



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

April 9, 2020

**Zoom Video Communication
Columbus, Ohio**

CALL TO ORDER

Chair Lori Barreras called the meeting to order at 9:30 a.m.

Commissioners Present via Zoom Video Communications:

Chair Lori Barreras
Commissioner William Patmon
Commissioner Madhu Singh
Commissioner Juan Cespedes
Commissioner Carolyn Peters

A quorum was present.

In Attendance via Zoom Video Communications:

Angela Phelps-White, Executive Director; Darlene Newbern, Director of Operations; Stephanie Bostos Demers, Chief Legal Counsel; Mary Turocy, Director of Public Affairs and Civic Engagement; Desmon Martin, Director of Enforcement and Compliance; Ronnell Tomlinson, Director of Housing Enforcement and Alternative Dispute Resolution; Aman Mehra, Columbus Regional Director; Inder LeVesque, Toledo Regional Director; Bradley Dunn, Akron Regional Director; Vera Boggs, Cleveland Regional Director; Deborah Heater, Dayton Regional Director; Beyan Asoba, Reconsideration Supervisor; Lori Anthony, Civil Rights Section Chief, Ohio Attorney General's Office

APPROVAL OF MINUTES

MOTION by Commissioner Patmon to approve the March 12, 2020 minutes. Second by Commissioner Peters.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

CONFIRMATION OF STAFF FINDINGS

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

Brian Weaver v. City of Gahanna
COLB1(47528)12032019
22A-2020-00664C

Julie Obraza v. Stow-Munroe Falls City School District Board of Education
AKR73(40283)07222019
22A-2019-02896C

Roberta Sanders v. Millennia Housing Management Ltd., Heritage Place Investments, LLC and Bethany Grunenwald
AKRH3(40394)09242019
05-19-6896-8
22A-2019-03531F

Susan Brophy v. Dise and Company, Inc.
CLEE4(45437)08212019
22A-2019-03281F

Kelly Spehar v. State of Ohio, Opportunities for Ohioans with Disabilities
CLEB1(47260)08152019 AMENDED
22A-2019-03125C

Joshua Forman v. Home Depot USA., Inc.
DAY76(28050)05162019
22A-2019-02426C

Adam Conway v. Randstad Staffing Services, Inc.
DAY76(28054)05142019
2A-2019-02536C

Robin Myles v. Fuyao Glass America Inc.
DAY76(28137)07012019
22A-2019-02796C

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

Eunice Bond v. Wittmer Properties, LLC, Phillip Wittmer and Vickie Wittmer
CLEH4(45500)07242019 AMENDED
05-19-6587-8
22A-2020-00074F

3. Withdrawal of Charge - Request Notice of Right To Sue; Dismiss Formal Complaint – Submitted by the Attorney General’s Office

Dipanjnan Nag v. The Ohio State University
COL71(46784)02082019
22A-2019-01252C
Complaint No. 19-EMP-COL-46784

*Commissioner Patmon recuses himself from participation in this case

Kari Gonzalez v. City of Toledo
TOL72(38567)06302017
22A-2017-02853C
Complaint No. 18-EMP-TOL-38567

Karen Marquardt v. City of Toledo
TOL72(39474)09282018
22A-2019-00023C
Complaint No. 19-EMP-TOL-39474

Kari Gonzalez v. City of Toledo
TOL72(39490)10032018 AMENDED
22A-2019-00111C
Complaint No. 19-EMP-TOL-39490

Karen Marquardt v. City of Toledo
TOL72(39549)10312018
22A-2019-00383C
Complaint No. 19-EMP-TOL-39549

Sally Glombowski v. City of Toledo
TOLA2(39611)12192018
22A-2019-00796C
Complaint No. 19-EMP-TOL-39611

4. Withdrawal of Charge With Settlement; Dismiss Formal Complaint – Submitted by the Attorney General’s Office

Deborah Wallace v. Victoria Voroshyn, et al.
AKRH3(39863)10162018
22A-2019-00181F
05-19-3148-8
Complaint No. 19-HOU-AKR-39863

Chris Lauderdale v. NVR, Inc.
DAY76(27206)05032018
22A-2018-02147C
Complaint No. 19-EMP-DAY-27206

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

Tiffany Armstrong v. State of Ohio, Department of Health
COL71(46253)07132018
22A-2018-02888C
Complaint No. 19-EMP-COL-46253

Prisca Oline and Eric Rugendabanga v. Timothy Prinz
AKRH3(39937)12072018
22A-2019-00658F
05-19-4430-8
Complaint No. 19-HOU-AKR-39937

6. Issue Formal Complaint

Tasia Abel v. Bandit Choppers, LLC
COLE1(46995)05022019 AMENDED
22A-2019-02113F

Josiah Washington v. Lazer Spot, Inc.
COL71(47210)07302019
22A-2019-02969C

Lowell D. Hamrick v. Oakwood MHC LLC (Williams RV Resort, LLC); Michelle Crabtree, Manager
TOLH2(39848)05062019
05-19-5189-8
22A-2019-02156F

Fair Housing Advocates Association v. Oakwood MHC LLC (Williams RV Resort, LLC); Michelle Crabtree, Manager
TOLH2(39849)05062019
05-19-5229-8
22A-2019-2157F

Housing Research and Advocacy Center v, Dwayne White and Syndicated Leasing Management, Inc.
CLEH4(45271)05172019
05-19-5389-8
22A-2019-02355F

Minnie Marshall v. New Oak Hill Village, LLC and Richard Galicz
CLEH4(45435) 06072019
05-19-6165-8
22A-2019-03285F

Issue Formal Complaint - Continued

Kalaila Hardy v. Brenda Mendizabal/ Pepzee Realty of Ohio
DAYH6(28000)04192019
05-19-7860-8
22A-2019-02149F

Miami Valley Fair Housing Center, Inc. v. Brenda Mendizabal/PepZee Realty of Ohio
DAYH6(28001)04192019
05-19-7861-8
22A-2019-02150F

Barry Carr v. Stanley Electric U.S. Co., Inc.
DAYB6(28030)05062019
22A-2019-02210C

John D. Oakes v. H.D. Milton, Associates/Williams Pointe Property Management
DAYH6(28040)05082019
05-19-8041-8
22A-2019-02266F

Sierra Self v. Fred Haught, Owner; Ft. Haught
DAYH6(28130)05102019 AMENDED
05-19-5612-8
22A-2019-02787F

7. Probable Cause – Schedule Conciliation

Shawn Fero v. Taylor Steel, Inc.
AKRB3(40430)10162019
22A-2020-00253C

*Split Determination: Probable Cause on the basis of disability on the issue of termination and failure to provide a reasonable accommodation; No Probable Cause on the basis of retaliation on the issue of termination

Alexis Gonzalez v. Donald Dell, Trustee/Owner
TOLH2(39980)07182019
05-19-5950-8
22A-2019-02841F

Teresa Shackelford v. Dayton Public Schools
DAY76(28128)06262019
22A-2019-02785C

8. Ratify Conciliation Agreement and Consent Order After a Finding of Probable Cause - Close

Jennifer Shepard v. The Millennia Companies, Sandra McCole, Cephus Scott and Lanette Rankin
CLEH4(45298)06032019
22A-2019-02521F

Ratify Conciliation Agreement and Consent Order After a Finding of Probable Cause – Close - Continued

Adrian A. Claybrooks v. U.S. Xpress, Inc.
CLE74(45325)06142019
22A-2019-02530C

9. Ratify Conciliation Agreement and Consent Order Prior to Final Determination

Fair Housing Contact Service, Inc. v. Chris Gilger, Warren Family Mission and Aaron Gilger
AKRH3(40507)11292019
05-20-7577-8
22A-2020-00690F

