



Pinellas County

Staff Report

File #: 16-1361A, **Version:** 1

Subject:

Proposed initiation of litigation in the case of Melissa Vivenzio v. Edward Palladini - HUD Case No. 04-15-0215-8; PC Case No. 15-016 - alleged housing discrimination.

Recommended Action:

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

Strategic Plan:

N/A.

Summary:

In her December 19, 2014 complaint, Ms. Vivenzio filed a charge of housing discrimination with the U.S. Department of Housing and Urban Development (HUD) alleging she was subjected to unlawful housing discrimination on the basis of familial status. Specifically, Respondent refusing to continue to rent to her after her grandchild came to visit. In accordance with the agreement between HUD and the Pinellas County Office of Human Rights (PCOHR), the Complaint was forwarded to PCOHR for handling and investigation. Following that investigation, on April 9, 2015, PCOHR issued a finding of reasonable cause to believe that Ms. Vivenzio was a victim of housing discrimination based on familial status, in violation of the FHAA, 42 U.S.C. § 3604(a). Attempts to conciliate the matter were unsuccessful. In accordance with Section 70-146 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 following a reasonable cause determination.

Background Information:

A detailed memorandum setting forth the facts and applicable case law that led to the reasonable cause determination is attached.

Fiscal Impact:

Unknown.

Staff Member Responsible:

James L. Bennett, County Attorney
Brijesh Patel, Assistant County Attorney

Partners:

Office of Human Rights

Attachments:

February 18, 2016 memo from Michelle A. Wallace, former Senior Assistant County Attorney, to Paul Valenti, Human Rights/EEO Officer.