

**MINUTES OF THE REGULAR MEETING OF
THE OHIO CIVIL RIGHTS COMMISSION**

October 17, 2013

Cleveland Marshall College of Law
Columbus, Ohio

CALL TO ORDER

Chairman Hubert called the meeting to order at 10:00 a.m.

Commissioners Present:

Chairman Leonard Hubert
Commissioner Tom Roberts
Commissioner Stephanie Mercado

Absent:

Commissioner William W. Patmon, III

A quorum was present.

OCRC Staff Present:

G. Michael Payton, Executive Director; Desmon Martin, Director of Enforcement and Compliance; Aman Mehra, Columbus Regional Director; Norman Gibson, Dayton Regional Director; Darlene Newbern, Toledo Regional Director Vera Boggs, Cleveland/Akron Regional Director; Courtney Calhoun, Reconsideration Supervisor; Bradley Dunn, Reconsideration Supervisor; Lori Anthony, Chief, Civil Rights Section – Ohio Attorney General’s Office; and Sandra Aukeman, Administrative Assistant.

Chairman Hubert welcomed everyone in attendance and thanked Cleveland Marshall College of Law and Commissioner Stephanie Mercado for hosting today’s meeting.

APPROVAL OF MINUTES

**MOTION by Commissioner Mercado to approve the September 26, 2013 minutes.
Seconded by Commissioner Roberts.**

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Mercado	YES
Commissioner Tom Roberts	YES

Motion carried.

CONFIRMATION OF STAFF FINDINGS

1. Complainant's Request for Reconsideration – Vacate Original No Probable Cause Finding and Grant for Further Review

Floyd Trent Jr. v. Stonecreek Interior Systems, LLC
COLB1(40176)04042013
22A-2013-02019C

Mary Ann Haupricht v. New York Life
TOL72(35695)01042013 AMENDED
22A-2013-01084C

Michael J. Fischbach v. Cherne Contracting Corporation
TOLB2(35714)01172013
22A-2013-01261C

Roberta L. Jones v. ProMedica Health Systems, Inc.
TOLB2(36065)07252013
22A-2013-02858C

William J. Taraschke v. State of Ohio, Department of Rehabilitation and Correction
AKRB3(36722)01182013
22A-2013-01270C

Nichole L. Massie v. Boston Benefits Group, Inc.
AKR73(36734)01312013
22A-2013-01395C

Charmaine B. Thurman v. County of Summit, Department of Job and Family Services
AKR73(36873)04292013
22A-2013-02047C

Nichole L. Massie v. Boston Benefits Group, Inc.
AKR73(36927)05242013
22A-2013-02275C

William J. Taraschke v. State of Ohio, Department of Rehabilitation and Correction
AKRB3(36929)05282013
22A-2013-02278C

Ivan and Izidora Susic v. Third Federal Savings & Loan
CLEF4(41872)02202013
22A-2013-01560F

Andrea Riley v. DBH Enterprises, Inc.; Susan Hogan, Manager
DAYH6(23470)02072013
22A-2013-01466F

Complainant's Request for Reconsideration – Vacate Original No Probable Cause Finding and Grant for Further Review - continued

Richard E. Keefe v. Montgomery County Stillwater Center
DAYB6(23545)04092013
22A-2013-02102C

2. Respondent's Request for Reconsideration – Grant for Further Review

Jennifer Burke v. Shannon Byers, and Rick Noca*
AKRH3(36746)01142013 AMENDED
05-13-0316-8
22A-2013-01440F

*Split decision – Probable Cause on the basis of retaliation; No Probable Cause on the basis of race and familial status

Howard C. Strong, Jr. v. Solon Sportsmen's Association
CLEG4(41878)02132013
22A-2013-01566F

3. Issue Dismissal Order – Submitted by the Attorney General's Office

Sherri Lynn Hamler v. Southwest Airlines Co.
COL71(33674)10052006
22A-2007-00521C
Complaint No. 07-EMP-COL-33674

Stanly Young v. Frostbite Brands, Inc.
TOL72(31678)10092007
22A-2008-00973C
Complaint No. 08-EMP-TOL-31678

Candy Robinson v. Frog Town USA
CIN75(32468)01062007
22A-2007-01968C
Complaint No. 07-EMP-CIN-32468

4. Common Pleas Court Election; Dismiss Formal Complaint – Submitted by the Attorney General's Office

Fair Housing Advocates Association v. Akron Metropolitan Housing Authority
AKRH3(36140)12082011
05-11-0359-8
22A-2012-00848F
Complaint No. 12-HOU-AKR-36140

Common Pleas Court Election; Dismiss Formal Complaint – Submitted by the Attorney General’s Office - continued

Dorothy Murry v. Akron Metropolitan Housing Authority
AKRH3(36141)12082011
05-11-0415-8
22A-2012-00849F
Complaint No. 12-HOU-AKR-36141

5. Probable Cause – Schedule Conciliation

Fair Housing Resource Center, Inc. v. Richard D. Christenson, III, Rick “Ricky” Christenson, Mentor Park Apartments
CLEH4(41886)02122013 AMENDED
05-13-0448-8
22A-2013-01640F

6. Issue Formal Complaint

Fair Housing Advocates Association v. UMH OH Colonial Heights, LLC, UMH Properties, United Mobile Homes of Ohio, Inc., Colonial Heights, Sandy Valley Estates, and Terri Prokorym, Community Manager
AKRH3(36605)10292012
05-13-1487-8
22A-2013-00389F

Brenda Mamula v. UMH OH Colonial Heights, LLC, UMH Properties, United Mobile Homes of Ohio, Inc., Colonial Heights, Sandy Valley Estates, and Terri Prokorym, Community Manager
AKRH3(36606)10292012
05-13-1486-8
22A-2013-00390F

Roberto Diaz v. DMR Automotive Services, Inc. dba Almira Tire Center
CLE74(41846)01232013
22A-2013-01306C