Maria Escobedo v. Capital Properties Management Ltd and Shaker House LLC
CLEH4(45418) 08132019
05-19-6677-8
22A-2019-03249F

Housing Research & Advocacy Center v. Capital Properties Management Ltd and Shaker House LLC
CLEH4(45419) 08132019
05-19-6678-8
22A-2019-03250F

Antwoine McCants v. VIP Asmann Dr LLC; Barry Schwartz; George Kouach, Owner
DAYH6(28637)11042019 AMENDED
05-20-7761-8
22A-2020-01289F

Tonia Rusu v. Salvatore LoParo and Rosa LoParo
ADRH4(45628)12232019
05-20-7858-8
22A-2020-00944F

Novella Sullivan v. Floyd Kline
ADRH4(45687)01292020
05-20-8549-8
22A-2020-01219F

Tonia Rusu v. Salvatore LoParo and Rosa LoParo
ADRH4(45689)002032020
22A-2020-01313F

Ratify Conciliation Agreement and Consent Order Prior to Final Determination - Continued

Brandi Carr v. S&P Management, Inc., Terry Marcus, Stoneybrook Apartments, LTD and Peter Wells
ADRH4(45690)02032020
05-20-8040-8
22A-2020-01314F

Andie Chamberlain v. Starbucks Corporation- Store # 9891
ADRG6(28587)01132020 AMENDED
22A-2020-01232F

Ronald Lebron & Eugenia Madden v. Sondra T. Walls
ADRH6(28664)02062020
05-20-8078-8
22A-2020-01412F

10. Withdrawal of Charge – With Settlement

Eugene L. Goines v. Tenneco Automotive Operating Company Inc.
COL71(47680)02192020
22A-2020-01365C

Derrick Williams v. The University of Toledo Medical Center
TOL72(40018)07292019 AMENDED
22A-2019-02952C

Karen O’Kelly v. The Kames Condominium Owner’s Association, Inc. and Associated Property
Management, LLC
AKRH3(40418)10072019
22A-2020-00088F

Carmelita Y. Woods v. Woodhaven
DAY76(28214)08062019
22A-2019-03158C

Karin Xander v. Westview Dental Center; Gehan Emara Jallaq, DDS
ADRE1(47629)01232020
22A-2020-01087F

Stephanie (Gibson) Stevens v. Quest Corporation dba CenturyLink
ADR71(47611) 01152020 AMENDED
22A-2020-01024C

Trisha Bridenbaker v. United Parcel Service, Inc.
ADR72(40061)08192019
22A-2019-03122C

Withdrawal of Charge – With Settlement - Continued

Madison Humphrey v. Gray Television-WTVG 13abc Action News
ADRB2(40291)12062019
22A-2020-00732C

Christa Childs v. Marcall Restaurant Services, Inc. dba Subway
ADR72(40383)01232020
22A-2020-01089C

Trisha Bridenbaker v. United Parcel Service, Inc.
ADR72(40396)01292020
22A-2020-01172C

Vanessa Myers v. Midwest Recovery Center LLC
ADRA2(40458)03052020
22A-2020-01548C

Nia Jeter v. AultCare, dba Aultman Hospital
ADR73(40454)10312019
22A-2020-00417C

Anthony Wesley Cole v. Buehler's Fresh Foods
ADRB3(40602)02042020
22A-2020-01427F

Anthony Harris v. JMC Brands, LLC
ADR73(40610)02062020
22A-2020-01439C

Gregory Cummings v. The Thermo-Rite Mfg. Company
ADR73(40633)02242020
22A-2020-01523C

Emily Ashley v. JD's Catering and Pizza
ADRB4(45662)01162020
22A-2020-01166C

Ronald Edgeron v. Marriott International, Inc.
ADR74(45642)01082020
22A-2020-01116C

Ronald Edgeron v. Marriott International, Inc.
ADR74(45704)02122020
22A-2020-01366C

Withdrawal of Charge – With Settlement - Continued

Damien Thompson v. Palmer Manufacturing
ADR76(28558)01032020
22A-2020-01094C AMENDED

Karen Combs v. Emcor Facilities Services, Inc.
ADR76(28566)01092020
22A-2020-01044C

Sarai Cadena v. Compunet
ADRB6(28691)02182020
22A-2020-01564C

11. Withdrawal of Charge – Grant

Jean Day v. Style Crest Enterprises, Inc. dba Style Crest Products
TOLB2(39994)07232019
22A-2019-02877C

Daniel Norris v. The Modern Lakewood LLC, Garden City Investment LLC and The Murwood Real Estate Group, LLC dba Keller Williams Realty Greater Cleveland
CLEH4(45434)08212019
05-19-6679-8
22A-2019-03261F

12. Withdrawal of Charge – Request for Notice of Right to Sue

Vince McNatt v. State of Ohio, Department of Job & Family Services
COL71(47223)07302019
22A-2019-03000C

*Commissioner Patmon recuses himself from participation in this case

Laura Malik v. The University of Toledo Medical Center
TOLA2(40075)08222019
22A-2019-03226C

13. Administrative Closure

Thomas Umbs v. Connie Emrich, Property Manager; Mercy Housing
TOLH2(40310)12142019
22A-2020-00815F

Paul R. Granger v. Maier Company and Robert I. King
CLEH4(45730)02282020
22A-2020-01581F

14. No Jurisdiction – Dismiss (XNJ)

Brandi R. Bernard v. The Pain Management Clinic LLC
COLE1(47063)05312019
22A-2019-02388F

Patricia Kirk and Clifford Hubbard Jr. v. The Barcus Company, Inc. c/o Donald L. Anspaugh,
Registered Agent; The Barcus Company, Inc. c/o Elbert R. Nester; and Delaware Housing Corporation
c/o Dimitrios G. Hatzifotinos, Registered Agent
COLH1(47638)11272019
05-20-7760-8
22A-2020-01128F

Fannisha Page v. Michelle Jennings, Manager and Salesperson
COLH1(47658)02072020
22A-2020-01293F

Anik Buckley v. Baker Rental Company, LLC c/o Samuel M. Baker, Registered Agent; and Baker
Rental Company c/o Solomon Parini, Registered Agent
COLH1(47698)05082019
05-20-8203-8
22A-2020-01436F

Shedrick Williams v. State of Ohio, Department of Job and Family Services
TOLE2(40437)02192020
22A-2020-01430F

*Commissioner Patmon recuses himself from participation in this case

Samantha Worman v. The Toledo Edison Company dba First Energy
TOLE2(40379)01202020
22A-2020-01068F

Anthony Brown v. The Shire MHC LLC; Eric Wertzbaugher, Owner; Eugene and Jennifer Hieber,
Property Managers
TOLH2(40413)02112020
22A-2020-01339F

Rose Mullet v. Greenwood Credit Union
CLEE4(45645)01072020
22A-2020-01120F

Rose Mullet v. Mariner Finance, LLC
CLEE4(45647)01072020
22A-2020-01122F

No Jurisdiction – Dismiss (XNJ) - Continued

Michelle Weigand v. Cleveland Hearing and Speech Center
CLEE4(45667)01172020
22A-2020-01176F

Victor Priest v. Barrington Property Management, LTD and Glenview Estates
CLEH4(45680)11212020
05-20-7281-8
22A-2020-01212F

Tamika Scott v. Arbor Park Phase One Associates LP, Capital Realty Group, Inc., Michelle Conkle
CLEH4(45683)01142020
05-20-7800-8
22A-2020-01215F

Jasmin Byrd v. Mohican Young Star Academy
CLEE4(45691)01312020
22A-2020-01315F

Maria Barr v. Chase bank
CLEE4(45719)02152020
22A-2020-01570F

Daniel Hall v. Frisch's
DAYG6(28105)06122019
22A-2019-02725C

Henry Lucas v. Clopay
DAYE6(28123)06212019
22A-2019-02778F

Jonathan Render v. Quantech Services, Inc.
DAYE6(28127)06242019
22A-2019-02783F

15. No Jurisdiction – Dismiss

Timira Page v. Riverland Nail Salon, LLC
COLE1(47517)11222019 Amended
22A-2020-00577F

Kendra L. Conley v. Red Lobster Restaurants LLC
TOL72(39924)06122019
22A-2019-02490C

*Split Determination: No Probable Cause on the issues of harassment, and different terms and conditions (job assignments, sent home early, and employee discount) on the bases of race and retaliation; No Jurisdiction on the issues of promotion and discipline on the bases of race and retaliation.

