



Pinellas County

Legislation Details (With Text)

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On agenda: 9/14/2017 **Final action:** 9/14/2017

Title: Proposed initiation of litigation in the case of Arthur Basner v. Heritage Village & Inn, LLC; HUD Case No. 04-17-6733-8; PC Case No. 17-011 - alleged housing discrimination.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Determination dated February 23, 2017, 2. Final Investigative Report dated February 23, 2017

Date	Ver.	Action By	Action	Result
9/14/2017	1	Board of County Commissioners	approved	Pass

Subject:

Proposed initiation of litigation in the case of Arthur Basner v. Heritage Village & Inn, LLC; HUD Case No. 04-17-6733-8; PC Case No. 17-011 - alleged housing discrimination.

Recommended Action:

Approval to authorize outside counsel to initiate litigation on behalf of Arthur Basner through the existing agreements with Gulfcoast Legal Services, Inc. or Bay Area Legal Services, Inc. for legal services.

Strategic Plan:

N/A

Summary:

In his January 12, 2017 complaint, Arthur Basner, a person with a disability, filed a charge of housing discrimination with the Pinellas County Office of Human Rights (PCOHR) alleging Complainant was subjected to unlawful housing discrimination on the basis of his handicap. Specifically, Respondent’s denial of Complainant’s request to make a reasonable accommodation in their rules, policies, practices or services by informing Respondent, after he had received verbal approval and had moved into a unit, that he would need to move out because he had a service dog even though he submitted a reasonable accommodation request that same day, which denial resulted in an eviction. Following that investigation, on February 24, 2017, PCOHR issued a finding of reasonable cause to believe that Arthur Basner was a victim of housing discrimination based on his handicap, in violation of Chapter 70 of the Pinellas County Code and the FHAA, including, but not limited to, 42 U.S.C. § 3604(f). Attempts to conciliate the matter were unsuccessful. In accordance with Section 70-146 and 70-147 of the Pinellas County Code, the County Attorney’s Office is required to file a civil action on behalf of an aggrieved party seeking appropriate relief and if a timely election is not made to have the charge decided in a civil action, the County Attorney’s office shall provide legal representation in an administrative hearing.

Background Information:

The Determination issued by the PCOHR setting forth the facts and applicable law that led to the reasonable cause determination is attached, as well as the Final Investigative Report.

Fiscal Impact:

Unknown.

Staff Member Responsible:

Jewel White, County Attorney

Brijesh Patel, Assistant County Attorney

Partners:

Office of Human Rights

Attachments:

Determination dated February 23, 2017

Final Investigative Report dated February 23, 2017