7. Ratify Conciliation Agreement and Consent Order Prior to Final Determination – Close

Kacey Noel v. HS Tamarack Arms LLC and Schottenstein Property Group LLC dba Tamarack Arms
COLH1(40470)08072013
05-13-1215-8
22A-2013-03074F

Ratify Conciliation Agreement and Consent Order Prior to Final Determination – Close - continued

Fair Housing Resource Center, Inc. v. Ernest Jurkuta*

CLEH4(41833)01142013

05-13-0336-8

22A-2013-01303F

* Ratified Conciliation Agreement and Consent Order on the issue of the rental application; No Probable Cause on the issue of testing

Derrick Simms v. Greater Cleveland Regional Transit Authority

CLEG4(42058)06282013

22A-2013-02608F

Amelia Jane Greene v. Ohio Christian University

ADRK1(40497)08202013

22A-2014-00074F

Malecia R. McMullin v. Wendledo, LLC dba Wendy's Old Fashioned Hamburgers

ADR72(36116)08212013

22A-2013-03101C

John Byrd v. Manpower

ADRA2(36141)08302013

22A-2013-03205C

Fair Housing Contact Service, Inc. v. Chris Fleischer and Fleischer Investments I, LLC

ADRH3(36966)06172013

05-13-1281-8

22A-2013-02448F

John M. Morrison v. Dean's Outdoor Power Equipment, Inc.

ADRB3(36995)07082013

22A-2013-02629C

Georgina McNab v. Plus One Communications, LLC

ADRB3(37011)07222013

22A-2013-02772C

Trenaya Nyshell Blackburn v. DQR 6, Inc. dba Steubenville Dairy Queen

ADR73(37016)07252013

22A-2013-02854C

Dethrow Jackson v. Hope Homes, Inc.

ADRB3(37043)08072013

22A-2013-02986C

Ratify Conciliation Agreement and Consent Order Prior to Final Determination – Close - continued

Rebecca S. Hughes v. Julianne DeMartino, M.D. LLC
ADRE3(37044)08072013
22A-2013-02987F

Kandyce Robinson v. Montgomery County Department of Job & Family Services
ADR76(23851)09112013
22A-2014-00067C

Vladimir Futoryansky v. TesTech, Inc.
ADRA6(23853)09132013
22A-2014-00125C

8. Withdrawal of Charge with Settlement

Keisha M. Williams v. The Limited, Inc.
COL71(40430)07302013
22A-2013-03446C

Venkata Gomatham v. Hilliard Grand Apartments, LLC and Steadfast Management Company, Inc.
COLH1(40539)09122013
05-13-1416-8
22A-2013-03394F

Joseph C. Peake v. Olson Commercial Cold Storage, LTD.
TOL72(35915)05072013
22A-2013-02114C

Deborah D. Thomas v. Project Access, Inc. et al; Tim Mullins, Manager
TOLH2(36011)07012013
05-13-1041-8
22A-2013-02601F

James & Paula Murray v. Eastpointe Apartments LP et al dba Eastpointe on the Mall; Ten South Management Company LLC et al
TOLH2(36187)09252013
05-13-1447-8
22A-2014-00042F

Raymond and Katarzyna Smith v. Forest Ridge Homeowners Association, Inc., Mel Schindler, Natalie Schindler, Rita Kral, Sandra Parabek, Janice Schelat
AKRH3(37038)08052013
05-13-1209-8
22A-2013-02949F

Withdrawal of Charge with Settlement – continued

Kimberly Manzi v. Millennia Housing Management, Ltd., Hilltop Investments, Inc.
CLEH4(41960)04242013 AMENDED
05-13-1112-8
22A-2013-02051F

Fair Housing Advocates Association v. Grady Appleton, Lakeyta Clark, Cheyenne
Covington, East Akron Neighborhood Development Corporation
CLEH3(36994)06282013
05-13-1015-8
22A-2013-02634F

Amy L. Griffith v. Montgomery County Common Pleas Court
DAY76(23461)01312013
22A-2013-01383C

Vickie L. Cole v. Montgomery Development Center
DAYB6(23487)02212013
22A-2013-01610C

Dana Simpson v. Klosterman Bakery
DAY76(23522)03222013
22A-2013-01807C

Vickie Cole v. Montgomery Development Center
DAY76(23523)03222013
22A-2013-01805C

Dana Simpson v. Klosterman Bakery
DAY76(23547)04122013
22A-2013-01976C

Nnamdi O. Ibe v. Tailored Management
ADRB1(40382)06252013
22A-2013-02829C

Mr. Shae Burchett v. Critical Care Transport, Inc.
ADRB1(40409)07172013
22A-2013-03231C

Heidi Sue Johnston v. Lowe's
ADR71(40439)07242013
22A-2013-03263C

Ryan Cramer v. Nissin Brake Ohio, Inc.
ADR72(36136)08282013
22A-2013-03198C

Withdrawal of Charge with Settlement – continued

Christy L. Reneau v. A&A Holdings LLC dba Church's Chicken
ADR72(36133)08282013
22A-2013-03181C

Fair Housing Contact Service, Inc. v. Kurt L. Rieppel, Spring Lakes, Ltd., Spring Lakes Limited Partnership, Spring Lakes, Phase II, Limited Liability Company, Bronwynn Hopton and Wymann Elliott, III
ADRH3(36934)05282013
05-13-0865-8
22A-2013-02373F

Keiana Rogers v. Cincinnati Children's Hospital Medical Center
DAY76(23765)07242013
22A-2013-02910C

Erica & Debbie Byrd v. College Hill Apartments
DAYH6(23799)08072013
22A-2013-03435F

Sandra Musacchia v. Kurt L. Rieppel, Spring Lakes, Ltd., Spring Lakes Limited Partnership, Spring Lakes, Phase II, Limited liability Company, Bronwynn Hopton and Wymann Elliott, III
ADRH3(36935)05282013
05-13-0868-8
22A-2013-02374F

