

**City of Tampa
Human Rights Board
Meeting Minutes
October 17, 2018**

The City of Tampa Human Rights Board met for review of a housing case, on Wednesday, October 17, 2018, at 9:15 a.m., at the Lemon Street Municipal Office Building, 4900 W. Lemon Street, 1st floor, HCD Conference Room C, Tampa, FL 33607.

MEMBERS IN ATTENDANCE

Anthony Carswell	Tomika Cole	Jessica Driggers
Parker Homans	Sylvia Hubbard	Janet MacNealy
Ashley Roberts		

MEMBERS ABSENT

John Perry	Anna Ramos
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CITY OF TAMPA REPRESENTATIVES IN ATTENDANCE

Betina Baron	Rebecca Cortes	Justin Vaske
Shakayla Birch	Patricia Newton	Mindi Rainey

PUBLIC IN ATTENDANCE

Cristy Ciaccio (via phone)

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 9:15 a.m. by Parker Homans, member, who then made roll call. A quorum was met.

PUBLIC COMMENTS

Addressing the Board via telephone, Christy Ciaccio opposed the “No Probable Cause” determination in her fair housing discrimination case that was issued by the Administrator of Chapter 12, the Tampa Human Rights Ordinance (Tampa Code).

BUSINESS AT HAND

Case Review:

HUD: 04-18-2342-8 / FHAP: HOU 18-0017

Christy Ciaccio v. 4711 Himes, LLC et al

P. Newton opened the discussion of the referenced complaint and reminded the board members of its role in reviewing the facts of this housing case, which is to support the Administrator’s recommendation, or remand the case for additional investigation.

After a brief discussion of the facts in the case and several questions asked of S. Birch, the investigator in the case, J. MacNealy made a **motion** to adopt the Tampa Office of Human Rights (TOHR) finding of “No Reasonable Cause”. P. Homans **seconded the motion**, and the **motion passed** unanimously.

Human Rights Board Administrative Hearings Rules of Procedure

J. Vaske presented recommended revisions to the Administrative Hearings Rules of Procedures and suggested that revisions be immediate due to an upcoming hearing. He referenced **RULE VI. MISCELLANEOUS – Section 3. Amendments:** *An amendment may be adopted without prior notice if the Board determines an emergency exists necessitating immediate action; and the City Attorney shall prepare all amendments to these Rules; and any amendment shall take effect upon adoption unless otherwise indicated.* J. Vaske also recommended eliminating any reference at this time to employment discrimination from the Administrative Hearings Rules of Procedures until City Council’s review of the Tampa Code.

After the Board reviewed the suggested amendments, deletions and additions, a discussion ensued, along with questions. J. MacNealy made a **motion** that was seconded by J. Driggers; and the motion passed unanimously, agreeing to remove any reference to employment discrimination and adopting the following revisions and additions to the Administrative Hearings Rules of Procedures:

- **RULE II. NOTICES; HEARING OFFICERS – Section 4. Rights of Parties:** *Each party may appear in person, be represented by counsel, introduce documentation or other relevant evidence into the record, and may request the issuance of subpoenas. (Added Section)*
- **RULE III. RULES OF EVIDENCE, STANDARD OF REVIEW – Section 3. De novo hearing:** *The term “de novo” means a fresh, independent determination of the matter at hand. In these hearings, the hearing officer’s inquiry is de novo, and is not limited to or constricted by the administrative record. The hearing officer’s review is based on the evidence presented at the hearing and/or admitted by stipulation of the parties. (Amended to include De Novo Hearing)*
- **RULE IV. CONDUCT OF HEARINGS – Section 2. Standards of conduct:** *Hearing Officer shall suspend the hearing for a reasonable time to enable either party to obtain another attorney. (One sentence added to the Section)*
- **RULE VI. MISCELLANEOUS – Section 4. Failure of a party to appear:** *A default decision shall be entered against a party for failing to appear at a hearing unless such party shows good cause for such failure. (Added Section)*
- Under **Certificate of Secretary**, the date that said Rules of Procedures are now in full force and effect will be changed from 9th day of February, 2011, to 17th day of October, 2018.

NEXT MEETING

The next meeting has been scheduled for Tuesday, December 11, 2018, at 10:00 a.m. at Tampa Municipal Office Bldg. (City Hall), 306 E. Jackson St. – 1st Floor, Mayor’s Conference Room, Tampa, FL 33602.

The Chairman, A. Carswell asked that a meeting reminder be sent during the week of Thanksgiving, and reminded members to park at Ft. Brooke parking garage; and TOHR will validate the parking tickets.

S. Hubbard made a **motion** to adjourn the meeting. The **motion was seconded** by P. Homans, and the **motion passed** unanimously. The meeting ended at 9:50 a.m.

Respectfully submitted.