may be approved to be on a property the law allows for reasonable policies to be in place.

Ms. Keith announced the revised Beau Monde Animal Policy presented was shared prior to the meeting with the Board.

Motion: Ms. Shaw made a motion to approve the Animal Policy as presented. Seconded by Ms. McDonnell. All in favor. Motion passed.

Ms. Keith added owners should be aware not all approved animals are "full time" residents; and reminded owners guests with animals must have prior approval before staying at the Beau Monde.

Nature of Document: Nov 22 Resp RFI

Who Provided: Riopelle, Joseph

How Transmitted to HUD: email

Date of Document: November 30, 2023

Date Obtained: November 30, 2023

Mr. Riopelle, thank you for setting the interviews. I do have some further questions:

1. During the interviews it was stated that one of the animals was allowed to walk because it was a Service animal. Is there a difference between service animals and ESAs in the Respondent's animal rule(s) practice or policy?
2. Which two persons are currently walking their dogs and why are they allowed to do so? (Person in #502 was stated to have a medium size white dog).
3. Please provide a copy of the particular rule prohibiting animals at the building.
4. CP Joubran maintains that at least two other animals from the building use the front signage area as a bathroom area. Is this accurate?
 - a. Have others received written notices for similar bathroom use in front? If so, please provide copies of such notices.
5. During the interviews it was stated that Ippolito had complained of CP Joubran by email to the board/Bodor that led, in part, to the 6/30/2023 letter. Please provide that email.

Please provide this information as soon as possible, but no later than November 30, 2023.

Respondent Reply:

Good morning Mark:

Below are my responses.

1. During the interviews it was stated that one of the animals was allowed to walk because it was a Service animal. Is there a difference between service animals and ESAs in the Respondent's animal rule(s) practice or policy? *Joe Kunzer's daughter has a trained service animal that the Association does not view is required to comply with the carry rule as the service animal is working for the handler and cannot do so being carried. That said, Joe Kunzer's daughter does not reside in the unit but does visit from time to time.*

2. Which two persons are currently walking their dogs and why are they allowed to do so? (Person in #502 was stated to have a medium size white dog). *1. Joe Kunzer's daughter. 2. Unit 504 (Ms. Stacey Stabile. She submitted an ESA request, which was approved, and was subject to the same rules as Joubran. However, thereafter, she asked for a second reasonable accommodation to not carry her small dog, given a medical condition (with her back I believe, but am not sure). She submitted medical information, general counsel for the Association reviewed that information, and recommended that the Association grant the second accommodation based on the medical information submitted. The Association so did. (see attached hereto). The Association has not granted the owner of Unit 502 an exception to the dog carry rule and is not aware of any violations from Unit 502.*

3. Please provide a copy of the particular rule prohibiting animals at the building. (See Attached. Same was attached to the exhibit 1 to the position statement 5/9/2023 Accommodation approval letter). Also attached (sorry its sideways) is the rules form 2014 that prohibited pets as well.

4. CP Joubran maintains that at least two other animals from the building use the front signage area as a bathroom area. Is this accurate? Have others received written notices for similar bathroom use in front? If so, please provide copies of such notices. *if there are situations where dogs have been observed walking or relieving themselves on the property, these would be violations (working on obtaining copies, if they exist). The Association does not recall ever receiving a report of a violation for which we did not then turn around and send a violation letter. Naturally, the Association uses reasonable efforts to enforce the rules, and if someone is not following them, they take action. But they cannot enforce rules for violations they don't know about. Since the front sign area abuts the sidewalk and the street, it is possible that passers by along Gulf Blvd (a very busy road full of beach traffic, especially during popular times for visiting the beach) may have allowed their dogs to relieve themselves on our property. This would be trespassing and naturally not allowed. However, we don't have full time guard staff watching our front grass. Perhaps Mr. Joubran could elaborate on the instances he has observed. Were they owners or passers by? And if they were owners, why did he not report the violations to the property manager or the Board?*

5. During the interviews it was stated that Ippolito had complained of CP Joubran by email to the board/Bodor that led, in part, to the 6/30/2023 letter. Please provide that email. *Both emails are attached and demonstrate Ms. Ippolito's position then versus when she was interviewed post termination. The 6-7-2023 email also captures Jad's threat of litigation per your subsequent request.*

Let me know if you need anything else.

Attached to their RFI reply were the following documents:

Respondent 11/22/2023 RFI reply:

In response to the request, the respondent provided the following documentation:

1. Copy of the 1/20/2021 "Rules related to accommodation for disabilities under the Fair Housing Laws";
2. RP Beau Rules and Regulations, dated 3/2014. On p.3, under House, at #3, it states "No pets permitted. No owner or tenant or guest will be allowed to bring a pet onto the condominium property."
3. 4/3/2013 Letter from Attorney Hirsch de Haan, of Becker & Poliakoff, to attorney LaHart, granting an ESA for Stacey Stabile. Attached was a copy of the "Rules related to accommodation for disabilities under the Fair Housing Laws".)
4. 3/25/2015 Letter from RP Beau Monde (President Brian Bodor) to Stacey Stabile apologizing for a "misunderstanding" for the property manager's efforts to enforce the rules and granting her a further accommodation request to not have rules #2 ("No designated pet walk area" on property) and #3 ("Required to carry the pet or use a carrier while on the common elements") apply to her. The letter required the animal to be leashed for transport if it were not being carried or placed in a carrier for transport.
5. Email from Belfance wherein Ippolito wrote on 6/7/2023:

