

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

July 18, 2013

Rhodes Office Tower Lobby Hearing Room
Columbus, Ohio

CALL TO ORDER

Chairman Hubert called the meeting to order at 9:35 a.m.

Commissioners Present:

Chairman Leonard Hubert
Commissioner Rashmi Yajnik
Commissioner Stephanie Mercado
Commissioner William Patmon

A quorum was present.

OCRC Staff Present:

G. Michael Payton, Executive Director; Keith McNeil, Director of Operations; Desmon Martin, Director of Enforcement and Compliance; Ronnell Tomlinson, Director of Housing/Alternative Dispute Resolution; Aman Mehra, Columbus Regional Director; Norman Gibson, Dayton Regional Director; Darlene Newbern, Toledo Regional Director/Director of Housing; 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.

APPROVAL OF MINUTES

MOTION by Commissioner Mercado to approve the June 27, 2013. Seconded by Commissioner Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

CONFIRMATION OF STAFF FINDINGS

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

James Anderson Tyler v. FedEx Freight, Inc.
COL71(39672)08282012
22A-2013-00849C

Renee K. Thiel v. Sunoco, Inc. dba Co-Op #7750
TOLB2(35486)09182012
22A-2012-03118C

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

John P. Harman v. Khushali Swapnil, Inc. dba Mr. Hero
AKRG3(36909)05152013
22A-2013-02186F

Lanise Henry v. Kemper Home Services Company
CLEB4(41759)10242012
22A-2013-00262C

Lanise Henry v. Kemper Home Services Company
CLE74(41766)10312012
22A-2013-00346C

Andre Walker v. E.I. du Pont de Nemours and Company
CLE74(41927)03292013
22A-2013-01880C

Marvin S. Dickman v. Center for Collaborative Solutions Council of Government
DAYB6(23240)09172012
22A-2013-00098C

Marvin S. Dickman v. Center for Collaborative Solutions Council of Government
DAY76(23367)11192012
22A-2013-00745C

Yolanda Fincher v. Lakewood Condominium Association, Inc., Judith Atha, President,
Towne Properties Management, Susan Murphy
DAYH6(23478)02132013
22A-2013-01524F

James Beatty v. State of Ohio DOT
DAY71(39884)11272012
22A-2013-00781C

2. Withdrawal of Charge with Settlement – Dismiss Formal Complaint– Submitted by the Attorney General’s Office

Anna M. King v. Wal-Mart Stores East, LP
AKRB3(35734)04212011
22A-2011-03011C
Complaint No. 11-EMP-AKR-35734

3. Ratify Conciliation Agreement and Consent Order – Dismiss Formal Complaint – Submitted by the Attorney General’s Office

Holly Smith v. Pike Delta York Local School District Board of Education
TOL72(34936)11302011
22A-2012-00525C
Complaint No. 12-EMP-TOL-34936

Selena Saunders v. Greater Dayton Regional Transit Authority
DAY76(22404)08012011
22A-2011-03878C
Complaint No. 12-EMP-DAY-22404

4. Administrative Closure; Dismiss Formal Complaint – Submitted by the Attorney General’s Office

Regina McDonald v. Pinkney-Perry Insurance Agency, Inc.
CLE74081700(32545)121200
22A-2001-00103C
Complaint No. 9210

Fair Housing Resource Center v. Helen Fuldauer, et al.
CLEH4101704(35923)03102005
05-05-0590-8
22A-2006-014167F
Complaint No. 9963

Kathleen Huges v. Ford Motor Company
CLEB4032003(34182)032503
22A-2003-01920C
Complaint No. 9641

Melody Kirkland v. Summit Gardens Association, et al.
AKRH3071699(24053)091599 AMENDED
05-99-1601-8
22A-2006-11027F
Complaint No. 8826

Administrative Closure; Dismiss Formal Complaint – Submitted by the Attorney General’s Office - continued

Metropolitan Strategy Group v. Maximum Independent Living
AKRH4032399(31233)052199
05-99-1134-8
22A-2006-13644F
Complaint No. 8740

Mariann Pavis v. General Motors Corporation
AKR73021297(21554)022897
22A-1997-05369C
Complaint No. 8213

James Petro v. Cuyahoga County Board of Commissioners
CLE74110199(31696)120299
22A-2000-00091C
Complaint No. 8918

Daniel Phillips v. Helen Fuldauer, et al.
CLEH4092104(36147)05232005
05-05-0889-8
22A-2006-14198F
Complaint No. 9983

Nikkia Sims v. Somerset Point Limited Partnership
CLE74052104(35427)080304
22A-2004-03230C
Complaint No. 9882