Alva B. Drumm v. Ganley Ford, Inc.
ADRA3(36945)06052013
22A-2013-02385C

Frederick Neal v. Kurt L. Rieppel, Spring Lakes, Ltd., Spring Lakes Limited Partnership, Spring Lakes Phase II, Limited Liability Company, Bronwynn Hopton and Wymann Elliott, III
ADRH3(36971)06182013
05-13-0926-8
22A-2013-02515F

9. Withdrawal of Charge – Grant

Jeffrey James Carnes v. State of Ohio, Department of Taxation
COL71(39929)12072012
22A-2013-01111C

Otelia Simmons v. Arbor E&T, LLC dba ResCare Workforce
COL71(39938)12182012
22A-2013-01129C

Withdrawal of Charge – Grant – continued

Joel Dean Riley v. Kohl's Department Stores, Inc.
TOLA2(35728)01252013
22A-2013-01318C

Renaee Pattin v. Omnicare ESC, LLC
TOL72(35732)01292013
22A-2013-01334C

Rodney Williams v. Johnson Controls, Inc.
TOL72(35739)02012013
22A-2013-01378C

Billy D. Brown v. Magna Modular Systems, Inc. dba T. E. A. M. Systems
TOL72(35744)02052013
22A-2013-01415C

Patricia A. Law v. Teledyne Technologies, Inc.
TOL72(35763)02122013
22A-2013-01481C

Renaee Pattin v. Omnicare ESC, LLC
TOL72(35795)03062013 AMENDED
22A-2013-01621C

Daron R. DuPrae v. Guardian Industries Corp.
TOL72(35842)04012013 AMENDED
22A-2013-01831C

Kathy J. Graber v. Bittersweet, Inc.
TOLB2(35845)04012013
22A-2013-01834C

Mesha V. Brown v. State Of Ohio, Department of Rehabilitation & Correction
TOL72(35879)04152013
22A-2013-01911C

Blaire Caldwell v. Dolgen Midwest LLC dba Dollar General Stores
TOL72(35887)04192013 AMENDED
22A-2013-01966C

Dionne L. Waters v. Lucas County Sheriff's Department
TOL72(35902)04302013
22A-2013-02068C

Lanise Henry v. United Insurance Company of America
CLE74(41881)02262013
22A-2013-01636C

Withdrawal of Charge – Grant – continued

Lanise Henry v. United Insurance Company of America
CLE74(41882)02262013
22A-2013-01637C

Lanise Henry v. United Insurance Company of America
CLE74(41883)02262013
22A-2013-01638C

Melvin King v. Famicos Foundation, Nicole McClaim, Famicos Doan Classroom LLC
CLEH4(41982)05062013; 05-13-1185-8
22A-2013-02112F

Dawn Noel Burton v. Braveheart Manor
CLEH4(42004)05292013
22A-2013-02332F

Sandra Speller v. Toledo Association of Administrative Personnel
CLE72(35740)02012013
22A-2013-01379C

Alpha Harris v. Independent Concrete Pipe
ADRA2(36120)08232013
22A-2013-03124C

Dawn Marie McNeal v. Apex Eagle 7760, LLC dba Friendly's
ADRA3(37020)07292013
22A-2013-02922C

10. Failure to Cooperate – Dismiss

Jason and Jessica Turner v. Gary and Connie Mathis
COLH1(40371)07012013
05-13-1017-8
22A-2013-02619F

Ronn Chapman v. Brandway Limited and Oakwood Management Company dba
Asherton of Dublin
COLH1(40496)08212013
05-13-1286-8
22A-2014-00025F

Katherine Castillo v. Robert Brockbrader
AKRH3(36654)11272012
05-13-0175-8
22A-2013-00924F

11. Failure to Accept Full Remedy - Dismiss

Weston Johnson v. Community Markets, Inc.
TOLG2(35650)12072012
22A-2013-00861F

12. Administrative Closure

Delores Womack v. Ridgewood Senior Villas and Jessica Seiter
AKRH3(36653)12072012
05-13-0212-8
22A-2013-00923F

13. No Probable Cause – Dismiss

Robin Sharon Wilson v. Keihin Thermal Technology of America, Inc.
COLA1(39895)11292012
22A-2013-00834C

Rhonda R. Bundy v. American Electric Power Service Corp.
COL71(39897)12032012
22A-2013-00815C

Tayron Suarez v. Harvest Management Sub TRS Corp dba The Worthington
COL71(39899)12032012 AMENDED
22A-2013-00813C

Billy Allison Jr. v. Center of Vocational Alternatives (COVA)
COLB1(39900)12032012
22A-2013-00827C

Michaelynn Jones v. Sunrise Senior Living Management, Inc.
COL71(39905)12052012
22A-2013-01004C

Jolly Prentiss v. Southeast Recovery & Mental Healthcare Services
COLA1(39907)12062012
22A-2013-01005C

Margaret A. Anthony v. Acloche, LLC
COLA1(39908)12062012
22A-2013-01109C

Quida Redding v. State of Ohio, Department of Development Disabilities
COL71(39911)12102012
22A-2013-00995C

No Probable Cause – Dismiss – continued

Mark A. Pariscoff v. Sequent, Inc.
COL71(39915)12112012
22A-2013-00988C

Shabree L. Glenn v. Columbus Green Cabs, Inc. dba Yellow Cabs of Columbus
COL71(39922)12122012
22A-2013-00994C

Latachia Lyles v. Jewish Family Services
COL71(39925)12122012
22A-2013-00996C

Ryan K. Griffin v. Carnegie Management Services, Inc. dba McDonald's
COLB1(39926)12122012
22A-2013-00993C

Roberta Pyscher v. State of Ohio Department of Job & Family Services
COLA1(39928)12072012
22A-2013-01110C