"Good Morning Brian,

I had received Rose's email from Saturday about noting a dog with a lady and two young people walking through the lobby. I observed this myself on Monday. I was very friendly and greeted the lady and played with the dog while letting her know that the dog has to be carried in and out of the building per the rules. She said the dog was too heavy and I noted that she could try walking the dog out the side of the building to avoid any issues.

Well later that morning Jad came down and said I insulted his wife by suggesting she use the access for walking the pet out of the building. I apologized and explained that I was doing my job and that when I sent the letter of approval I also sent the restrictions that go with it. Well, he said I didn't have common sense and was offensive. He also threatened legal action if I addressed anyone in his family.

Yesterday at one point, I observed the dog being walked along the garage and it doing #1 business on the side of the path into the first floor garage. I didn't say anything to the young man except for hi and I tried to pet the dog. Then later Jad came by the office and I was with several contractors that I was talking to. I was getting ready to provide access to one of the units. He got impatient and I explained I would get back as soon as I could, but I had an emergency and had to get escort the contractors.

Now I received this email below and today he came by and complained that I am not returning his call or email. I told him I am a little behind and dealing with emergencies and that I would get to it today. He started saying I had to attend to him right now and complained about my

performance. I told him he can let the Board of Directors know if he is unhappy and that I am doing my work and prioritizing. I also informed him the Board has 10 days to give approval and he said well in that time I will loose my prospect.

Brian it is my training that if an Owner says they are getting a lawyer then I cease to directly communicate with them. Since Jad is basically harassing me and is sending communique about lawyers etc. At this point, since he has been so negative and insulting I would prefer to just tell him to contact his lawyer on any issues he has with the Association rules and the timing allotted to process his requests.

What are your thoughts on this?

Sincerely,

Deborah Ippolito

Property Manager I Castle Group”

6. Email from Ippolito to Noritake, Mikebaumonde@gmail.com, Alishabeaumonde@gmail.com, Brian Bodor, Belfance, docjoebeau@yahoo.com, pattylee4950@gmail.com and Sherilyn Craig. Ippolito wrote: “I do not want to give Jad a reason to retaliate against me. Please have Ann remove the part where it states behavior towards me and remove my name from this letter.”

Thank you, Deborah

Deborah Ippolito, LCAM
Beau Monde, Inc.-A Condominium c/o Castle Group Management Co.

Nature of Document: Signed Complaint

Who Provided: CP

How Transmitted to HUD:

Date of Document: August 07, 2023

Date Obtained:

Nature of Document: Sunbiz search records

Who Provided: Intake

How Transmitted to HUD:

Date of Document: August 10, 2023

Date Obtained:

results in sunbiz

Nature of Document: Notification Letters
Who Provided: Intake
How Transmitted to HUD:
Date of Document: August 10, 2023
Date Obtained:

OHR letter to CP Sent to
Jad Joubran
6538 Spinnaker Circle
Mississauga, Canada L5P

Contains
Cover letter
903 signed copy
100 day notice

Nature of Document: Notification Letters
Who Provided: Intake
How Transmitted to HUD:
Date of Document: August 10, 2023
Date Obtained:

OHR letter sent to RP 1 sent to
Beau Monde Inc.
C/O Castle Management LLC d/b/a Castle Group; Registered Agent
12270 SW 3rd Street
Suite 200
Plantation, FL 33325

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

Nature of Document: Notification Letters
Who Provided:
How Transmitted to HUD:
Date of Document:
Date Obtained:

OHR letter sent to RP 2 sent to
Castle Management LLC d/b/a Castle Group
C/O CT Corporation System; Registered Agent
12270 SW 3rd Street

Suite 200
Plantation, FL 33325

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

Nature of Document: prop app
Who Provided: Intake
How Transmitted to HUD:
Date of Document: August 10, 2023
Date Obtained:

property appraisers search results

Nature of Document: Notification Letters
Who Provided: Intake
How Transmitted to HUD:
Date of Document: August 03, 2023
Date Obtained:

903 Pkg for signature mailed to
Jad Joubran
6538 Spinnaker Circle
Mississauga, Canada L5P
Contains
Cover letter
903 form
Conciliation form

Nature of Document: Evidence
Who Provided: CP
How Transmitted to HUD:
Date of Document: August 10, 2023
Date Obtained:

Email documents from CP regarding requests, attorneys letters and communication between cp and rp.

The cp submitted the following information:
Cp stated he suffered from anxiety and depression and benefitted from an ESA. He wrote his wife also had medical conditions. He wrote the respondent complex had restrictive rules that banned the dog from the pool deck, gym, rec room and had to be carried in the lobby and

elevator. He wrote he was 60 years of age and the dog weighed 40 pounds. He stated the property manager told them to use the stairs and side doors to enter/exit the building.