No Jurisdiction – Dismiss - Continued

Earl Wayne Newhouse v. Medina Metropolitan Housing Authority, Skip Sipos, U.S. Department of Housing and Urban Development, Pamela Ashby, Michael Larabee, Judge Stephen M. McIlvaine, Sean Buchanan, Patrolman Blubaugh #37

CLEH4(45731)02282020

22A-2020-01582F

16. No Probable Cause – Dismiss

Keith Wilson v. State of Ohio, Public Utilities Commission of Ohio

COLB1(47030)05172019 AMENDED

22A-2019-02309C

Amber Samuels v. TH Cleveland dba Tim Hortons

COL71(47036)05222019

22A-2019-02326C

Melvin Lamont Campbell v. Columbus City Schools

COLB1(47059)05312019

22A-2019-02384C

Jeffrey Ushry v. City of Columbus, DPU/DOSD Surveillance Lab

COL71(47090)06132019

22A-2019-02501C

Fredraia N. Evans v. Roush Honda

COL71(47091)06142019

22A-2019-02502C

Luong Tu v. JP Morgan Chase

COL71(47099)06172019

22A-2019-02529C

Joseph Wade v. Columbus Climate Controls

COLE1(47112)06202019

22A-2019-02569F

Khurram I. Shamsi v. Georgia Pacific Chemicals LLC

COL71(47130)06292019

22A-2019-02634C

Edward Michael Supranowicz v. Shelly Baker, Property Manager and Vistula Management Company

COLH1(47134)06292019

22A-2019-02653F

No Probable Cause – Dismiss - Continued

Edward Michael Supranowicz v. Shelly Baker, Property Manager and Vistula Management Company
COLH1(47135)06292019
22A-2019-02654F

Edward Michael Supranowicz v. Shelly Baker, Property Manager and Vistula Management Company
COLH1(47136)06302019
22A-2019-02655F

Richard Hamilton v. Buckeye Diamond Logistics
COL71(47140)07032019
22A-2019-02663C

Satta Sunnyway v. State of Ohio, Department of Developmental Disabilities
COL71(47142)07052019
22A-2019-02671C

*Commissioner Patmon recuses himself from participation in this case

Edward Michael Supranowicz v. Shelly Baker, Property Manager and Vistula Management Company
COLH1(47150)07092019 AMENDED
22A-2019-02703F

Edward Michael Supranowicz v. Shelly Baker, Property Manager and Vistula Management Company
COLH1(47151)07092019 AMENDED
22A-2019-02702F

Kelvin Jones v. CORE Molding Technologies, Inc.
COL71(47152)07112019
22A-2019-02714C

Tiana Coleman v. Focus Workforce Management, Inc.
COL71(47159)07112019
22A-2019-02731C

Robert E. Morrison v. Southern Glazer's Distributors of Ohio, LLC
COLA1(47160)07102019
22A-2019-02741C

Jesabel Averhoff v. Heartland Home Health Care Services, LLC
COL71(47177)07172019
22A-2019-02832C

Deborah Jones v. The Ohio State University
COLA1(47178)07182019 AMENDED
22A-2019-02836C

*Commissioner Patmon recuses himself from participation in this case

No Probable Cause – Dismiss - Continued

Aaron Green v. Hirshvogal, Inc.
COL71(47184)07192019
22A-2019-02847C

Joseph Jordan v. FedEx Express Corporation
COL71(47187)07192019 AMENDED
22A-2019-02851C

Roy Collmar v. The P.E.E.R. Center (Peers Enriching Each Other's Recovery)
COLB1(47192)07232019
22A-2019-02872C

Ashley Scarberry v. State of Ohio, Department of Rehabilitation and Corrections
COL71(47211)07302019 AMENDED
22A-2019-02971C

Derek Hale v. Rebuilding Together Central Ohio dba Modcon Living
COLE1(47226)08062019
22A-2019-03006F

Mark Eugene Abercrombie v. Pride One Construction Services, LLC
COLB1(47237)08072019
22A-2019-03051C

Michael Allen v. United Parcel Service, Inc.
COL71(47262)08162019 AMENDED
22A-2019-03127C

Satta Sunnyway v. State of Ohio, Department of Developmental Disabilities
COL71(47290)08292019
22A-2019-03288C

*Commissioner Patmon recuses himself from participation in this case

Tiana Coleman v. PSEB, LLC
COL71(47307)07112019
22A-2019-03327C

Kimberly A. Balsley v. Family Dollar Stores of Ohio LLC
COLB1(47337)09172019 AMENDED
22A-2019-03448C

Eric Olds v. Franklin County Department of Job & Family Services
COL A1 (47341) 09192019
22A-2019-03466C

No Probable Cause – Dismiss - Continued

James Luther “Luke” King v. AMG Peterbilt Group, LLC dba AMG Peterbilt of Columbus, LLC
COL71(47388)10012019
22A-2020-00062C

Keefe L. Spicer, Sr. v. Eastland Towing
COLB1(47407)10072019
22A-2020-00121C

Romeo R. Eggleton v. Cardington Yutaka Technologies, Inc.
COL71(47414)10152019
22A-2020-00140C

Courtney Ryane Bass v. Ultimate Home Services
COLB1(47429)10182019
22A-2020-00231C

Anna Williams v. Amazon.com Services, Inc.
COLB1(47436)10232019
22A-2020-00263C

Tameka Johnson v. Eat’n Park Hospitality Group dba Parkhurst Dining
COL71(47439)10252019 Amended
22A-2020-00266C

Phillip Eugene Payne v. Menard, Inc.
COLA1(47440)10202019
22A-2020-00271C

Sandra Brown v. Pactiv LLC
COL71(47452)10302019
22A-2020-00296C

Roderick Carlisle v. Total Renal Care, Inc.
COLA1(47486)11082019 AMENDED
22A-2020-00464C

Tamara Provitt v. Microsurgical Endodontics
COL71(47513)11212019
22A-2020-00536C

Edward Sachs v. State of Ohio, Department of Health
COLA1(47608)01152020
22A-2020-01016C

No Probable Cause – Dismiss - Continued

Ernest McCoy v. CaaStle, Inc.
COL71(47623)01222020
22A-2020-01057C

Kendra L. Conley v. Red Lobster Restaurants LLC
TOL72(39924)06122019
22A-2019-02490C

*Split Determination: No Probable Cause on the issues of harassment, and different terms and conditions (job assignments, sent home early, and employee discount) on the bases of race and retaliation; No Jurisdiction on the issues of promotion and discipline on the bases of race and retaliation.