Shelly Jo Adkins v. March Investors LTD dba Hampton Inn
COL71(39931)12122012
22A-2013-01134C

Kevin McClelland v. JJRAK, LLC dba McDonald's
COLG1(39934)12182012
22A-2013-01125F

Paul M. Swanson v. Ohio Steel, Inc.
COL71(39936)12182012
22A-2013-01136C

Shawn Peak v. Clover Leaf Cold Storage
COL71(39939)12182012
22A-2013-01147C

Evette Russell v. Hollywood Casino
COL71(39951)12202012
22A-2013-01139C

Heidi Alisha Carter v. State of Ohio, Department of Youth Services
COL71(39955)12212012
22A-2013-01138C

Dennis Harris v. CAPSA Solutions LLC
COL71(39956)12242012
22A-2013-01118C

No Probable Cause – Dismiss – continued

Sheri Daniels v. Franklin County Department of Job and Family Services
COLB1(39958)12272012
22A-2013-01133C

Leanne M. Felix v. Columbus Center for Human Services, Inc.
COL71(39986)01142013
22A-2013-01283C

Chad Ballard v. Dutro Ford Lincoln, Inc.
COL71(39993)01172013
22A-2013-01364C

Donald Leroy Rutter v. Rocky Brands, Inc.
COLA1(40069)02262013
22A-2013-01746C

Jack Bruce Barr v. City of Reynoldsburg
COLA1(40116)03142013
22A-2013-01951C

Margo Martin v. Buffalo Wild Wings, Inc.
COL71(40131)03262013
22A-2013-02299C

Bradley C. Waters v. Huntington Bancshares Financial Corporation
COLH1(40143)01282013
05-13-0401-8
22A-2013-01826F

Mohammad Hamed v. Cambridge Metropolitan Housing Authority
COLH1(40159)03262013
05-13-0638-8
22A-2013-01827F

Thomas E. Stone v. The Ohio State University
COLB1(40161)03292013
22A-2013-02287C

Alyson M. Huguley v. Ohio Development Services Agency*
COLB1(40171)04032013
22A-2013-02290C

*Commissioner Mercado recused herself from participation in this case

Annie Young v. Ten South Management Company, LLC
COL71(40196)04122013
22A-2013-02201C

No Probable Cause – Dismiss – continued

Moses Adam v. CHC Correctional Healthcare Companies
COL71(40231)05012013
22A-2013-02644C

Ronald Tyrone Fleming v. ODRC, Pickaway & Ross Correctional Institutions
COL71(40237)05032013
22A-2013-02252C

Katrina L. Strong v. State of Ohio, Department of Rehabilitation and Correction
COL71(40238)05032013
22A-2013-02250C

Remi O. Abubakar v. Nationwide Mutual Insurance Company
COL71(40257)05132013
22A-2013-02670C

Joseph Carter Jr. v. G & G Cement Contractors, LLC
COL71(40264)05162013
22A-2013-02507C

Abdou Sidibeh v. Jefferson Industries Corporation
COL71(40269)05162013
22A-2013-02495C

Romique Elyse Motton v. Franklin County Auditor
COL71(40364) 07022013
22A-2013-03005C

Victor Smith v. Wallace F. Ackley Company
COLH1(40405)07162013
05-13-1095-8
22A-2013-02725F

Maurice Martin v. Claremont Retirement Village
COL71(40414)07192013
22A-2013-03243C

James Hauenstein v. Ohio Civil Service Employees Association
COL76(23553)04172013
22A-2013-02668C

Michquell Davis v. Kroger
TOLB2(35705)01142013
22A-2013-01196C

No Probable Cause – Dismiss – continued

LaShawn Terrell v. Akron Digital Academy
AKRA3(36725)01242013
22A-2013-01316C

Chantelle Bray v. Dolgen Midwest, LLC subsidiary of Dollar General
TOL72(35730)01282013
22A-2013-01327C

Michael C. Alexander v. Findlay Products Corporation
TOL72(35734)01292013
22A-2013-01348C

Tiandra M. Horn v. The Laurels of Toledo
TOL72(35711)01162013
22A-2013-01244C

Carlo D. Adams v. State of Ohio, Tiffin Developmental Center
TOL72(35713)01172013
22A-2013-01260C

Ja' Juan Hooker v. Maumee Robin, Inc. dba Red Robin
TOL72(35720)01232013
22A-2013-01292C

Brenda Szczerba v. Kmart Corporation
TOLA2(35723)01242013
22A-2013-01308C

Robert Morgan v. Camp Perry
TOL72(35725)01242013
22A-2013-01310C

Dorothy Spurlock v. The University of Toledo
TOLB2(35727)01242013
22A-2013-01312C

Louis Garcia v. Materion Brush, Inc.
TOL72(35735)01302013
22A-2013-01349C

Jessie Lockard v. Economic Opportunity Planning Association of Greater Toledo
TOLA2(35766)02142013
22A-2013-01490C

Chad W. Dodds v. A&M Cheese Co./Sofo Foods of Ohio, LLC
TOL72(35767)02142013
22A-2013-01491C

No Probable Cause – Dismiss – continued

Selena Sprott v. Economic Opportunity Planning Association
TOL72(35808)03132013
22A-2013-01689C

David C. Wright v. Blanchard Valley Health System
TOL72(35895)04262013
22A-2013-02032C

Barbara J. Waugh v. Lucas County Court of Common Pleas
TOLB2(35939)05172013
22A-2013-02203C

Austin Aitken v. Bank of America Home Loan et al; Beau Plotner, Customer Refinance
Manager
TOLH4(41818)12132012
05-13-0226-8
22A-2013-01156F

John Johnson v. Akron Metropolitan Housing Authority
AKRH3(36629)11212012
22A-2013-00575F

Reginald Wallace v. Vincent Butler, Butler Management, LLC
AKRH3(36655)11302012
05-13-0179-8
22A-2013-00925F

