

City of Tampa
Human Rights Board
Meeting Minutes
April 14, 2021

The City of Tampa Human Rights Board held their third meeting of the year on April 14, 2021, at 9:00 a.m. at Lemon Street Municipal Office Building, 4900 W. Lemon Street, 1st floor, HCD Conference Room C, Tampa, Florida 33609.

MEMBERS IN ATTENDANCE

Anthony Carswell Brian Frey Ashley Roberts
John Perry Trevor Rosine

CITY OF TAMPA REPRESENTATIVES IN ATTENDANCE

Betina Baron Carl Brody Chris Calder
Naomi Candelaria Maurice Foster HPD Officer Cosme

MEMBERS OF THE PUBLIC

L. Wedge; B. Toston

CALL TO ORDER AND ROLL CALL

A. Carswell, the Chairman, called the meeting to order at 9:02 a.m. Roll Call was conducted, with all board members in attendance, except Board Member Tomika Cole.

INTRODUCTIONS

Respondent Lei Wedge and Complainant Brad Toston introduced themselves.

The chair announced that the Board would be proceeding out of order for the guests' convenience and proceeding to the Case Review on the agenda.

CASE REVIEW

Office of Human Rights Investigations Supervisor M. Foster began by summarizing past actions taken with the case. M. Foster noted that the contention is with what was said during the purported phone call between Investigator K. Irvani and Respondent.

T. Rosine stated that the City of Tampa (COT) telephone records shown an outbound call was made from the Tampa Office of Human Rights to Respondent. However, Investigator K. Irvani's notes stated it was an inbound call.

M. Foster stated that given the Investigator is no longer with the City, he could not compel the Investigator to sign an affidavit. However, the Investigator said his report is his affidavit.

T. Rosine stated that it could not be proven that the call was with RP.

RP provided Board with a sealed envelope from T-Mobile as new evidence. RP unequivocally stated she did not speak with Investigator Irvani.

J. Perry stated that if the Investigator is not believed, then the Investigator fabricated the entire conversation, which does not seem likely. J. Perry further stated that it is far-fetched to think the Investigator would inadvertently have a detailed conversation with a third party.

A. Carswell stated Investigators are given credibility to do their work, and the Board's responsibility is to trust the Investigator.

C. Brody gave guidance on Reasonable Cause as per the City Code.

C. Brody advised the Board to retain all new evidence for the record.

A. Carswell asked M. Foster to read the summary of the Investigative Findings.

M. Foster stated that the motivation of the Investigator is irrelevant, as the Tampa Office of Human Rights and the investigators conduct impartial and unbiased investigations. M. Foster further stated that the Investigative Findings show that the RP stated she "treats all animals as pets" and that there would be a pet deposit of \$500.

RP stated that she did not discriminate on applications, and the CP was below the income level, so the application was not even submitted.

CP asked to make corrections for the record and present new evidence.

C. Brody stated that admitting new evidence relies on the Board.

B. Toston presented the following objections:

- **Not a case of he said, she said, as his mother was present as a witness.**
- **CP has a signed affidavit from the witness**
- **RP did not understand the difference between a pet and a service animal**
- **Protested a Board Member pulling up rentals at the previous board meeting. This was not part of the board's responsibilities, and CP felt the member was trying to help the RP.**
- **Protested Board members stating that MLS listings could not be amended, as they can be.**
- **Stated that his application was submitted**
- **CP has an email, showing there were no stated income floor**

- CP has email showing that RP asked for references

L. Wedge informed the Board that she told the CP that she does not file the application until she pre-screens it. Upon screening the applicant, Respondent Wedge asserted that the Complainant did not meet the income requirements. As such, Respondent stated, there was no need to discuss a pet deposit.

L. Wedge stated she never met Investigator Irvani and only had one phone call from him, using email for all other communications.

L. Wedge further stated that she texted CP and informed him they could not move forward due to income.

L. Wedge concluded by stating just because a landlord does not know the law regarding service animals does not mean she discriminated.

A. Carswell acknowledged that while the Board handles cases in a professional manner, he recognizes that it feels very personal for both parties, and as such, the Board is compelled to take time in review.

J. Perry moved to uphold the Mixed Determination finding.

T. Rosine seconded the motion.

A vote was taken and passed unanimously.

C. Brody stated the charge will be filed by TOHR within 20 days, and documentation will be mailed to both parties. CP has the option to move forward with a hearing in civil court or with a Hearing Officer. Conciliation is also still available.

A. Carswell thanked both parties for their attendance and moved forward with the Board Meeting.

APPROVAL OF MINUTES

The Chairman invited the Board members to review the minutes from February 10, 2021, board meeting. B. Frey **moved** to accept the meeting minutes. The motion was **seconded**, and the **motion passed** unanimously.

REGULAR REPORTS

Supervisor's Report

Maurice Foster, Human Rights Investigator Supervisor, began by noting that the TOHR needs to discourage outside settlements, as it makes enforcement by TOHR/HUD/EEOC difficult.

M. Foster continued by informing the Board that April is Fair Housing Month, and there will be a virtual Tampa Bay Fair Housing Symposium on April 20, 2021, and Board members are welcome to attend.

M. Foster concluded by informing all that Investigator N. Candelaria will be giving training at a housing forum for the Tampa Bay Real Estate for All Alliance on April 20, 2021.

OLD BUSINESS

C. Brody updated the Board members on the City Ordinance revision. C. Brody stated he and M. Foster reviewed the draft with A. Feeley and C. Post.

C. Brody informed the Board that he is currently making the changes for Human Rights Board composition, and it will proceed to the City Council workshop next.

C. Brody concluded by stating he would like to discuss board expectations, board responsibilities, etc., in the next couple of meetings to clarify the hearing process.

NEXT MEETING

The next board meeting will be on Wednesday, May 12, 9:00 AM, at LMOB.

ADJOURNMENT

B. Frey made a motion to adjourn, motion was seconded, and passed unanimously.

Board adjourned at 11:08.