Tony Anderson v. Midwest Environmental, Inc.
TOL72(39932)06142019 AMENDED
22A-2019-02506C

Amy Packer v. St. Joan of Arc School
TOL72(39951)07032019
22A-2019-02666C

Veronica L. Sanders v. ProMedica Central Physicians
TOL72(39956)07052019
22A-2019-02673C

Jeanette Brooks v. State of Ohio, Department of Developmental Disabilities
TOLB2(39959)07082019
22A-2019-02681C

*Commissioner Patmon recuses himself from participation in this case

Charquel Lewis v. ABC Employment Holdings, LLC dba MS Companies
TOL72(39960)07082019
22A-2019-02682C

Devon Overton v. Starwood Retail Partners, LLC dba Franklin Park Mall
TOLG2(39961)07082019
22A-2019-02683F

Devon Overton v. Professional Security Consultants, Inc.
TOLG2(39962)07082019
22A-2019-02684F

Devon Overton v. Aero OpCo LLC dba Aeropostale
TOLG2(39963)07082019
22A-2019-02685F

Tionna Belcher v. Aero OpCo LLC dba Aeropostale
TOLG2(39965)07102019
22A-2019-02693F

No Probable Cause – Dismiss - Continued

Tionna Belcher v. Starwood Retail Partners, LLC dba Franklin Park Mall
TOLG2(39966)07102019
22A-2019-02694F

Tionna Belcher v. Professional Security Consultants, Inc.
TOLG2(39967)07102019
22A-2019-02695F

LeVon Graham v. Faurecia Exhaust Systems, LLC
TOLB2(39969)07112019
22A-2019-02721C

Ashley Jackson v. BP Products North America Inc.
TOLB2(39976)07172019
22A-2019-02829C

Cassandra L. Coley v. Lucas County Court of Common Pleas, Juvenile Division
TOL72(39977)07172019
22A-2019-02831C

Kimberly Neese v. Lucas County Board of Developmental Disabilities
TOL72(39979)07182019
22A-2019-02835C

Joe Diggins v. BP- Husky Refining LLC
TOL72(39982)07192019
22A-2019-02848C

Beth L. Wilde v. Edon Northwest Local School District Board of Education
TOL72(39983)07222019
22A-2019-02853C

Andrea Washington v. Dollar Tree Stores, Inc.
TOLB2(39984)07222019
22A-2019-02858C

Yolanda Banks v. Dollar Tree Stores, Inc.
TOL72(39985)07222019
22A-2019-02857C

Tyrone Pettey v. Bryan Plastics Processing LLC
TOL72(39986)07222019
22A-2019-02859C

No Probable Cause – Dismiss - Continued

Desiree Kimble v. Village of Weston
TOL72(39995)07232019
22A-2019-02878C

Mark Robinson v. Mental Health and Recovery Services Board of Lucas County
TOLB2(39997)07232019
22A-2019-02880C

Brenda Mack v. ACI Parts Warehousing, Inc. dba Toledo Parts Plus
TOL72(39998)07242019
22A-2019-02881C

Dana Harrison v. Zepf Center
TOL72(40001)07252019
22A-2019-02887C

Yousif Mustafa v. Heidelberg University
TOL72(40002)07252019
22A-2019-02892C

Rania Nortan v. First Hospitality Group, Inc.
TOLG2(40003)07242019 AMENDED
22A-2019-02894F

Rania Nortan v. One SeaGate Partners, LLC
TOLG2(40004)07242019 AMENDED
22A-2019-02895F

Charles Lee v. Toledo Area Regional Transit Authority dba TARTA
TOL72(40014)07252019
22A-2019-02912C

Angela Green v. Heartland Employment Services, LLC dba HCR ManorCare, Inc.
TOL72(40017)07262019 AMENDED
22A-2019-02951C

LaTasha D. Frye v. Lucas Metropolitan Housing Authority
TOL72(40023)07292019 AMENDED
22A-2019-02960C

Spencer Saunders v. ABC Employment Holdings, LLC dba MS Companies
TOL72(40025)07302019
22A-2019-02962C

No Probable Cause – Dismiss - Continued

Yousif Mustafa v. Heidelberg University
TOL72(40107)09122019
22A-2019-03392C

Amy Sargent v. Central Catholic High School
TOLA2(40188)10212019
22A-2020-00278C

Michele Swensen v. AIY Properties, Inc., Wildcat IX LLC dba Beckford Place Apartments and
Meighan Tackett
AKRH3(40314)07262019AMENDED
22A-2019-03154F

Ari Jolovitz v. Progressive Wooster, LLC dba Avenue at Wooster and Progressive Wooster Real Estate,
LLC
AKRH3(40319)08052019
05-19-6239-8
22A-2019-03179F

Annette Goff v. Bonnie and Emery Mason
AKRH3(40336)08152019AMENDED
05-19-6444-8
22A-2019-03207F

Michele Swensen v. AIY Properties, Inc., Lake Cable Village Apartments dba Wildcat V, LLC, and
Donna Slack
AKRH3(40337)07262019 AMENDED
22A-2019-03209F

Michele Swensen v. AIY Properties, Inc., Great Lakes Apartments Reorganization, LLC dba Northrup
Court Apartments and Meighan Tackett
AKRH3(40338)07262019 AMENDED
22A-2019-03211F

Octavia Hardaway v. Family Dollar Stores of Ohio, Inc.
AKRG3(40344)08222019
22A-2019-03235F

Everlastene Jacobs v. Equity Trust Company, Gregory Geig, Akron Metropolitan Housing Authority,
Debbie Barry, Thomas Baugher and City of Akron, Neighborhood Assistance
AKRH3(40375)09112019
05-19-6768-8
22A-2019-03417F

No Probable Cause – Dismiss - Continued

Cindy Glied v. Haven of Rest Ministries Incorporated, Kathleen Turner and Libby Johnson
AKRH3(40381)09172019AMENDED
05-19-6596-8
22A-2019-03457F

Isaac Moore v. Northfield Park Associates, LLC dba MGM Northfield Park
AKRA3(40401)09272019
22A-2020-00012C

Alecia Belknap v. AA Maintenance Services, LLC
AKRB3(40410)10032019
22A-2020-00080C

Alecia Belknap v. Safe Staffing of Ohio, Inc.
AKRB3(40411)10032019
22A-2020-00081C

Susie Ruffin v. Coleman Professional Services, Inc. dba Coleman Data Solutions
AKRB3(40413)10042019
22A-2020-00083C

Larry Lampley v. County of Summit, Deputy Sheriff's Office and Navy Federal Credit Union
AKRH3(40415)10072019
22A-2020-00085F

Nicholas Gavozzi v. Kent Panini's LLC dba Panini's Bar & Grill
AKRB3(40420)10092019
22A-2020-00195C

Bronsen Robinson v. Gojo Industries, Inc.
AKRB3(40422)10082019
22A-2020-00197C

Bronsen Robinson v. Universal Protection Service, LLC dba Allied Universal Security Services, LLC
AKRB3(40423)10082019
22A-2020-00198C

Deborah Nagle v. Wal-Mart Stores East, Inc.
AKRB3(40425)10072019
22A-2020-00201C

Shawn Fero v. Taylor Steel, Inc.
AKRB3(40430)10162019
22A-2020-00253C

*Split Determination: No Probable Cause on the basis of retaliation on the issue of termination; Probable Cause on the basis of disability on the issue of termination and failure to provide a reasonable accommodation

No Probable Cause – Dismiss - Continued

Jessica Beers & Darwin Webster v. Homebound Management, Inc., Jacob Grimm and Brenda Withrow
AKRH3(40434)10192019
05-20-6895-8
22A-2020-00257F

