



Pinellas County

Staff Report

File #: 19-986A, **Version:** 1

Subject:

Proposed initiation of litigation in the case of Patrick Bergy v. Catholic Charities, et al; HUD Case No. 04-19-5727-8; PC Case No. 19-013 - alleged housing discrimination.

Recommended Action:

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

Strategic Plan:

N/A

Summary:

On November 19, 2018, Complainant Patrick Bergy, a disabled veteran, filed a charge of housing discrimination with the U.S. Department of Housing & Urban Development (HUD) alleging that Complainant and his minor children were subjected to unlawful housing discrimination on the basis of familial status and disability discrimination due to denial of reasonable accommodation. HUD referred the complaint to the Pinellas County Office of Human Rights (PCOHR) for investigation and processing. On April 8, 2019, following that investigation, PCOHR issued a finding of reasonable cause to believe that Patrick Bergy was a victim of housing discrimination based on familial status, in violation of Chapter 70 of the Pinellas County Code and the FHAA, including, but not limited to, 42 U.S.C. 3617, Sec. 804b and c. However, no cause was found on the allegation of denial of reasonable accommodation due to Complainant's disability. Attempts to conciliate the matter were unsuccessful.

In accordance with Sections 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 Pinellas County Office of Human Rights setting forth the facts and applicable law that led to the reasonable cause determination, as well as the Final Investigative Report, are attached.

Fiscal Impact:

Unknown.

Staff Member Responsible:

Jewel White, County Attorney
Diriki T. Geuka, Assistant County Attorney

Partners:

Office of Human Rights

Attachments:

Final Investigative Report dated April 8, 2019.

Determination dated April 8, 2019.