Vicki Snyder v. City of Fremont
TOL72032805(29415)060305
22A-2005-02929C
Complaint No. 10026

5. Authorize Attorney General to Initiate Action in Common Pleas Court – Submitted by the Attorney General’s Office

Aaron Proweller on behalf of William Proweller v. Alan G. Pearlman & Continental Enterprises, Ltd.
CLEH4(41728)09252012
05-12-1483-8
22A-2012-03184F
Complaint No. 12-HOU-CLE-41728

6. Probable Cause – Schedule Conciliation

Robert Morgan v. Camp Perry
TOL72(35527)10092012
22A-2013-00063C

** Split recommendation: PC only on the basis of race with regard to terms and conditions of employment and harassment (hostile work environment); NPC on the basis of race with regard to discipline*

Kimberly Carter v. AmeriFirst Home Mortgage et al; John Insko, Mortgage Loan Officer; AmeriFirst Financial Corporation et al
TOLH6(23230)09142012
05-12-1370-8
22A-2013-00017F

Housing Research & Advocacy Center v. James L. Peterson
CLEH4(41880)02122013 AMENDED
05-13-0434-8
22A-2013-01568F

Tonya L. Bolton v. Gold Star Chili-Bethel
DAY76(23280)10052012
22A-2013-00583C

7. Issue Formal Complaint

Valerie Cruz Figueroa v. Mercy Regional Medical Center*
CLEB4(41715)09182012
22A-2012-03113C

*Commissioner Mercado recused herself from participation in this case.

Fair Housing Resource Center, Inc. v. Michael & Janet Webster, Owners; Wendy Yeary, Trustee
CLEH4(41718)09192012 AMENDED
05-12-1488-8
22A-2012-03133F

Sandra K. Delemos v. City of Dayton
DAYB6(23089)07222012
22A-2013-00772C

Cayla A. Buchanan v. Julians Deli & Spirits
DAYE6(23123)08062012
22A-2013-00414F

Tamera L. Jestice v. Julians Deli & Spirits
DAYE6(23124)08062012
22A-2013-00415F

8. Issue Cease and Desist Order - Close

Fair Housing Resource Center v. Gary & Helen Grybosky
CLEH4(39116)09082008 AMENDED
05-08-1919-8
22A-2009-00427F
Complaint No. 09-HOU-CLE-39116

Fair Housing Resource Center v. Gary & Helen Grybosky
CLEH4(39125)09082008
05-08-1918-8
22A-2009-00436F
Complaint No. 09-HOU-CLE-39125

9. Withdrawal of Charge With Settlement After a Probable Cause Finding – Close

Robert L. McClellan v. Restaurant Technologies, Inc.
CLE74(41688)08212012
22A-2012-02864C

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

Michael P. Marsh v. K.M.O.N., Inc. dba McDonald's
TOLG2(35530)10092012
22A-2013-00067F

Marie Darden v. Andrea's Sports Pub, Inc.
TOLG2(35634)12032012
22A-2013-00769F

Altonia Levy v. Trumbull Metropolitan Housing Authority, Donald Emerson, David Ruggiero, and Valerie Simeon
AKRH3(36903)05072013
05-13-0793-8
22A-2013-02166F

Rayferd Lawson v. Vicki Shaffer, Fairway Tower and Manor
AKRH3(36984)05102013
05-13-0883-8
22A-2013-02140F

Housing Research & Advocacy Center v. Sean McMillion
CLEH4(41973)04302013
05-13-0761-8
22A-2013-02059F

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

Olivia A. Phillips v. JAC Corporation dba McDonalds
DAY76(23244)09192012
22A-2013-00610C

Candy S. Campbell-Black v. Washington Homes, Greenlawn Companies, Inc.; Irene Younkin, Ronald Younkin, Gina (LNU), Property Manager, Karen Jensen
DAYH6(23639)05242013
22A-2013-02450F

Henry Bate Agbor-Baiyee v. 885 Group, LLC
ADRH3(36819)03252013
22A-2013-01886F

Victoria T. Paul v. Greg Moore, Mrs. Pesa and Phoenix House
ADRH3(36887)05062013
05-13-0783-8
22A-2013-02101F

Christine Gerakis v. Richard Brubaker-Manager, Doroty KIA
ADRE4(41986)05132013
22A-2013-02164F

Ashley E. Dusenbury v. Practice Management Consultants, LLC.
ADRE4(41994)05162013
22A-2013-02224F

Kenyett Renee Benjamin v. Tommy's Family Restaurant.
ADRG4(42000)05222013
22A-2013-02234F

