



Pinellas County

Staff Report

File #: 17-524A, **Version:** 1

Subject:

Proposed initiation of litigation in the case of Bryan Collins and Kathleen Collins v. Golf Terrace Investment Company, LP, et al., HUD Case No. 04-16-5015-8; PC Case No. 16-074 - alleged housing discrimination.

Recommended Action:

Approval to authorize outside counsel to litigate an additional charge on behalf of Bryan Collins and Kathleen Collins through the existing agreement with Gulfcoast Legal Services, Inc. for legal services for HUD Case No. 04-16-5015-8; PC Case No. 16-074.

This is a companion item to 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, which came before the Board on November 22, 2016, item no. 31.

Strategic Plan:

N/A

Summary:

In their August 11, 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 and intimidation/retaliation. Specifically, Respondents denied or otherwise made housing unavailable by refusing to renew their lease after Complainants filed a previous housing discrimination complaint against them. 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 November 7, 2016, PCOHR issued a finding of reasonable cause to believe that Bryan Collins was a victim of housing discrimination based on his handicap and intimidation/retaliation, in violation of the FHAA, 42 U.S.C. § 3604(f)(1)(A) and 42 U.S.C. § 3617. 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, 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 for this matter is attached.

This is a companion item to 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, which came before the Board on November 22, 2016, and after approval, was forwarded to Gulfcoast Legal Services on December 1, 2016, for initiation of litigation.

Fiscal Impact:

Unknown.

Staff Member Responsible:

James L. Bennett, County Attorney

Brijesh Patel, Assistant County Attorney

Partners:

Office of Human Rights

Attachments:

November 22, 2016 memo from Brijesh Patel, Assistant County Attorney, to Paul Valenti, Director, Office of Human Rights.