Deborah A. Parker v. The City of Canton
AKRH3(36685)01032013
22A-2013-01191F

James Moody v. C.C. Realty & Property Mgmt, LLC, and Cheryl Sheppard
AKRH3(36716)01172013
05-13-0887-8
22A-2013-01263F

Christy Jo Anderson v. Boardman Township Police Department
AKR73(36753)02112013
22A-2013-01456C

Angela Dasai v. Warren City School District
AKR73(36757)02132013
22A-2013-01487C

Tammy R. Glenn v. Ohio North East Health Systems, Inc. dba One Health Ohio
AKR73(36778)02272013
22A-2013-01624C

No Probable Cause – Dismiss – continued

Kim Ennis v. Sam Thomas III, Esq. & Associates, LLC
AKRE3(36800)03142013
22A-2013-01699F

LaShawn Terrell v. Akron Digital Academy
AKR73(36829)03282013
22A-2013-01901C

Christy Jo Anderson v. Boardman Township Civil Service Commission
AKR73(36830)03282013
22A-2013-01902C

Joseph C. Hay v. Air Force One, Inc.
AKRA3(36843)04082013
22A-2013-03211C

Kendra Shade v. Wal-Mart Stores East, LP
AKR73(36845)04092013
22A-2012-03215C

Darshonda Vaughn v. Akron Nursing & Rehabilitation Center, LLC dba The Orchards of
Ridgewood Living & Rehab Center
AKR73(36849)04162013 AMENDED
22A-2013-01988C

Judy Bethune v. Akron Nursing & Rehabilitation Center, LLC dba The Orchards of
Ridgewood Living & Rehab Center
AKR73(36850)04162013 AMENDED
22A-2013-01989C

Regina Peterson v. Akron Nursing & Rehabilitation Center, LLC dba The Orchards of
Ridgewood Living & Rehab Center
AKR73(36851)04162013 AMENDED
22A-2013-01990C

Manuel Tornero v. H-P Products, Inc.
AKRB3(36860)04192013
22A-2013-02000C

Dana J. Nyland v. Case Farms Processing, Inc.
AKR73(36883)05032013
22A-2013-02092C

Sandra Walker v. Metro Regional Transit Authority
AKRG3(36917)05162013
22A-2013-02206F

No Probable Cause – Dismiss – continued

Merline Moore v. Brookdale Senior Living Inc.
AKRA3(36983)06262013
22A-2013-02590C

Ronda Johnson v. Fred Martin Ford, Inc.
AKR73(37052)08122013
22A-2013-03026C

Ryan D. Fuller v. CCA of Tennessee, LLC dba Lake Erie Correctional Institution
AKR74(41959)04232013
22A-2013-02041C

Portia Sue Lewis v. CCA of Tennessee, LLC dba Lake Erie Correctional Institution
AKRB4(41968)04302013
22A-2013-02078C

Kimberly Sue Kessler v. CCA of Tennessee, LLC dba Lake Erie Correctional Institution
AKR74(41976)05012013
22A-2013-02088C

Angela Desai v. Warren City School District
AKR74(41998)05312013
22A-2013-02382C

Fair Housing Resource Center, Inc. v. Ernest Jurkuta
CLEH4(41833)01142013
05-13-0336-8
22A-2013-01303F
* Ratified Conciliation Agreement and Consent Order on the issue of the rental application; No Probable Cause on the issue of testing

Hannah Boyd v. Laura's Home and The City Mission
CLEH4(41863)02112013 AMENDED
05-13-0479-8
22A-2013-01477F

Jerome F. Shoemake v. Mansfield City School District
CLE74(41868)02152013
22A-2013-01512C

Housing Research & Advocacy Center v. Kim Zacharias, Donald (Skip) Marquardt,
Gardens of Raintree Condominiums Association
CLEH4(41885)02052013
05-13-0440-8
22A-2013-01641F

No Probable Cause – Dismiss – continued

Cynthia Ann Robison v. Aristocrat West Nursing Home Corp.
CLE74(41940)04082013
22A-2013-03111C

Michael L. Smith v. City of Cleveland
CLE74(42022)06062013
22A-2013-02390C

Mari Jo Pelshaw v. Corrections Corporation of America
CLE74(42025)06102013
22A-2013-02393C

Donna M. Lash v. Greater Cleveland Regional Transit Authority
CLE74(42039)06202013
22A-2013-02559C

Luis A. Salas v. Mobile Martin, Inc.
CLE74(42073)07152013
22A-2013-02719C

Zenobia Grant v. Shiloh Industries, Inc., Wellington Manufacturing Division, a
tradename registered to Sectional Stamping Inc.
CLE74(42095)07232013
22A-2013-02841C

Debra J. Armstrong v. Northern Ohio Medical Specialists, LLC
CLEA2(35968)06042013
22A-2013-02321C

Fair Housing Contact Service, Inc. v. Michael Eggeman
CLEH3(36992)07082013
22A-2013-02700F

Sam Fontanini v. Sam Key, Owner
DAYH6(23566)04222013
22A-2013-03132F

Steven L Librandi v. University of Cincinnati
DAYB6(23574)04242013
22A-2013-02367C

Steven Lawrence Librandi v. University of Cincinnati
DAYK6(23575)04242013
22A-2013-02363F

No Probable Cause – Dismiss – continued

Doris A. Manning v. Big Lots Stores, Inc.
DAYA6(23580)04292013
22A-2013-02351C

Ameena J. Shehab v. Kilroy Restaurants dba McDonald's
DAYG6(23655)06042013
22A-2013-02397F

Marchel M. Alsop v. Wright State University
DAYK6(23656)06052013
22A-2013-02785F

Sophia Hughes v. Rock Ohio Caesars Cincinnati, LLC dba Horseshoe Casino
DAYG6(23661)06102013
22A-2013-02518F

LeVert Jarmon III v. Rock Ohio Caesars Cincinnati, LLC dba Horseshoe Casino
DAYG6(23662)06102013
22A-2013-02517F