SCAN AND UPLOAD STATEMENT

CP email evidence

Cp provided emails between him and the respondent.

1. 6/6/2023 email from cp to the property manager stating that under the FHA there should not be restricted access, adding it was risky to carry his animal in the common areas and that he should have access to the same. The cp attached a link to an article from a florida condo law attorney.
2. 6/19/2023 email from property manager Deborah Ippolito to Brian and Anne (brianbodor@icloud.com/anne@hathorn.com) seeking clarification on the current animal restrictions.
3. 7/14/2023 statement from the cp to the PCOHR. The cp wrote: Hi Linda

I wanted to share with you the second incident this year. To me it does seem like some pattern going on.

If you recall this is the time the delivery truck came later than the permitted time. I had no choice but to let them in. literally had no furniture in the apartment and was sleeping on a very old mattress on the floor.

Rules allow for after hour deliveries with permission from management or Board. No one was around this late. Thought I would address this with management next morning. I was there and allowed them in with my oversight and I did come down periodically to ensure safety.

On their way out after delivery they were confronted by Sandy another owner in the building who proceeded to berate them. I was scared they may react so I walked them to the truck and apologized to them. And sent them on their way.

Coming back I was confronted by Sandy who was totally out of control. Imagine how stressful that would have been on me with my condition. Asked her repeatedly to lower her voice and file a complaint the next day. She continued to shout top of her lungs accusing me of breaking rules and even questioning if I lived in the building.

Told her I was going to go up the elevator and let's call it a day. She proceeded to follow me into the elevator. I exited the elevator as I didn't want my wife exposed to her threats.

I then proceeded to the stairs and she followed me there too.

The sad thing is she knew me. I purchased my apt from her 13 years ago.

I asked her to stop following me. And this is when she slapped me. At which time I called 911. Below is the police report.

Next day I connected with management. Surprised to be met with more derating. Nothing about the assault. I was the villain for having off hour deliveries.

I asked Cathy (the manager) for a copy of the video. And she declined. I asked her to report the crime to the Board. Again she declined because it was "between me and the other owner and not an association issue". That is not only false but I believe crossed the line to discrimination. My strong sense, if it was any one else it would have been reported.

Sandy actually said to me if I call the police she would tell them I hit her first. Which is when I told her look at the cameras around you. Pis don't make this worse for you. Cameras will show I didn't spit or do anything other then talk to her calmly.

Video was never provided to me even after repeated requests. Clearly meant to cover up the incident.

Cathy who works for Condominium Associates no longer works at the condo. In fact we now have a new property management company. Castle Group Linda I will send you the scathing attorney letter I received about the after hours delivery and nothing about the assault mentioned.

I will also send you me request to Cathy (property manager) to address the assault with the Board and her declining the request.

Again I wanted to show you how 11 visited my property twice in the year and each time I was confronted with this type of harassment and discrimination.

Clear to me it's a pattern

There are many other instances where my tenants were also harassed.

I appreciate your help in addressing these issues.

I did mention I am Canadian and I own the unit in the building and come down to enjoy every now and then. Recently it's been anything but.

Thanks Jad

4. PCSO Police reports SO23-57958: Regarded the slapping of the cp by Sandy.
5. 3/1/2023 Letter from respondent association to the cp stating he had violated the rules by moving outside of permitted hours of 8am-4pm.
6. 5/9/2023 Letter from the respondent association formally approving his animal. Along was an attachment listing the rules.
7. Respondent support animal rules: They stated:

RULES RELATED TO ACCOMMODATIONS FOR DISABILITIES UNDER THE FAIR HOUSING LAWS

The following rules apply to any resident who has an animal pursuant to the Fair Housing Laws as an accommodation for a disability:

Within one week of notification of approval, a picture of the animal is to be submitted to the property manager for identification of the animal on premises.

Within one week of notification of approval, all the resident/guest must provide proof of animal inoculations. Verification of inoculation must be provided on an annual basis to the property manager.

The animal cannot become a nuisance, including but not limited to excessive barking, aggressive behavior, biting; pet owner failure to pick up waste, etc.

There is **no designated animal area on the property**. The animal is to be walked outside of the Condominium Property.

The resident/guest is required to carry the animal or use a carrier throughout the building.

The animal is not allowed on the patio or in the swimming pool or gym.

Some residents in the building may have allergies to animals, therefore washing and drying of any article which is used by the animal is prohibited in the laundry rooms. Animals are not allowed in the laundry rooms.

Any violations of these Rules may result in the removal of the animal from the Condominium property.

Adopted: January 20, 2021

8. 6/30/2023 Letter from the respondent attorney to the cp indicating he was in violation for not carrying his animal. He was also accused of engaging in threatening behavior on 6/6 and 6/19 with members of the association.

9. 5/9/2023 email from the property manager to the cp indicating their respondent attorney would not be providing another approval letter for his animal.

C. Interrogatories

D. Factual Observations

Betina Baron
Betina Baron, Human Rights Compliance Manager