



Pinellas County

Staff Report

File #: 17-963A, **Version:** 1

Subject:

Proposed initiation of litigation in the case of Bradley and Valerie Yourth v. Belle Harbor Owner's Association, Inc., et al. - HUD Case No. 04-15-0788-8; PC Case No. 15-052 - alleged housing discrimination.

Recommended Action:

Approval to authorize outside counsel to initiate litigation on behalf of Bradley and Valerie Yourth through the existing agreements with Gulf Coast Legal Services, Inc. or Bay Area Legal Services, Inc. for legal services.

Strategic Plan:

N/A

Summary:

In their June 24, 2015 complaint, Bradley and Valerie Yourth filed a charge of housing discrimination with the U.S. Department of Housing and Urban Development (HUD) alleging Valerie Yourth was subjected to unlawful housing discrimination on the basis of her handicap. Specifically, Respondents' denial of Complainants' request to make a reasonable accommodation in their rules, policies, practices or services by failing to use "free and clear" cleaning solutions in the common elements. Following that investigation, on July 16, 2016, the Office of Human Rights issued a finding of reasonable cause to believe that Valerie Yourth was a victim of housing discrimination based on her handicap, in violation of the *FHAA*, 42 U.S.C. § 3604(f)(1)(A) and § 3604(f)(3)(B). 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, the County Attorney's office shall provide legal representation in an administrative hearing.

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:

Jewel White, Interim County Attorney
Brijesh Patel, Assistant County Attorney

Partners:

Office of Human Rights.

Attachments:

October 7, 2016 memo from Brijesh Patel, Assistant County Attorney, to Paul Valenti, Director, Office of Human Rights.