Karen Wavra v. Uptown Rental Properties; The Highlands, Kristen Nerernburg
DAYH6(23693)05312013
05-13-0922-8
22A-2013-03360F

Sarah Wills Dubose v. State of Ohio, Department of Mental Health & Addiction Services
DAY76(23695)06202013
22A-2013-02708C

Harold Blackburn, Jr. v. Vantiv Company LLC
DAY76(23696)06202013
22A-2013-02709C

Harold Blackburn, Jr. v. Manpower
DAY76(23697)06202013
22A-2013-02711C

Robert Ratliff v. Village of Waverly, Ohio, Police Department
DAY76(23701)06242013
22A-2013-02715C

Julian L. Coleman v. Chesapeake Village Ohio, Police Department
DAY76(23720)07022013
22A-2013-02869C

No Probable Cause – Dismiss – continued

Karen Herrington v. DVA Healthcare Southwest Ohio, LLC
DAYA6(23724)07022013
22A-2013-02875C

Aurelia Thompson v. Elberon Apts; Episcopal Retirement Homes, Inc., et.al.
DAYH6(23745)07102013
05-13-1125-8
22A-2013-03436F

Janice Cameron v. State of Ohio, Department of Mental Health & Addiction Services
DAYA6(23757)07182013
22A-2013-03102C

Marilyn Hensley v. Shine Hospitality LLC dba Econolodge Mason Hotel
DAY76(23792)08062013
22A-2013-03220C

Corey Herbert v. Fifth Third Bank
DAYG6(23804)08132013
22A-2013-03222F

Miranda J. Blevins v. Miami Valley Hospital
DAY71(40250)04292013
22A-2013-02867C

MOTION by Commissioner Roberts to approve the September 5, 2013 Confirmation Agenda with the above noted recusal. Seconded by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Mercado	YES
Commissioner Roberts	YES

Motion carried.

STAFF BRIEFING

The Compliance Manager informed the Commissioners that the Commission is in compliance regarding notification requirements as set forth in Ohio Administrative Code Section 4112-1-04.

APPEARANCES

1. Requests for Reconsideration - Respondent's Request – Deny

Fair Housing Advocates Association v. UMH OH Colonial Heights, LLC,
UMH Properties, United Mobile Homes of Ohio, Inc., Colonial Heights,
Sandy Valley Estates and Terri Prokorym, Community Manager
AKRH3(36605)10292012
22A-2013-00389F

Upon review of the Respondents' request for reconsideration, Darlene Newbern, Toledo Regional Director/Director of Housing Enforcement, recommended the Commission deny Respondents' request and uphold the original finding of Probable Cause. Ms. Newbern and Charging Party's counsel were present to discuss the case. Respondents submitted a letter to the Commission stating they would not attend. See Attachment A.

MOTION by Commissioner Roberts to adopt the Regional recommendation and uphold the original finding of Probable Cause. Seconded by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

2. Requests for Reconsideration - Respondent's Request – Deny

Brenda Mamula v. UMH OH Colonial Heights, LLC, UMH Properties,
United Mobile Homes of Ohio, Inc. Colonial Heights, Sandy Valley
Estates and Terri Prokorym, Community Manager
AKRH3(36606)10292012
22A-2013-00389F

Upon review of the Respondents' request for reconsideration, Darlene Newbern, Toledo Regional Director/Director of Housing Enforcement, recommended the Commission deny Respondents' request and uphold the original finding of Probable Cause. Ms. Newbern and Charging Party's counsel were present to discuss the case. Respondents submitted a letter to the Commission stating they would not attend. See Attachment A.

MOTION by Commissioner Mercado to adopt the Regional recommendation and uphold the original finding of Probable Cause. Seconded by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

3. Recommendation: Upon Reconsideration: No Probable Cause – Dismiss

Tracey Hamilton v. The Community Builders, Cascade Village
East-West and Traci Person
AKRH3(36739)01072013
05-13-0292-8
22A-2013-01423F

Upon review of the Charging Party's request for reconsideration, Courtney Calhoun, Reconsideration Supervisor, recommended the Commission deny Charging Party's request and uphold the original finding of No Probable Cause - Dismiss. Mr. Calhoun, Charging Party, Charging Party's representative and Respondents' counsel were present to discuss the case.

MOTION by Commissioner Mercado to adopt the Regional recommendation and uphold the original finding of No Probable Cause - Dismiss. Seconded by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	NO
Commissioner Stephanie Mercado	YES

Motion carried.

4. Recommendation: Upon Reconsideration: No Probable Cause – Dismiss

Melissa Williams v. The Community Builders, Cascade Village
East-West and Traci Person
AKRH3(36740)01072013
05-13-0291-8
22A-2013-01424F

Upon review of the Charging Party’s request for reconsideration, Courtney Calhoun, Reconsideration Supervisor, recommended the Commission deny Charging Party’s request and uphold the original finding of No Probable Cause - Dismiss. Mr. Calhoun, Charging Party, Charging Party’s representative and Respondents’ counsel were present to discuss the case.

MOTION by Commissioner Mercado to adopt the Regional recommendation and uphold the original finding of No Probable Cause - Dismiss. Seconded by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	NO
Commissioner Stephanie Mercado	YES

Motion carried.

5. Recommendation: Upon Reconsideration: No Probable Cause – Dismiss

Donna Loftin v. The Community Builders, Cascade Village
East-West and Traci Person
AKRH3(36741)01072013
05-13-0293-8
22A-2013-01425F

Upon review of the Charging Party’s request for reconsideration, Courtney Calhoun, Reconsideration Supervisor, recommended the Commission deny Charging Party’s request and uphold the original finding of No Probable Cause - Dismiss. Mr. Calhoun, Charging Party’s representative and Respondents’ counsel were present to discuss the case.

