



Pinellas County

Staff Report

File #: 22-0806A, Version: 1

Subject:

Proposed initiation of litigation in the case of Leanne Brandfass v. Imperial Cove Condominium X Association, Inc.; HUD Case No. 04-22-8540-8; PC Case No. 21-049 - alleged housing discrimination.

Recommended Action:

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

Strategic Plan:

N/A

Summary:

On September 28, 2021, Complainant Leanne Brandfass and her husband John Brandfass filed a housing discrimination charge with the Pinellas County Office of Human Rights (PCOHR) alleging Complainant was subject to discriminatory acts under Section 818 (intimidation, interference, coercion, harassment) and failure to make reasonable accommodation on the bases of disability and retaliation under the Fair Housing Act, as amended (42 U.S.C. §3601, et seq.). Although the Association has a "no pet" policy, the Respondent permitted the Complainant's service animal to remain on the property. However, Respondent required Complainant to put a bark collar on her medical service animal who barks to alert when the Complainant's medical condition becomes critical. After Complainant filed a Fair Housing complaint, Respondent engaged in retaliatory actions such as verbal attacks, bullying and harassment including notifying the other Association residents that an assessment would be instituted for all residents due to the continuing lawsuits with Complainant. Following the investigation, PCOHR issued a finding of reasonable cause on March 11, 2022, stating that Leanne Brandfass did experience deliberate and intentional retaliatory acts in response to filing a Fair Housing complaint, a 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 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 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 March 11, 2022.

Final Investigative Report dated March 15, 2022.