Miami Valley Fair Housing Center, Inc. v. David N. Smith, Trustee (OBO Unidentified Female Agent)
ADRH6(23561)04192013
22A-2013-02423F

11. Withdrawal of Charge with Settlement

Donya D. Peay Lewis v. Cardinal Health 110, Inc.
COL71(40253)05082013
22A-2013-02244C

Greg Swan v. Holiday Retirement
COL71(40301)06052013
22A-2013-02617C AMENDED

Withdrawal of Charge with Settlement - continued

Kathy Williamson v. Microman, Inc. dba Telephony Data Solutions
COL71(40182)04052013
22A-2013-02592C

Michael F. Fadell v. Consulting Radiologists Corporation
TOLA2(35576)11072012
22A-2013-00396C

Derrick Bradley v. Mobis North America LLC
TOL72(35583)11092012
22A-2013-00434C

Jeffrey Hatch, Jr. v. Paradise Hospitality, Inc. dba Best Western Premier Grand Plaza Hotel
TOLB2(35883)04172013
22A-2013-01949C

Derrick Bradley v. Mobis North America LLC
TOL72(35896)04292013 AMENDED
22A-2013-02033C

Joseph R. Broyles, III v. Summit Tool Company dba Ken-Tool Company
AKRA3(36888)05072013
22A-2013-02118C

Arnold J. Womack v. Diana Samson, Cedar Center Apartments, Millennia Housing Management, Ltd.
CLEH4(41855)01282013
05-13-0403-8
22A-2013-01433F

Tia Haywood v. Valerie Hayes, K&D Crystal Tower Apartments, K&D Management Services
CLEH4(41901)03062013
05-13-0541-8
22A-2013-01680F

Sandra Hatfield v. James Noyes, Ashtabula Metropolitan Housing Authority
CLEH4(41904)03142013
05-13-0590-8
22A-2013-01684F

Vanessa K. Young v. Ford Motor Company
DAY76(23314)10032012
22A-2013-01928C

Withdrawal of Charge with Settlement - continued

Marsha L. Woods v. Lifetouch Portrait Studios
DAYA6(23342)11082012
22A-2013-00630C

Brian L. Latham v. Wal-Mart Stores East, LP
DAYB6(23416)12202012
22A-2013-01096C

Karen Sanders v. Hyde Park Health Centers
DAYA6(23538)04042013
22A-2013-01941C

Beverly Roundtree v. Alois Alzheimer Center
DAY76(23624)05162013
22A-2013-02412C

Walter Grier III v. Pepsi Cola Bottling Company
ADR72(35681)12282012
22A-2013-01062C

Reed A. Russell, Jr. v. Pepsi Cola Bottling Company
ADR72(35682)12282012
22A-2013-01063C

David C. Johns v. N and D Restaurants, Inc. dba Olive Garden
ADRB2(35931)05142013
22A-2013-02155C

Erica D. Holvey v. OEConnection LLC
ADR73(36921)05202013
22A-2013-02214C

Renea Uher v. Wal-Mart Stores, East, LP
ADRB4(41813)12112012
22A-2013-00943C

Sabrina Collins v. Cleveland Metropolitan School District.
ADR74(41935)04042013
22A-2013-02307C

12. Withdrawal of Charge – Grant

Cherie J. Budy v. Federal Express Corporation
TOLA2(35491)09192012
22A-2012-03139C

Withdrawal of Charge – Grant - continued

Wanda M. Mason v. Fifth Third Bancorp
TOLA2(35523)10042012
22A-2013-00048C

Tarena L. McLennan v. La Perla, Inc.
TOLB2(35571)11022012
22A-2013-00351C

LeRonya Drayton v. Hospice of Northwest Ohio
TOL72(35582)11092012
22A-2013-00433C

Rachel Perkins v. The Anderson-DuBose Company
AKR73(36679)12202012
22A-2013-01180C

Denna M. Plamordon v. Kettering Medical Center
DAY76(23683)06182013
22A-2013-02522C

Craig D. Snyder v. Toledo Radio, LLC
ADRE2(35838)03292013
22A-2013-01818F

Treva N. Johnson v. City of Dayton
ADRB6(23629)05212013
22A-2013-02649C

Dana Ellis v. Jungle Jim's International Market
ADR76(23645)05282013
22A-2013-02557C

13. Failure to Cooperate – Dismiss

Ira Kushner v. Telhio Credit Union, Inc.
COLB1(40047)02132013
22A-2013-01783C

Heather Norton v. Wilma Moore, Landlord
DAYH6(23690)05312013
05-13-0876-8
22A-2013-02661F

