



Pinellas County

Staff Report

File #: 16-1362A, **Version:** 1

Subject:

Proposed initiation of litigation in the case of James Paige v. Eagles Nest Residents, Inc., Lamont Management, Inc., Robert Kohler, William Rogers, Doris Eitel, Costa Chelikas and Sue Lamont - HUD Case No. 04-16-4065-8; PC Case No. 16-002 - alleged housing discrimination.

Recommended Action:

Approval to authorize outside counsel to initiate litigation on behalf of James Paige 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 December 2, 2015 complaint, Mr. Paige filed a charge of housing discrimination with the U.S. Department of Housing and Urban Development (HUD) alleging he was subjected to unlawful housing discrimination on the basis of disability. Respondents' responded to his request for reasonable accommodation by informing him that a decision on his request could take as long as 60 days causing him to seek alternative housing so that he could have his service dog with him. 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 March 11, 2016, PCOHR issued a finding of reasonable cause to believe that Mr. Paige was a victim of housing discrimination based on disability, in violation of the FHAA, 42 U.S.C. § 3604(f)(1). 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:

April 19, 2016 memo from Michelle A. Wallace, former Senior Assistant County Attorney, to Paul Valenti, Human Rights/EEO Officer.