Sandy Zee v. Mark and Rosidalia Knaus
AKRH3(40438)08162019
05-20-6855-8
22A-2020-00356F

Jonathan Conway v. Tactical Protection and Surveillance, LLC
AKRB3(40443)10282019
22A-2020-00361C

Valerie Slayman v. Honeymoon Corporation dba Honeymoon Grill
AKRG3(40453)10312019
22A-2020-00414F

Genna Arndt v. Campbell Communications, LLC
AKR73(40455)10312019
22A-2020-00423C

Tameacko Preston v. Akron General Medical Center dba Cleveland Clinic Akron General
AKRB3(40459)11012019
22A-2020-00427C

Isaac Moore v. Northfield Park Associates, LLC dba MGM Northfield Park
AKRA3(40474)11102019
22A-2020-00511C

Kevin O'Connor v. Department of Veteran Affairs, Youngstown VA Outpatient Clinic
AKRG3(40487)11172019
22A-2020-00552F

Ari Jolovitz v. Progressive Wooster, LLC dba Avenue at Wooster and Progressive Wooster Real Estate, LLC
AKRH3(40503)11222019
22A-2020-00686F

Ralph M. Moore v. Mahoning County Board of County Commissioners
AKRB3(40509)11292019
22A-2020-00692C

Tyrone Keith v. Tank Pro
AKR73(40514)12042019
22A-2020-00740C

No Probable Cause – Dismiss - Continued

Brian Kopp v. Charter Communications, LLC
AKRB3(40516)12062019AMENDED
22A-2020-00786C

Mary Barath v. City of Rocky River
AKRG3(40522)12102019
22A-2020-00792F

Isaac Moore v. Northfield Park Associates, LLC dba MGM Northfield Park
AKRG3(40537)12222019
22A-2020-00896F

Alice Gatlin v. Cuyahoga Falls Senior LLC dba Brookside Residences, The NRP Group LLC and Tana Hawkins
AKRH3(40560)01102020
05-20-7901-8
22A-2020-01145F

Michael Broadus v. The Little Tikes Company
AKR73(40571)01162020
22A-2020-01157C

Matthew Covey v. City of Akron and Jodie Forester
AKRH3(40579)01232020
05-20-7944-8
22A-2020-01267F

Mary Barath v. City of Rocky River
AKRG3(40603)02052020
22A-2020-01428F

James Vivolo v. CTT Wooster Properties, LLC and Charlotte Tracy
CLEH4(45417)08122019
05-19-6638-8
22A-2019-03246F

Marilyn Countryman v. Jeremy Park LLC, H.S.A. Project Corp., Woda Management Real Estate, LLC, Valhalla Investor, LLC and Valhalla Ohio Portfolio I Partners, LLC
CLEH4(45414)08082019 AMENDED
22A-2019-03222F

Alicia Tokmenko v. Daniel Gorican
CLEH4(45415)08082019
05-19-6668-8
22A-2019-03247F

No Probable Cause – Dismiss - Continued

Richard Putka v. Automotive Partners Inc. dba Rick Roush Honda
CLE74(45421)08132019
22A-2019-03252C

Kimberly Snyder v. State of Ohio, Department of Veterans Affairs
CLEB4(45422)08142019
22A-2019-03264C

Shawn R. Williams v. Euclid Leased Housing Associates LLP, Dominion Management Services, LLC,
FNU Robinson and Michelle Batista
CLEH4(45423)08152019 AMENDED
05-19-0681-8
22A-2019-03253F

Thomas Abate v. Lake Hospitals Systems, Inc. dba Lake Health
CLEA4(45426)0816019
22A-2019-03267C

Richard & Polly Jason v. The Lawrence Community Management, Inc, and The Envoy Condominium
Unit Owners Association
CLEH4(45428)08192019 AMENDED
22A-2019-03255F

Kathleen Sturgis v. Lucky's Farmers Market of Columbus, LLC dba Lucky's Market
CLEB4(45491)09252019
22A-2020-00052C

Edward Duritsky v. Family Dollar Stores of Ohio, Inc. dba Family Dollar
CLEG4(45556)10312019
22A-2020-00401F

Rayshon Reese v. Willie Carr
CLEH4(45587)11272019
22A-2020-00726F

Carmena Peavie v. Retiree Housing Management, Inc., Educator Housing L.L.P., Tom Hinske and
Linda Sack
CLEH4(45539)08062019 AMENDED
05-20-6715-8
22A-2020-00261F

Jaryl F. Griffon v. City of Cleveland, Department of Community Development
CLE74(45636)01022020
22A-2020-00963C

No Probable Cause – Dismiss - Continued

Alex Duncan v. NAMI-Geauga County
CLEG4(45657)01102020
22A-2020-01136F

Michael Brown v. Family Promise of Greater Cleveland
CLE74(45664)01162020
22A-2020-01168C

Elizabeth Pula v. Ashtabula County Medical Center
CLEG4(45707)02122020
22A-2020-01369

Elizabeth Helen George v. Powell Electrical Systems, Inc.
CLEB3(40333)08122019
22A-2019-03205C

Lucette Fanny Holston v. University of Akron, College of Business Affairs
CLEG3(40367)09032019
22A-2019-03402F

Julia Acosta v. City of Dayton
CLE76(28338)10012019 AMENDED
22A-2020-00176C

Billy Jack Miller v. Gardner Denver
DAYB6(28073)05312019
22A-2019-02566C

Samuel Ewing v. Woodforest National Bank
DAYB6(28075)06032019
22A-2019-02432C

Rhonda Sumlin v. AAA Club Alliance
DAY76(28090)06102019
22A-2019-02704C

Deborah Sanders v. City of Cincinnati, Public Service, Sanitation
DAY76(28099)06112019
22A-2019-02611C

Yolanda Roper v. City of Cincinnati Public Service Sanitation
DAY76(28098)06112019
22A-2019-02610C

No Probable Cause – Dismiss - Continued

Marva Carson v. Aftermath Services
DAY76(28102)06112019 AMENDED
22A-2019-02719C

Tim Caudill v. Harco Manufacturing
DAY76(28129)06262019
22A-2019-02786C

Martin Davis v. Aramark
DAY76(28140)07022019
22A-2019-02798C

Carlton Townsend v. Summit Behavior Healthcare
DAY76(28144)07022019 AMENDED
22A-2019-02802C

Joe Micou v. Mad River Fabricating, Ltd.
DAY76(28146)07052019
22A-2019-02805C

James Stewart v. AFSCME Ohio Council 8
DAY76(28152)07092019
22A-2019-02816C

Bernadine Postway v. Paul Dunaway/Laurel Homes
DAYH6(28157)07112019
05-19-8567-8
22A-2019-02854F

Sarice Richardson v. Mercy St. Rita's Medical Center
DAY76(28160)07112019
22A-2019-02914C

Princess T. Watson v. United Parcel Service, Inc.
DAY76(28167)07172019
22A-2019-02919C

Debbie Bruekner v. Fuyao Glass America
DAY76(28168)07172019
22A-2019-02920C

Candice Bumpus v. Andrew F. Bartish, DDS LLC
DAYE6(28170)07182019
22A-2019-02922F

No Probable Cause – Dismiss - Continued

David C. Evans v Central University
DAY76(28174)07182019
22A-2019-02926C

Kelsie Russell v. State of Ohio, Department of Transportation
DAY76(28175)0722019
22A-2019-02927C

Lillie Chaplin v. FC Industries, Inc.
DAYB6(28178)07242019
22A-2019-02929C

Tenola Oliver v. SVG Motors
DAYG6(28179)07222019
22A-2019-02931F

Stephanie Spiller v. Lake Waynoka Property Owner
DAYG6(28182)07232019
22A-2019-02937F