14. Administrative Closure

Frank Baltimore v. Premier Ladies Fitness; Wade Gates, Owner, Chris Cundiff, GM;
Avalon Place Apartments; Barbara Steinke, Manager
DAYH6(23687)06132013
22A-2013-02660F

15. No Probable Cause – Dismiss

Tara Rice v. Dooley's Orchard Limited Partnership and T & R Properties, Inc. dba
Dooley's Orchard
COLH1(39682)09042012
05-12-1381-8
22A-2012-03019F

DeAngela Fuller v. Dooley's Orchard Limited Partnership and T & R Properties, Inc. dba
Dooley's Orchard
COLH1(39683)09042012
05-12-1387-8
22A-2012-03022F

Jasmine M. Thomas v. Foot Locker, Inc. dba Champs Sports
COL71(39688)09052012
22A-2013-00885C

Nicholas Hale v. LVI Environmental Services
COL71(39698)09062012
22A-2013-00874C

Patrice A. Palmer v. Africentric Personal Development Shop, Inc.
COL71(39700)09062012
22A-2013-00873C

Joyce Harris v. National Church Residences
COL71(39711)09112012
22A-2013-00160C

Hassan Noor v. Michael's & Kohl, Inc. & Winchester Station Cooperative, Inc.
COLH1(39712)09112012
05-12-1414-8
22A-2012-03029F

Vincent Franklin v. JP Morgan Chase Bank, NA
COL71(39713)09112012
22A-2013-00899C

No Probable Cause – Dismiss – continued

Daniel A. Lomo v. The Ohio State University Medical Center*
COLB1(39715)09132012
22A-2013-00523C

*Commissioner Patmon recused himself from participation in this case

Rhonda R. Bundy v. American Electric Power Service Corp.*
COL71(39728)09202012
22A-2013-00908C

*Commissioner Patmon recused himself from participation in this case

Shelia M. Mangus v. National Church Residences of Johnstown, Ohio and Chimes
Terrace Senior Housing Limited Partnership dba Chimes Terrace
COLH1(39736)09192012
05-12-1457-8
22A-2012-03154F

Ariel Colvin v. Kindred Nursing Centers East, LLC dba Kindred Transitional and
Rehabilitation Center
COL71(39740)09252012
22A-2013-00974C

Alfred Ray Hamlet v. United Parcel Service
COL71(39742)09262012
22A-2013-00902C

Richard Posey v. Wal-Mart Stores East, Inc.
COL71(39743)09262012
22A-2013-00975C

Tatyana Y. Kochanenkova v. Columbus Horizon Science Academy High School
COL71(39747)09252012
22A-2013-00795C

Virgill Leon Jenkins, Sr. v. Wallick Companies, LLC
COL71(39754)09272012
22A-2013-00901C

Renee Marie Mahlman v. George J. Igel Company
COL71(39756)09272012
22A-2013-00903C

Keith Krzeminski v. State of Ohio, School Facilities Commission
COL71(39758)09282012
22A-2013-00900C

No Probable Cause – Dismiss – continued

Irene V. Malonga v. JPMorgan Chase Bank, N.A.
COL71(39778)10102012
22A-2013-00935C

Joseph Annin v. Acute Care Partners, Inc.
COL71(39785)10112012
22A-2013-00937C

Malyun Dahir v. Professional Maintenance of Columbus, Inc.
COL71(39827)10112012
22A-2013-00506C

Tracy L. Coleman v. City of Columbus, Division of Public Service, Refuse
COL71(39910)12102012
22A-2013-00997C

Darlene M. Jackson v. Walgreens
COLG1(40031)02072013
22A-2013-01556F

Kanishe L. Tate v. Dr. Barnes Eyemart Express
COL71(40058)02202013
22A-2013-01764C

Scott A. McDonald v. Amazing Grace Hotels, LLC dba Hilton Hotel
TOL72(35476)09142012
22A-2012-03088C

Sir Boston v. Lucas Metropolitan Housing Authority(LMHA); Linnie Willis, Executive
Director; Flory Gardens; Kimberly Whickum, Property Manager; Cheryl Wilson,
Supervisor
TOLH2(35489)09132012
05-12-1528-8
22A-2012-03136F

William K. Triplett v. State of Ohio, Department of Rehabilitation and Correction,
Toledo Correctional Institution
TOL72(35505)09272012
22A-2012-03194C

Keevin A. London v. City of Toledo, Department of Fire and Rescue Operations
TOL72(35515)10022012
22A-2013-00019C

No Probable Cause – Dismiss – continued

Devin Mosley v. Nova Services, Inc.
TOL72(35518)10032012
22A-2013-00043C

Allegra C. Nunn v. Heartland of Holly Glen-OH, LLC
TOLB2(35519)10042012
22A-2013-00044C