MOTION by Commissioner Mercado to adopt the Regional recommendation and uphold the original finding of No Probable Cause - Dismiss. Seconded by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	NO
Commissioner Stephanie Mercado	YES

Motion carried.

6. Recommendation: Upon Reconsideration: No Probable Cause – Dismiss

Sharon Choice v. The Community Builders, Cascade Village
East-West and Traci Person
AKRH3(36742)01072013
05-13-0294-8
22A-2013-01426F

Upon review of the Charging Party’s request for reconsideration, Courtney Calhoun, Reconsideration Supervisor, recommended the Commission deny Charging Party’s request and uphold the original finding of No Probable Cause - Dismiss. Mr. Calhoun, Charging Party’s representative and Respondents’ counsel were present to discuss the case.

MOTION by Commissioner Mercado to adopt the Regional recommendation and uphold the original finding of No Probable Cause - Dismiss. Seconded by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	NO
Commissioner Stephanie Mercado	YES

Motion carried.

7. Recommendation: Upon Reconsideration: No Probable Cause – Dismiss

Valerie Robinson v. The Community Builders, Cascade Village
East-West and Traci Person
AKRH3(36743)01072013
05-13-0295-8
22A-2013-01427F

Upon review of the Charging Party’s request for reconsideration, Courtney Calhoun, Reconsideration Supervisor, recommended the Commission deny Charging Party’s request and uphold the original finding of No Probable Cause - Dismiss. Mr. Calhoun, Charging Party, Charging Party’s representative and Respondents’ counsel were present to discuss the case.

MOTION by Commissioner Mercado to adopt the Regional recommendation and uphold the original finding of No Probable Cause - Dismiss. Seconded by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	NO
Commissioner Stephanie Mercado	YES

Motion carried.

8. Recommendation: Upon Reconsideration: No Probable Cause – Dismiss

Pamela Keyes v. The Community Builders, Cascade Village
East-West, and Traci Person
AKRH3(36744)01072013
05-13-0290-8
22A-2013-01428F

Upon review of the Charging Party’s request for reconsideration, Courtney Calhoun, Reconsideration Supervisor, recommended the Commission deny Charging Party’s request and uphold the original finding of No Probable Cause - Dismiss. Mr. Calhoun, Charging Party, Charging Party’s representative and Respondents’ counsel were present to discuss the case.

MOTION by Commissioner Mercado to adopt the Regional recommendation and uphold the original finding of No Probable Cause - Dismiss. Seconded by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	NO
Commissioner Stephanie Mercado	YES

Motion carried.

MOTION by Commissioner Roberts to take a brief recess. Seconded by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

MOTION by Commissioner Mercado to return to public session. Seconded by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried

COMMISSIONER AGENDA

Agenda for Week 1

1. Findings Upon Reconsideration – No Probable Cause - Dismiss

Tiffany M. Harris v. Thirty-One Gifts LLC
COL71(40035)02082013
22A 2013 01551C

Willena Lareea Banks v. HVM LLC dba Extended Stay Hotels
TOLB2(35570)11012012
22A 2013 00341C

Julio Perez v. Daily Services, LLC dba IForce
DAYB1(40165)04012013
22A 2013 02231C

Stacy Manson v. Montgomery County Department of Job
& Family Services, Children Services Division
DAY76(23533)04012013
22A 2013 01934C

2. No Jurisdiction – Dismiss

Lyndsay A. Nicholas v. Medwork Corp
DAY71(40511)08292013
22A 2013 03369C

Martin Smith v. Communication Services Company
LLCDAY76(23578)04252013
22A 2013 02360C

Matthew R. Hendricks v. CSL Plasma
DAYG6(23791)08052013
22A 2013 03142F

MOTION by Commissioner Roberts to adopt the staff findings in the foregoing captioned cases on the Week 1 Agenda. Seconded by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

Agenda for Week 2

1. Findings Upon Reconsideration - No Probable Cause – Dismiss

Patricia Antos v. Nestle USA, Inc.
AKRA3(36630)11212012
22A 2013 00688C

Evelyn Williams v. City of Cleveland, Department of Public
Works, Division of Streets
AKR74(41797)11272012
22A 2013 00723C

2. No Jurisdiction – Dismiss

Carl C. Newman-Bey v. United States Postal Service-
John O. Holly Branch
CLEE4(42195)09302013
22A 2014 00062F

3. Certification of a Bona Fide Occupational Qualification – Grant

Portage County Sheriff's Office
• Corrections Officer

Cleveland Metropolitan School District
• Security Officer

4. Consideration of Administrative Law Judge's Report and Recommendation

Damon Pace v. AM Central Ohio, Inc.
COL71(36215)11122008
22A 2009 01405C
Complaint No. 09-EMP-COL-36215

Wendy Basinger Sigley v. Edwin E. Ferrell dba
Sunshine Transport & Taxi
AKRE2(35233)07272010
22A 2011 00105F
Complaint No. 10-EMP-AKR-35233

MOTION by Commissioner Mercado to adopt the staff findings in the foregoing captioned cases on the Week 2 Agenda. Seconded by Commissioner Roberts.

