



# Pinellas County

## Legislation Details (With Text)

**File #:** 21-1405A      **Version:** 1

**Type:** County Attorney Item      **Status:** Passed

**File created:** 7/15/2021      **In control:** County Attorney

**On agenda:** 8/10/2021      **Final action:** 8/10/2021

**Title:** Proposed initiation of litigation in the case of Allan Powell v. Royal Stewart Arms Condominium #6, Inc.; HUD Case No. 04-21-4997-8; PC Case No. 21-001 - alleged housing discrimination.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Determination - Powell v Royal Stewart Arms, 2. Final Investigative Report - Powell v Royal Stewart Arms

Date	Ver.	Action By	Action	Result
8/10/2021	1	Board of County Commissioners	approved	Pass

**Subject:**

Proposed initiation of litigation in the case of Allan Powell v. Royal Stewart Arms Condominium #6, Inc.; HUD Case No. 04-21-4997-8; PC Case No. 21-001 - alleged housing discrimination.

**Recommended Action:**

Approval and authorization for the County Attorney to initiate litigation on behalf of Allan Powell through outside counsel retained for these legal services.

**Strategic Plan:**

N/A

**Summary:**

On January 11, 2021, Complainant Allan Powell 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 handicap and failure to make reasonable accommodation under the Fair Housing Act, as amended (42 U.S.C. §3601, et. seq.). Complainant installed a patio without requesting permission from Respondent and then requested that the patio installation be considered a reasonable modification to his dwelling or common area because of his disability. Complainant provided Respondent with evidence of his disability. Respondent denied Complainant’s request to approve the patio as a reasonable modification for Complainant’s disability. Following that investigation, on April 12, 2021, PCOHR issued a finding of reasonable cause to believe that Allan Powell was a victim of housing discrimination based on denial of a reasonable accommodation for his disability, in violation of Chapter 70 of the Pinellas County Code and the Fair Housing Act, as amended. 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.

**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

Keiah L. Townsend, Assistant County Attorney

**Partners:**

Office of Human Rights

**Attachments:**

Determination dated April 26, 2021.

Final Investigative Report dated April 26, 2021.