



Pinellas County

Legislation Details (With Text)

File #: 16-1960A **Version:** 1

Type: County Attorney Item **Status:** Passed

File created: 10/28/2016 **In control:** County Attorney

On agenda: 11/22/2016 **Final action:** 11/22/2016

Title: Proposed initiation of litigation in the case of Bryan Collins and Kathleen Collins v. Golf Terrace Investment Company, LP and Thelma Creech, Property Manager - HUD Case No. 04-16-4202-8; PC Case No. 16-020 - allegations of housing discrimination.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Review of Final Investigative Report/Determination - Collins

| Date | Ver. | Action By | Action | Result |
|------------|------|-------------------------------|----------|--------|
| 11/22/2016 | 1 | Board of County Commissioners | approved | Pass |

Subject:

Proposed initiation of litigation in the case of Bryan Collins and Kathleen Collins v. Golf Terrace Investment Company, LP and Thelma Creech, Property Manager - HUD Case No. 04-16-4202-8; PC Case No. 16-020 - allegations of housing discrimination.

Recommended Action:

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

Strategic Plan:

N/A

Summary:

In their January 25, 2016 complaint, Bryan Collins and Kathleen Collins filed a charge of housing discrimination with the U.S. Department of Housing and Urban Development (HUD) alleging Bryan Collins was subjected to unlawful housing discrimination on the basis of his handicap. Specifically, Respondents' denial of Complainants' request to make a reasonable accommodation in their rules, policies, practices or services by evicting Bryan Collins when he was Baker Acted after he suffered a psychotic episode. Kathleen Collins is Bryan Collins' mother, legal guardian, advocate, and co-lessee.

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 23, 2016, PCOHR issued a finding of reasonable cause to believe that Bryan Collins was a victim of housing discrimination based on his 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 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:

June 7, 2016 memo from Jason C. Ester, Senior Assistant County Attorney, to Paul Valenti, Director, Office of Human Rights