Roll Call vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

Agenda for Week 3

1. Requests for Reconsideration - Respondent's Request – Deny

Fair Housing Advocates Association v. UMH OH Colonial Heights, LLC, UMH Properties, United Mobile Homes of Ohio, Inc., Colonial Heights, Sandy Valley Estates, and Terri Prokorym, Community Manager
AKRH3(36605)10292012
22A 2013 00389F

Brenda Mamula v. UMH OH Colonial Heights, LLC, UMH Properties, United Mobile Homes of Ohio, Inc. Colonial Heights, Sandy Valley Estates, and Terri Prokorym, Community Manager
AKRH3(36606)10292012
22A 2013 00389F

2. Findings Upon Reconsideration – No Probable Cause - Dismiss

LaRay Gibson v. Akron Metropolitan Housing Authority, Joseph Kury
AKRH3(36620)11132012
22A 2013 00458F

Tracey Hamilton v. The Community Builders, Cascade Village East-West, and Traci Person
AKRH3(36739)01072013
05-13-0292-8
22A 2013 01423F

Melissa Williams v. The Community Builders, Cascade Village East-West, and Traci Person
AKRH3(36740)01072013
05-13-0291-8
22A 2013 01424F

Donna Loftin v. The Community Builders, Cascade Village East-West, and Traci Person
AKRH3(36741)01072013
05-13-0293-8
22A 2013 01425F

Sharon Choice v. The Community Builders, Cascade Village East-West, and Traci Person
AKRH3(36742)01072013
05-13-0294-8
22A 2013 01426F

Findings Upon Reconsideration – No Probable Cause - Dismiss – continued

Valerie Robinson v. The Community Builders, Cascade Village
East-West, and Traci Person
AKRH3(36743)01072013
05-13-0295-8
22A 2013 01427F

Pamela Keyes v. The Community Builders, Cascade Village
East-West, and Traci Person
AKRH3(36744)01072013
05-13-0290-8
22A 2013 01428F

MOTION by Commissioner Roberts to adopt the staff findings in the foregoing captioned cases on the Week 3 Agenda. Seconded by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

REPORT FROM THE ATTORNEY GENERAL’S OFFICE

Lori Anthony, Chief, Civil Rights Section – Ohio Attorney General’s Office introduced her mother who was attending the meeting today. Ms. Anthony expressed her appreciation of her mother’s support and encouragement to pursue a career as an attorney.

Ms. Anthony introduced the staff of the Cleveland office of the Civil Rights Section – Ohio Attorney General’s Office – Marilyn Tobocman, Sharon Tassie, Wayne Williams and Jacqueline Herbert.

Ms. Anthony updated the Commission on two recently filed appeals - one addressing the proper service of parties who appeal OCRC cases and the other one addressing the dismissal of a case.

EXECUTIVE DIRECTOR’S REPORT

Director Payton presented the following information to Commissioners:

- Director Payton thanked Dean Heidi Gorovitz Robertson for hosting our meeting today and our Cleveland and Akron staff for the work they do every day to make a difference to our constituents.

- Director Payton welcomed Mrs. Anthony, mother of our Civil Rights Section Chief, Lori Anthony. Mrs. Anthony has been an active citizen in the Cleveland community for many years.
- Darlene Newbern met with several attorneys from the Toledo Bar Association to discuss Fair Housing issues in their community.
- We have received very positive feedback from our Fifth Annual Civil Rights Hall of Fame ceremony on October 3, 2013.
- Our 2009 Hall of Fame inductee Judge Robert Duncan was recently honored by the Ohio Supreme Court with an unveiling of a his portrait to hang in the Ohio Supreme Court's building. Chairman Hubert attended the ceremony.
- Columbus Regional Director Aman Mehra and his wife Vinita recently welcomed the birth of their son, Jai Ramesh Mehra. Congratulations to the Mehra family.
- We thank Commissioner Mercado for organizing today's event at her alma mater, the Cleveland Marshall College of Law.

REMARKS

- Cleveland/Akron Regional Director Vera Boggs introduced staff members who were in attendance at today's meeting: Barb Soohy, Gina Curry, Jose Rolison, Ricky Boggs, Sandy Manis, Bob Krosky, Ron Church and Sonya Steele.
- Chairman Hubert thanked Dean Robertson and the professors and students who attended the meeting today. He also thanked Commissioner Mercado for our refreshments and for working with Desmon Martin to organize today's meeting.
- Commissioner Roberts recognized the Cleveland and Akron offices for the thoroughness of their work product and his appreciation for all they do. He also thanked Commissioner Mercado for hosting today's meeting.
- Commissioner Mercado thanked everyone for attending our meeting, Cleveland Marshall College of Law for their hospitality and Desmon Martin for his assistance.

MOTION by Commissioner Roberts to adjourn the public meeting. Seconded by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

The regular meeting of The Ohio Civil Rights Commission was ADJOURNED at 12:10 pm.


Commissioner

* * *

Attachment A



A Legal Professional Association

One Cascade Plaza, Suite 800
Akron, Ohio 44308
(330) 376-1717 • FAX (330) 376-1797
<http://www.davisyoung.com>

Erica M. Biagetti, Esq.
E-mail: ebiagetti@davisyoung.com

October 16, 2013

blacurry@fairhousingadvocates.com
Vince Curry, Executive Director
Fair Housing Advocates Association
520 South Main Street, #2459
Akron, OH 44311

Desmon.martin@civ.ohio.gov
Mr. Desmon Martin
Compliance Department
Ohio Civil Rights Commission
30 East Broad Street., 5th Floor
Columbus, OH 43215

Darlene.newbern@civ.ohio.gov
Ms. Darlene S. Newbern
161 South High Street, Suite 205
Akron, OH 44308

Re: *Fair Housing Advocates Association vs. Colonial Heights, et al.*
AKRH3(36605) 10292012, 22A-2013-00389F; and

Brenda Mamula vs. UMH OH Colonial Heights, et al.
AKRH3(36606) 10292012, 05-13-1486-8; 22A-2013-00390F

Dear Sirs/Madam:

Please be advised that Mr. Utley will not be present on behalf of the Respondents at tomorrow's hearing relative to the above-referenced claims.

As previously advised, Mr. Utley is out of town on business and will be unable to return in time for the hearing. Mr. Utley and the Respondents appreciate the Commission's courtesy in providing them with opportunity to present their position in front of the Commission, and furthermore, in agreeing to reconsider the finding of probable cause in this matter. Both Mr. Utley and the Respondents trust that the Commission will make the appropriate decision.

regarding the Request for Reconsideration upon review of the materials available to it at this time.

Very truly yours,

/s/ Erica M. Biagetti

Erica M. Biagetti

EMB/kr