Andre Allen v. SDH Services West, LLC dba Sodexo
DAY76(28187)07252019
22A-2019-02943C

Andre Allen v. Ohio National Financial Services, Inc.
DAY76(28188)07252019
22A-2019-02948C

Jeffonne A. White v. DHL
DAY76(28193)07262019
22A-2019-02980C

Michelle McCorkle v. Beckett Springs
DAYB6(28197)07302019
22A-2020-02984C

Jalen Shaw v. Walmart Stores Inc.
DAY76(28201)08022019
22A-2019-03130C

Layne Rice v. City of Cincinnati, Cincinnati Fire Department
DAYA6(28202)08052019
22A-2019-03131C

No Probable Cause – Dismiss - Continued

Victoria Williams v. Kenwood Terrace Care Center
DAY76(28212)08072019
22A-2019-03156C

Barbara Cook v. Beacon Orthopaedics & Sports Medicine, Ltd.
DAYG6(28218)08082019
22A-2019-03162F

Jerome Montgomery v. Fuyao Glass America
DAYB6(28229)08142019
22A-2019-03178C

Thomas M. Daniels v. IENOS
DAYG6(28248)08172019
22A-2019-03351C

John Steven Olds v PPG
DAY76(28252)08192019
22A-2019-03353C

Liadamig Torres Gonzales v Wurth Electronics, ICS, Inc.
DAY76(28261)08262019
22A-2019-03371C

Ashanis Gonzales Santos v. Wurth Electronics, ICS, Inc.
DAY76(28262)08262019
22A-2019-03372C

Lyndon Browne v. Keidel Supply Company, Inc.
DAYA6(28264)08272019
22A-2019-03359C

Craig Williams v. Deceuninck North America
DAY76(28265)08272019
22A-2019-03374C

Loretta Blackburn v. Talbert House
DAYB6(28277)0822019
22A-2019-03412C

Hussien Elezbawy v. Crescent Park Corporation
DAY76(28301)09172019
22A-2019-03546C

No Probable Cause – Dismiss - Continued

Aaron Israel v. Talbert House
DAY76(28343)10072019
22A-2020-00185C

John Forester v. Golden Villa Apartments & Gwendolyn Wright
DAYH6(28360)10102019
05-20-6819-8
22A-2020-00228F

Diahanna Mills v. Hamilton County Developmental Disabilities Services
DAYA6(28364)10152019
22A-2020-00303C

Bettie Smith v. LHC Group, Inc. Assisted Care by Black Stone of Cincinnati, LLC dba Home Care by Black Stone
DAY76(28377)10172019
22A-2020-00311C

Martiza Conception v. Wagner Araujo
DAYH6(28382)10172019
05-20-8299-8
22A-2020-00331F

Alice Kitouni v. Jennifer Johnson, Property Manager; The Residences of Ohio Jerry Johnson Jr. Investments
DAYH6(28411)10282019 AMENDED
05-20-7164-8
22A-2020-00399F

Richard Stercz v. TriHealth G LLC
DAYG6(28489)12032019
22A-2020-00741F

Robyn Kelly v. AERC, Remington Place Holdings LLC, Owner
DAYH6(28616)10082019
05-20-7982-8
22A-2020-01283F

Mariah N. Williamson v. Ohio Mulch
DAY71(47092)06132019
22A-2019-02503C

James Dean Williamson v. Ohio Mulch
DAY71(47093)06132019
22A-2019-02504C

MOTION by Commissioner Patmon to approve the April 9, 2020 Confirmation Agenda. Second by Commissioner Singh.

Roll Call Vote:

| | |
|--|----------------------------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES – with noted recusals |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

STAFF BRIEFING

The Director of Compliance informed those present that the notice requirements set forth in the Ohio Administrative Code Section 4112-1-04 had been complied with.

Commissioners' Agenda for Week 1

1. Findings Upon Reconsideration: No Probable Cause - Dismiss

Shawnta' Bailey v. The Ohio Education Association
COL71(46980)04242019
22A-2019-02049C

MOTION by Commissioner Patmon to reinstate the previous No Probable Cause determination. Second by Commissioner Cespedes.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Elizabeth Kerchner v. Ganzhorn Suites, Inc.
COLA1(47018)05122019 AMENDED
22A-2019-02220C

MOTION by Commissioner Singh to reinstate the previous No Probable Cause determination. Second by Commissioner Patmon.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Ralph Whitlow v. DMG Rentals 14, LLC, Tammy Fiscus and The Reserve at Capital Pointe
COLH1(47026)05162019
05-19-5154-8
22A-2019-02278F

MOTION by Commissioner Patmon to reinstate the previous No Probable Cause determination. Second by Commissioner Peters.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Commissioners' Agenda for Week 2

1. Findings Upon Reconsideration: No Probable Cause - Dismiss

Stephanie N. Gibson v. Qwest Corporation dba Century Link
COL71(46997)05022019 AMENDED
22A-2019-02115C

MOTION by Commissioner Peters to reinstate the previous No Probable Cause determination. Second by Commissioner Cespedes.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Cyndi Frohman v. Progressive Casualty Insurance Company
CLEB4(45319)06112019
22A-2019-02485C

MOTION by Commissioner Singh to reinstate the previous No Probable Cause determination. Second by Commissioner Peters.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

2. Findings Upon Reconsideration: No Jurisdiction - Dismiss

Joyce and Greg Ackerman v. Montgomery County Common Pleas Court
DAYG6(28548)12242019
22A-2020-01021F

MOTION by Commissioner Peters to reinstate the previous No Probable Cause determination. Second by Commissioner Patmon.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Commissioners' Agenda for Week 3

1. Findings Upon Reconsideration: Uphold Probable Cause Determination

John D. Oakes v H.D. Milton Associates, Williams Pointe Property Management, and Linda Neal
DAYH6(28040)05082019
05-19-8041-8
22A-2019-02266F

MOTION by Commissioner Singh to uphold the previous Probable Cause determination. Second by Commissioner Cespedes.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | NO |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | NO |

Motion carried.

Abigail Divine v. D & P Communities, Inc., Patricia Moore, and TBR Timbercrest, LLC
DAYH6(28071)04242019 AMENDED
05-19-5392-8
22A-2019-02582F

MOTION by Commissioner Peters to uphold the previous Probable Cause determination. Second by Commissioner Cespedes.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

2. Findings Upon Reconsideration: No Probable Cause - Dismiss

Arthur Paylay v. State of Ohio, Department of Developmental Disabilities
COL71(47291)08292019 AMENDED
22A-2019-03289C

MOTION by Commissioner Peters to reinstate the previous No Probable Cause determination. Second by Commissioner Singh.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Darlene Jones v. Dublin Springs, LLC dba Columbus Springs East
COLB1(47459)10312019
22A-2020-00326C

MOTION by Commissioner Singh to reinstate the previous No Probable Cause determination. Second by Commissioner Peters.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Commissioners' Agenda for Week 4

1. Findings Upon Reconsideration: No Probable Cause - Dismiss

Zaneta Shivers v. Charter Communications Inc.
COL71(46970)04222019 AMENDED
22A-2019-01994C

MOTION by Commissioner Peters to reinstate the previous No Probable Cause determination. Second by Commissioner Patmon.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Miami Valley Fair Housing Center v. Indian Lookout Limited Partnership Stephanie Miller,
Towne Properties Asset Management Company
DAYH6(28002)04192019
05-19-7598-8
22A-2019-02151F