Savita Jindal v. Board of Education of the Sylvania City School District
TOL72(35524)09172012 AMENDED
22A-2012-03107C

Robert Morgan v. Camp Perry
TOL72(35527)10092012
22A-2013-00063C

** Split recommendation: PC only on the basis of race with regard to terms and conditions of employment and harassment (hostile work environment); NPC on the basis of race with regard to discipline*

Cassandra Thompson v. Stotty LLC dba Arrow Head Cleaners
TOLE2(35529)10092012
22A-2013-00065F

India Springs v. Lucas County Children Services
TOL72(35531)10092012 AMENDED
22A-2013-00068C

Greg F. Plantz v. Walgreen Co.
TOL72(35532)10092012
22A-2013-00070C

Barbara L. Ratzlaff v. IAC Wauseon, LLC
TOLA2(35546)10192012 AMENDED
22A-2013-00182C

Curtis L. Turner v. Cloverleaf Cold Storage Co.
TOL72(35550)10192012
22A-2013-00186C

Jessica J. Singer v. Ohio Foam Corporation
TOL72(35566)10292012
22A-2013-00321C

Lisa Conner v. University of Toledo Medical Center
TOL72(35588)11132012
22A-2013-00480C

No Probable Cause – Dismiss – continued

Sherri Kleinhans v. Ohio Department of Transportation
TOL72(35604)11192012
22A-2013-00515C

Feymon Walker v. Impact Employment Solutions, Inc.
TOL72(35623)11292012
22A-2013-00728C

Feymon Walker v. Hearthside Food Solutions, Inc.
TOL72(35624)11292012 AMENDED
22A-2013-00729C

Jeffrey Brenner v. Lucas Metropolitan Housing Authority (LMHA); Linnie Willis,
Executive Director; Flory Gardens; Kimberly Whickum, Property Manager
TOLH2(35667)12172012
05-13-0378-8
22A-2013-00982F

Barbara L. Ratzlaff v. IAC Wauseon, LLC
TOLA2(35668)12172012
22A-2013-00984C

Crystal Burmeister v. Lucas Metropolitan Housing Authority(LMHA); Linnie Willis,
Executive Director; Ravine Park Village; Carrie Morgan, Property Manager
TOLH2(35717)01222013
05-13-0416-8
22A-2013-01275F

Linda Kolinski v. SWM Tax, Inc.
TOL72(35789)03012013
22A-2013-01597C

Savita Jindal v. Board of Education of the Sylvania City School District
TOL72(35866)04102013
22A-2013-01857C

Terry Gullatt v. Mobis North America, LLC
TOL72(35873)04122013
22A-2013-01879C

Unique Smith et al v. North Towne Village, Ltd.; Kim Brasher, Property Manager;
Spieker Realty Company
TOLH2(35898)04292013
05-13-0766-8
22A-2013-02035F

No Probable Cause – Dismiss – continued

Warren Johnson v. BBC Electrical Services, Inc.
TOLA2(35905)05022013
22A-2013-02071C

Michael A. Curtis v. City of Toledo Sewer & Drainage Division
TOL72(35918)05082013
22A-2013-02125C

Jeremy Jones v. Rose Allen and Arthur Recht
AKRH3(36556)09192012
22A-2012-03125F

Brooke Hill v. Rose Allen and Arthur Recht
AKRH3(36557)09192012
22A-2012-03126F

Gloria Terry v. Arthur Recht
AKRH3(36558)09192012
22A-2012-03127F

Darrell T. Parker v. Canton City School District
AKRA3(36594)10222012
22A-2013-00189C

Christopher Williams v. Bank of America Corporation
AKR73(36612)11022012
22A-2013-00399C

Jo E. Snyder v. Kno-Ho-Co-Ashland Community Action Commission
AKRA3(36614)11052012
22A-2013-00401C

Tracey L. Wheeler v. Stephen A. Kolar dba Special Moments Catering
AKR73(36625)11142012
22A-2013-00570C

Ronald Morris v. Biery Cheese Co.
AKRB3(36633)11282012
22A-2013-00735C

Ronald Morris v. Legacy Staffing, LLC
AKR73(36634)11282012
22A-2013-00736C

Sharon D. Humphrey v. Catastrophe Management Solutions, Inc.
AKRA3(36642)12062012
22A-2013-00857C

No Probable Cause – Dismiss – continued

Therese Ann Hampton v. Ohio International Union of Operating Engineers
AKR73(36666)12142012
22A-2013-01165C

