



Pinellas County

Staff Report

File #: 17-1647A, **Version:** 1

Subject:

Proposed initiation of litigation in the case of Donna Pitman and Frank Owen v. Lake Placid Park, Inc.; HUD Case No. 04-17-7118-8; PC Case No. 17-016 - alleged housing discrimination.

Recommended Action:

Approval to authorize outside counsel to initiate litigation on behalf of Donna Pitman and Frank Owen 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 February 16, 2017 complaint, Donna Pitman, a person with a disability, and her partner, Frank Owens, filed a charge of housing discrimination with the Pinellas County Office of Human Rights (PCOHR) alleging Complainant, Donna Pitman, was subjected to unlawful housing discrimination on the basis of her handicap. Specifically, Respondent's denial of Complainant's request to make a reasonable accommodation in their rules, policies, practices or services by informing Complainant, after she had received approval for her support animal, that it would not be allowed on the property. At a subsequent Home Owners Association (HOA) meeting, the approval was formally rescinded and Respondent has continued to deny approval even though Complainant's doctor has provided additional information. Following that investigation, on July 17, 2017, PCOHR issued a finding of reasonable cause to believe that Donna Pitman was a victim of housing discrimination based on her handicap, in violation of Chapter 70 of the Pinellas County Code and the FHAA, including, but not limited to, 42 U.S.C. § 3604(f). 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:

The Final Investigative Report as well as the Determination issued by the PCOHR setting forth the facts and applicable law that led to the reasonable cause determination are attached.

Fiscal Impact:

Unknown.

Staff Member Responsible:

Jewel White, County Attorney
Brijesh Patel, Assistant County Attorney

Partners:

Office of Human Rights

Attachments:

Final Investigative Report
Determination