MOTION by Commissioner Singh to reinstate the previous No Probable Cause determination. Second by Commissioner Patmon.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Karianes Perez & Nexxus Torres Aluarado v. Indian Lookout Limited Partnership; Stephanie Miller,
Towne Properties Asset Management Company
DAYH6(28003)04192019
05-19-8079-8
22A-2019-02153F

MOTION by Commissioner Patmon to reinstate the previous No Probable Cause determination. Second by Commissioner Singh.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

2. Consideration of Administrative Law Judge's Report and Recommendation - Grant

Gilbert Abercrombie v. 4Lamm, LLC dba Fitness Zone
CLEG4(44862)09182018
22A-2018-03625F
Complaint No. 19-PUB-CLE-44862

MOTION by Commissioner Peters to adopt the Administrative Law Judge's Report and Recommendation and issue a Cease and Desist Order. Second by Commissioner Cespedes.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

MOTION by Commissioner Peters to direct the Attorney General's Office to prepare the final order. Second by Commissioner Patmon.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

3. Consideration of Administrative Law Judge’s Report and Recommendation - Grant

Linda Mullet v. Todd Cleavenger, Ohio Specialized Investments, Ltd. and Lori Sams
AKRH3(39142)08182017
05-16-5049-8
22A-2017-03418F
Complaint No. 18-HOU-AKR-39142

MOTION by Commissioner Singh to adopt the Administrative Law Judge’s Report and Recommendation and grant attorney fees. Second by Commissioner Cespedes.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

MOTION by Commissioner Peters to direct the Attorney General’s Office to prepare the final order. Second by Commissioner Singh.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Housing Research & Advocacy Center v. Kimberly Shores
CLEH4(43462)06242016
05-16-5049-8
22A-2016-02197F
Complaint No. 17-HOU-CLE-43462

MOTION by Commissioner Peters to adopt the Administrative Law Judge’s Report and Recommendation, grant attorney fees and direct the Attorney General’s Office to prepare the final order. Second by Commissioner Cespedes.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | NO |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

James Coolidge v. Jill C. (Beckner) Syphrit
DAYH6(26629)08072017
05-17-0607-8
22A-2017-03374F
Complaint No. 18-HOU-DAY-26629

MOTION by Commissioner Peters to adopt the Administrative Law Judge’s Report and Recommendation, grant attorney fees and direct the Attorney General’s Office to prepare the final order. Second by Commissioner Singh.

Roll Call Vote:

| | |
|--|------------|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

4. Consideration of Administrative Law Judge’s Report and Recommendation - Grant

Yvonne Brinkley v. Aram Gosdanian, Derek Kinzer, Abbeyhill Realty & Management, LLC,
Lyric Properties, LLC
COLH1(45201)05082017
05-16-7378-8
22A-2017-02370
Complaint No. 18-HOU-COL-45201

MOTION by Commissioner Singh to adopt the Administrative Law Judge’s Report and Recommendation, grant attorney fees, deny Respondents’ objections and direct the Attorney General’s Office to prepare the final order. Second by Commissioner Peters.

Roll Call Vote:

| | |
|-------------------------------------|-----|
| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

Report from the Chief Legal Counsel

The EEOC has deferred issuing NORTS amidst the COVID-19 epidemic. “The U.S. Equal Employment Opportunity Commission confirmed Tuesday that it has largely paused its issuance of key notices that start the clock for workers to sue their employers for bias, the same day that civil rights advocates urged the agency to do more to safeguard workers' ability to pursue claims during the novel coronavirus pandemic.

The anti-discrimination watchdog has "temporarily suspended the issuance of charge closure documents" that typically accompany its completion of an investigation of bias, harassment or retaliation charges filed by aggrieved workers unless the workers ask the agency for them, according to an EEOC spokeswoman.”

Source: By Vin Gurrieri Law360 (April 7, 2020, 10:47 PM EDT) <https://www.law360.com>

The U.S. Supreme Court has issued two key civil rights decisions in the past two weeks.

In, *Comcast Corp. v. Natl. Assn. of African Am.-Owned Media*, 2020 WL 1325816, (Mar. 23, 2020), the Court held a § 1981 plaintiff bears the burden of showing that the plaintiff's race was a **but-for** cause of its injury, and that burden remains constant over the life of the lawsuit.

In *Comcast*, the plaintiff (the Entertainment Studios Network an African-American owned TV network operator, along with the National Association of African American Owned Media), sued Comcast under § 1981, which guarantees all persons have the same right to make and enforce contracts as white citizens, seeking to have the cable conglomerate carry ESN's channels. Comcast refused, citing lack of demand and bandwidth constraints. The District Court dismissed the complaint for failing plausibly to show that, but for racial animus, Comcast would have contracted with ESN. The Ninth Circuit reversed, holding that ESN needed only to plead facts plausibly showing that race played “some role” in the decision-making process. The Supreme Court reversed and remanded employing more difficult standard of “but for” causation to cases brought under § 1981.

In the second case, handed down April 6th, the Court also examining the “but for” standard held with respect to federal sector employees if age is merely a factor in an employment decision, the statute has been violated. *Babb v. Wilkie*, 2020 WL 1668281 (Apr. 6, 2020). In a convoluted decision, the Court makes distinction between the award of damages, reinstatement, back pay, hiring, which the Court states the but for standard remains relevant. However, the court stated, “other remedies are available even if age discrimination played a lesser part in the decision.”

The federal-sector provision of the Age Discrimination in Employment Act of 1967 (ADEA), 29 U.S.C. § 633a(a), provides (with just a few exceptions) that “personnel actions” affecting individuals aged 40 and older “shall be made **free from any discrimination** based on age.” As a result, age must be a but-for cause of discrimination—

that is, of differential treatment—but not necessarily a but-for cause of a personnel action itself for cases involving employees of the federal government.

What does this mean for OCRC and charges filed under 4112? Really not much. The language in the federal sector provision differs from R.C. § 4112.02(A), which is nearly identical to the ADEA's private sector provisions.¹ The Court relied on the language of the federal sector statute, “free of discrimination,” which substantially differs from the private sector statute “because of.” The Court already imposed the “but for” standard under § 623(a)(1) in *Gross v. FBL Financial Services, Inc.*, 557 U.S. 167, recognizing the ADEA's private- and public-sector provisions are “couched in very different terms.” *Gómez-Pérez v. Potter*, 553 U.S. 474, 488 (2008).

Finally, Ohio passed an emergency bill (HB 197) relating to the current COVID-19 (coronavirus) pandemic. HB 197, which was approved by the Ohio House and Senate on March 25, 2020, enacts a number of emergency measures for Ohioans coping with the fallout from the COVID-19 pandemic. One of the most relevant provisions to the OCRC is a tolling of certain limitation periods and deadlines set to expire between **March 9, 2020**, and the **EARLIER of July 30, 2020 or the date the emergency order is lifted**.

This applies to criminal, civil and administrative actions and proceedings and time limitations under the Revised Code.

I am preparing a Memo/Q&A Statement for staff. For example, one question:

Q: What happens if a statute falls during the tolling period but the charge is not filed until a later date?

A: As long as the charge is timely filed after the tolling period ends, the charge will be deemed timely. The Supreme Court gives the following scenario: If a deadline were set to expire on March 19, 2020 (10 days after the effective date of the order), the deadline will now expire 10 days after this tolling order is lifted.

The Ohio Supreme Court issued an Administrative Action detailing the effects of the bill. Notably the court recognized the right of entities to proceed with cases filed after the tolling period begins and cases already filed: “[T]he Court, local court, hearing panel, **board, or commission** may still require filing in accordance with existing rules and issue orders setting a specific schedule in a case or requiring parties to file documents by a specific due date if pertaining to a situation that requires immediate attention. A specific order in a case issued on or after March 9, 2020, shall supersede the tolling provisions of this order, unless otherwise noted in that specific order.”