Therese Ann Hampton v. All Crane Rental Corporation
AKR73
(36667)12142012
22A-2013-01166C

Patrick Van Deusen v. Co-Ax Technology, Inc.
AKR73(36682)12282012
22A-2013-01184C

Felixsha Pagan v. Best Buy Stores, L.P.
AKR73(36728)01282013
22A-2013-01350C

Georgianna Howes v. Malco Products of Ohio, Inc.
AKR73(36732)01312013
22A-2013-01393C

Karen Board v. Summit Tool Company dba Ken-Tool Company
AKR73(36735)01312013
22A-2013-01396C

Eddie Thompson v. ViaQuest Behavioral Health, LLC
AKR73(36763)02192013
22A-2013-01543C

Michael Parham v. River Valley Paper Company
AKR73(36764)02192013
22A-2013-01544C

Grover Diggs v. Warren City School District
AKR73(36772)02262013
22A-2013-01577C

Amy Taylor v. Absorbent Minds Montessori School, Inc.
AKRE3(36839)04052013
22A-2013-02576F

Mary S. Williams v. Shelly and Sands, Inc. dba Kelly Paving, Inc.
AKR71(40019)01302013
22A-2013-01620C

No Probable Cause – Dismiss – continued

Pamela A. Muralt v. City of Mount Vernon
AKRA1(40106)03122013
22A-2013-01893C

Denise A. Flugga v. United Church Homes, Inc. dba Parkvue
AKRA1(40163)03292013
22A-2013-01984C

Denise A. Flugga v. State of Ohio, Ohio Veterans Home
AKRB1(40164)03292013
22A-2013-01985C

Scott William Wilson v. Euclid City School District Board of Education
AKRA4(41921)03222013
22A-2013-01887C

James Rapose v. James B. Carlson, A. J. B. Carlson, Ltd.
AKRH4(42032)06132013; 05-13-0916-8
22A-2013-02512F

Lillie Gates-Austin v. City of Cleveland
CLE74(41753)10192012
22A-2013-00364C

Aja S. Darden v. East Cleveland Public Library
CLE74(41772)11022012
22A-2013-00371C

Rose E. Ford v. East Cleveland Public Library
CLE74(41773)11022012
22A-2013-00372C

Evelyn F. Dennis v. East Cleveland Public Library
CLE74(41798)11272012
22A-2013-00724C

Latriece Webb v. East Cleveland Public Library
CLE74(41801)11302012
22A-2013-00819C

Calvin Thompson v. Harbor Crest Apartments & K & D Management, Inc.
CLEH4(41837)01112013
05-13-0311-8
22A-2013-01245F

No Probable Cause – Dismiss – continued

Raid Abdelhaq v. Canal Center Properties, LLC
CLE74(41874)02202013
22A-2013-01516C

Kenia Robinson-Wagner v. CMHA
CLEH4(41888)02282013
22A-2013-01643F

Samantha Snyder v. L & L Estimating Services, LLC
CLEE4(41920)03222013
22A-2013-01866F

Rose Zevenbergen v. Kendal Community Outreach of Northern Ohio, LLC
CLE74(41953)04122013
22A-2013-01971C

Michelle L. Jarvis-Adja v. Bella's Chocolates, Inc.
CLEE4(41954)04172013
22A-2013-01972F

Jayna Renee Story v. Greater Cleveland Regional Transit Authority
CLE74(42001)05222013
22A-2013-02236C

Daniel R. Albanese v. Time Warner Cable, Inc.
CLEA3(36662)12132012
22A-2013-01159C

Victoria Cecelia Sheppard v. Kent State University
CLE73(36727)01282013
22A-2013-01330C

Chamika Poole v. Compunet Clinical Laboratories
DAY76(23221)09122012
22A-2013-00596C

Yvonne Lomax v. The Berry Company
DAY76(23284)10052012
22A-2013-00751C

Lisa Wagner v. Greene Metropolitan Housing Authority
DAYH6(23289)10102012
22A-2013-01344F

Jonathan Howard v. Peter Cremer, North America
DAY76(23291)10102012
22A-2013-00589C

No Probable Cause – Dismiss – continued

Dearise R. Price v. USF Holland, Inc.
DAY76(23296)10162012
22A-2013-00622C

Yolanda Fincher v. Cornell-Almaxas Counseling Center
DAYB6(23324)10292012
22A-2013-00624C

Lisa Wagner v. Greene Metropolitan Housing Authority
DAYH6(23329)11012012
05-13-0080-8
22A-2013-00625F