One thing we have had to consider is requests for reconsideration. There is no statutory entitlement to a request for reconsideration and filing for reconsideration does not invoke a statute of limitations. The Commission created a rule, found in the Ohio Administrative Code, which sets forth the process for seeking reconsideration. The rule allows the Commission, in its discretion, to accept or reject an application for reconsideration. O.A.C. § 4112-3-04(B). Consequently, any untimely filed requests for reconsideration, which are due during the tolling period, will be considered on a case-by-case basis for consideration. Though personal delivery is not available during the emergency, the agency can still receive reconsideration requests through email, mail or fax. Therefore, while the agency can expect reconsiderations to be timely submitted, the Governor has asked boards, commissions and agencies to “work with Ohio citizens in individual circumstances.”

Report from Executive Director

Considering the current health crisis with the coronavirus, now is the time to reflect, re-assess and re-engage.

- I commenced working for the Commission as Executive Director on March 16th.
- On that same day, the hiring freeze was imposed, which prohibited future hires and transfers. (I just made it 😊)
- Also, on that same day, I attended a telephone conference where we were not only to have non-essentials working from home, but we were told to begin looking at the core employees.
- Efforts were already being made to get the non-essential working from home, but we still had a lot of staff still going into the office throughout the regions.
- As I was acquiring more information on the state of the coronavirus, it was clear that the well-being of the staff was paramount and that we needed to ramp up our efforts to get the entire staff working safely from home.
- On March 18th, I instructed the executive staff to get everyone teleworking and that once the staff was teleworking, then the executive staff can telework. The goal was to have everyone working safely from home by Monday, March 23rd.
- The teleworking process kicked into high gear, the teleworking documents were being signed and submitted, everyone's internet and computer capabilities was assessed, equipment (reserves that we had or through the generosity of other employees) was given to those in need based upon their need, Dale created instructions to be followed for connectivity and made himself available to everyone to get them connected. OIT from DAS was also instrumental in getting us connected.
- On Friday, March 20th, most of the agency was teleworking.
- On March 23rd, the Commission was officially teleworking, with a few exceptions.
- Since teleworking, I have participated in videoconferences with staff as well as with the AG.
- I have started my listening tour, albeit by phone. This provides me with the opportunity to get to know the staff and for them to get to know me. To date, I have spoken one-on-one with members of the Executive Staff and the Regional Directors. So far, I have learned that we have a truly dedicated staff that is passionate about what they do and about the mission of the Commission. But they are also compassionate about each other. We have a staff rich in skills and abilities that the Commission can use to move the agency forward. But my tour continues...

Fiscal

- Dale prepared the March FY2020 Finance Report is attached for your review.

Human Resources

- Due to the hiring freeze, we still have two investigator positions open-one in Dayton and one in Cleveland. Although a person was selected in Cleveland, we were unable to get the person on board prior to the freeze.
- Christine Hodge, an Investigator in the Columbus Region, has announced that she is retiring effective April 30th.
- John Mayer, an Investigator in the Toledo Region, has indicated that he is retiring effective in September.

- Stephanie Bostos-Demers and Judia Brown have been participating in workshops by video-conference/skype involving Diversity and Inclusion.

Compliance

- Financial Disclosure deadline was extended from May 15 to July 15.
- Ethics Training to be completed by November 30.
- Securing Ohio/Cybersecurity Training to be completed by May 1.
 - Available on ELM and Ohio Learning

Outreach/Education/Training

- There were many outreach, education and training opportunities that were unfortunately cancelled due to our current health crisis. However, there are opportunities that are being planned online.
 - For example, Stephanie Bostos-Demers is to work on a webinar project with the Ohio SHRM Council on the top ten issues facing the Employer. We will keep you posted as this project unfolds.
- All Day Staff Training (All Hands Meeting) - there was a meeting about this event. Stephanie Bostos-Demers, Darlene Newbern, Mary Turocy, and I were in attendance. It was difficult to determine how to handle this meeting because of the current health crisis. Ethics training, which is usually done during this meeting, is to be completed by the staff online before November 30th.
- Crain's Cleveland Business asked to interview someone with the Commission regarding ADA protections in the workplace. Mary Turocy agreed to do the interview. A copy of the article is attached for your review.
- MLK-Mary Turocy and I discussed when and how to approach the sponsors for this event as well as possible venue for this event. Mary reached out to COSI. She is to get a couple of proposals from COSI, but with the uncertainty of everything as you can imagine everything is extremely tentative.
- Hall of Fame-Mary and I also discussed possibilities of moving forward with the Hall of Fame. Mary submitted a report itemizing the possibilities and what the event would look like depending upon our ability to assemble again. That report is attached for your review.
- Due to the current health crisis, the following activities have been suspended:
 - Mary Turocy serves on the Strategic Action Plan on Aging (SAPA) Advisory Committee has paused its work because the Ohio Department of Aging has turned its attention to the COVID-19 pandemic and its impact on Ohio's aging population.
 - CRC photography exhibit which is done in connection with the Ohio Arts Council and was scheduled for the end of April was postponed.

Legislative

- The Chair, Mary Turocy and I had a video-conference with Representatives Juanita Brent (Cleveland) and Paula Hicks-Hudson (Toledo) regarding the Crown Act (H.B. 535). CROWN is an acronym for Creating a Respectful and Open World for Natural Hair. A copy of the Bill is attached for your review. As it

relates to the Ohio Civil Rights Commission, the only statutory change is on page 20 of the bill where it defines “Race” to “include traits associated with an individual’s race, including hair texture and protective hair styles, such as braids, locks, and twists.” We discussed the impact this would have in terms of increase in filings and whether we had the staffing to accommodate such filings.

- The Quarterly Legislative Report is attached for your review.

Regional Operations/Activities

- The Regions are dealing with the day-to-day operations of teleworking.
- They have established a process of checking-in with the staff daily.
- Any computer glitches are handled as soon as practicable.
- They continue to have meetings and to interact with staff face-to-face, as much as possible.
- Issues regarding cases continue to be handled in conjunction with the regional directors and the executive staff.

Appreciation

- Praise was extended to the Cleveland Office and Investigator, Melinda Howard, for providing great service and for being attentive to the constituent’s needs.
- Dale received a statement of gratitude from a colleague who appreciated the work he put in to get her downloaded and connected, to be able to work from home.

Report from the Ohio Attorney General’s Office

Lori Anthony, Civil Rights Section Chief, wished everyone a safe and happy Easter and Passover.

Remarks

The Commissioners expressed appreciation for Governor Mike DeWine and the OCRC staff. They wish everyone a safe and happy holiday. They also welcomed the new executive director to the agency. Commissioner Peters expresses concern for people with disabilities with regarding to the coronavirus pandemic.

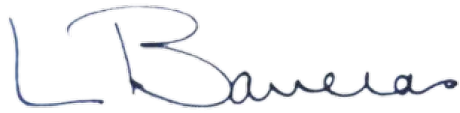
MOTION by Commissioner Peters to adjourn the public meeting. Second by Commissioner Patmon.

Roll Call Vote:

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| Chair Lori Barreras | YES |
| Commissioner William W. Patmon, III | YES |
| Commissioner Madhu Singh | YES |
| Commissioner Juan Cespedes | YES |
| Commissioner Carolyn Peters | YES |

Motion carried.

The regular meeting of The Ohio Civil Rights Commission was ADJOURNED at 10:52AM.



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Commissioner