Venus M. Davenport v. Genco ATC
DAY76(23335)11022012
22A-2013-00547C

Talissa Y. Davis v. Golden Corral
DAYB6(23396)12122012
22A-2013-01051C

Carlyn A. Bozeman v. Sinclair Community College
DAYB6(23400)12142012
22A-2013-01052C

Ebony Young v. UC Physicians
DAY76(23408)12192012
22A-2013-01087C

Teresa Goldsmith v. University of Dayton
DAYB6(23458)01292013
22A-2013-01380C

Latosha Smith v. UC Health dba Drake Center*
DAY76(23495)02282013
22A-2013-01603C

*Commissioner Patmon recused himself from participation in this case

Wilbert Johnson v. OHN EMP LLC, dba Burlington House
DAYB6(23498)03052013
22A-2013-01651C

Jennifer Allgier v. Rich & Company
DAYE6(23513)03142013
22A-2013-01983F

No Probable Cause – Dismiss – continued

Shira Lewis v. Encon, Inc.
DAY76(23515)03152013
22A-2013-01798C

Fred P. James IV v. Rock Tenn Services, Inc.
DAYB6(23519)03212013
22A-2013-01801C

Tycelia Crawford v. United Dairy Farmers
DAY76(23544)04092013
22A-2013-02038C

Rodrique K. Sleiman v. West Chester Township
DAY76(23550)04152012
22A-2013-01977C

Robert Crimes II v. Nova Behavioral Health, Inc.
DAYA6(23552)04172013
22A-2013-02107C

Shirley A. Cole-Byrd v. Nova Behavioral Health, Inc.
DAYA6(23554)04172013
22A-2013-02106C

Alice Twitty v. Nova Behavioral Health, Inc.
DAYA6(23555)04172013
22A-2013-02109C

Cornelia Beamon v. International Quality Healthcare Corporation
DAYB6(23564)04222012
22A-2013-02240C

Kimberly A. Williams v. Cincinnati Public Schools
DAYB6(23603)05082013
22A-2013-02316C

Lisa Jones v. Humana
DAYA6(23623)05162013
22A-2013-02413C

Pamela S. Rewerts v. Lawrence R. Kluener, Inc.
DAYE6(23658)06062013
22A-2013-02582F

Antonio Gonzales, Jr. v. Dana Driveshaft Manufacturing, LLC
DAY72(35509)09282012
22A-2012-03203C

No Probable Cause – Dismiss – continued

Donald Maiden v. Wright Logistics, Inc.
DAYB2(35647)12072012
22A-2013-00853C

Jason Simon v. Chipotle Mexican Grill
DAYB2(35839)03292013
22A-2013-01829C

MOTION by Commissioner Mercado to approve the July 18, 2013 Confirmation Agenda with the above noted recusals. Seconded by Commissioner Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	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. Recommendation: Upon Reconsideration: No Probable Cause – Dismiss

Toni Rowe v. Charles C. Weybrecht Post 166 Charities Inc.
AKR74 (41660) 08012012
22A 2012 02585C

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 counsel, Respondent's representative and Respondent's counsel were present to discuss the case. .

MOTION by Commissioner Yajnik to reverse the Regional recommendation of No Probable Cause – Dismiss to Probable Cause – Schedule Conciliation and Authorize the Executive Director to Issue Formal Complaint if Conciliation Fails. Seconded by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	NO
Commissioner William Patmon, III	NO

Motion failed. Recommendation of No Probable Cause – Dismiss prevails.

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

Michael Feller v. Charles C. Weybrecht Post 166 Charities Inc.
AKR74 (41659) 08012012
22A 2012 02584C

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 counsel, Respondent's representative and Respondent's 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 Patmon.

Roll Call Vote:

Chairman Leonard Hubert	NO
Commissioner Rashmi Yajnik	NO
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion failed. Recommendation of No Probable Cause – Dismiss prevails.

MOTION by Commissioner Mercado to take a short recess. Seconded by Commissioner Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

MOTION by Commissioner Mercado to return to regular session. Seconded by Commissioner Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried

3. Recommendation: Upon Reconsideration – No Probable Cause Dismiss

Anthony Richards v. Elisabeth A. Belkin-Kaps
COLH1 (39668) 08152012
05-12-1269-8
22A 2012 03007F

Upon review of the Charging Party's request for reconsideration, Bradley Dunn, Reconsideration Supervisor, recommended the Commission deny Charging Party's request and uphold the original finding of No Probable Cause - Dismiss. Mr. Dunn, Charging Party, Respondent and Respondent's 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 Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

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

Kathleen J. Corgens v. Toledo Gaming Ventures, LLC dba Hollywood
Casino Toledo
TOL72 (35467) 09102012
22A 2012 03014C

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

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

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

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

Whitney Hutchinson v. Donald Nordstrom
DAYH6 (23104) 07272012
05-12-1512-8
22A 2013 00224F

Upon review of the Charging Party's request for reconsideration, Ronnell Tomlinson, Director of Housing/Alternative Dispute Resolution, recommended the Commission deny Charging Party's request and uphold the original finding of No Probable Cause - Dismiss. Mr. Tomlinson, Charging Party's counsel, Respondent and Respondent's 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 Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

COMMISSIONER AGENDA

Agenda for Week 1

1. Findings Upon Reconsideration - No Probable Cause – Dismiss

Anthony Richards v. Elisabeth A. Belkin-Kaps
COLH1 (39668) 08152012
05-12-1269-8
22A 2012 03007F

Howard L. Miller v. State of Ohio, Department of Rehabilitation
and Correction
COLA1 (39703) 09072012
22A 2013 00878C

Kathleen J. Corggens v. Toledo Gaming Ventures, LLC dba
Hollywood Casino Toledo
TOL72 (35467) 09102012
22A 2012 03014C

David Wellborn v. Rock Tenn Services, Inc.
DAYB6 (23150) 08212012
22A 2012 03056C

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

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

Agenda for Week 2

1. Findings Upon Reconsideration - Respondent's Request – Deny

Valerie Cruz Figueroa v. Mercy Regional Medical Center, a
Trademark registered to Community Health Partners Regional
Medical Center*

CLEB4 (41715) 09182012

22A 2012 03113

*Commissioner Mercado recused herself from participation in this
case

2. Findings Upon Reconsideration - No Probable Cause – Dismiss

Michael Feller v. Charles C. Weybrecht Post 166 Charities Inc.

AKR74 (41659) 08012012

22A 2012 02584C

Toni Rowe v. Charles C. Weybrecht Post 166 Charities Inc.

AKR74 (41660) 08012012

22A 2012 02585C

3. No Jurisdiction – Dismiss

Marc S. Barraco v. City of Hilliard

COLM1 (40029) 02072013

22A 2013 01554F

William R. Murray v. Jefferson County Community Action
Council

AKRG3 (36781) 03042013

22A 2013 01630F

MOTION by Commissioner Mercado to adopt the staff findings in the foregoing captioned cases on the Week 2 Agenda with the above noted recusal. Seconded by Commissioner Patmon.

Roll Call vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

Agenda for Week 3

1. Certification of a Bona Fide Occupational Qualification – Grant

1. Montgomery County Board of Developmental Disabilities Services
 - Registered Adult Services Worker
 - Certified Adult Services Worker

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

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

Add On Agenda

1. Findings Upon Reconsideration - No Probable Cause – Dismiss

Whitney Hutchinson v. Donald Nordstrom
DAYH6 (23104) 07272012
05-12-1512-8
22A 2013 00224F

MOTION by Commissioner Mercado to adopt the staff findings in the foregoing captioned cases on the Add-On Agenda. Seconded by Commissioner Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

ATTORNEY GENERAL'S REPORT

Lori Anthony, Chief, Civil Rights Section – Ohio Attorney General's Office gave an update on a recent decision from the Court of Appeals Of Ohio, Eighth Appellate District regarding eviction proceedings when the Charging Party has also alleged Fair Housing violations.

Ms. Anthony is working with The National Underground Railroad Freedom Center on a date to host the commission meeting in the near future.

EXECUTIVE DIRECTOR'S REPORT

Director Payton presented the following information to Commissioners:

- Bradley Dunn, Reconsideration Supervisor, has been overseeing the drafting, filing and submitting of our Administrative Rules. We are also appreciative of Lori Anthony and her staff in helping us with this process.
- We have received ten nominations for induction into the Annual Ohio Civil Rights Hall of Fame. All are extraordinary candidates.
- Dayton Regional Director Norman Gibson and Investigator Beatrice Sanchez met with Denise Williams, the newly elected president of the Springfield, Ohio Unit of the National Association for the Advancement of Colored People (NAACP). We are working with Ms. Williams to develop a Memorandum of Understanding as we work together toward our common goals.

Chairman Hubert announced Commissioner Mercado received an invitation for the Commission to hold their October 17, 2013 meeting at the Cleveland – Marshall College of Law.

MOTION by Commissioner Mercado to move our October 17, 2013 commission meeting to the Cleveland – Marshall College of Law. Seconded by Commissioner Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion Carried.

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

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon, III	YES

Motion carried.

The regular meeting of The Ohio Civil Rights Commission was ADJOURNED at 1:10 pm.


Commissioner

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