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IN THE DISTRICT COURT OF APPEAL,

FIFTH DISTRICT, STATE

CHARLENE CINTRON,

Appellant,

v.

CASE NO. 5D16-4120

DELAND HOUSING AUTHORITY,

Appellee.

_____ /

On appeal from the Department of Administrative Hearings
Case No. 15-7307 after Florida Commission on Human Relations
HUD Case No. 04-15-0887-8
FCHR Case No. 2016H0061
DOAH Case No. 15-7307
FCHR Order No. 16-042

APPELLANT'S INITIAL BRIEF

INITIAL BRIEF OF APPELLANT

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Table of Authorities

Cases:

1. Bragdon v. Abbott, 524 U.S. 624, 631 (1998).
2. Section 504 of the Rehabilitation Act of 1973, as amended.

Deland Housing Authority Policy and Procedures:

1. The Fair Housing Act is codified at 42 U.S.C. §§ 3601 – 361.
2. Housing providers that receive federal financial assistance are also subject to the requirements of Section 504 of the Rehabilitation Act of 1973. 29 U.S.C. § 794.
3. See U.S. Department of Housing and Urban Development, Office of Public and Indian Housing, Notice PIH 2002-01(HA) (www.hud.gov/offices/fheo/disabilities/PIH02-01.pdf) and “Section 504: Frequently Asked Questions,” (www.hud.gov/offices/fheo/disabilities/sect504faq.cfm#anchor272118).
4. The Fair Housing Act’s protection against disability discrimination covers not only home seekers with disabilities but also buyers and renters without disabilities who live or are associated with individuals with disabilities:
 - a. 42 U.S.C.
 - b. § 3604(f)(1)(B), 42 U.S.C.
 - c. § 3604(f)(1)(C), 42 U.S.C.
 - d. § 3604(f)(2)(B), 42 U.S.C.
 - e. § (f)(2)(C). See also H.R. Rep. 100-711 – 24 (reprinted in 1988 U.S.C.A.N. 2173, 2184-85).
5. 42 U.S.C. § 3604(f)(3)(B). HUD regulations pertaining to reasonable accommodations may be found at 24 C.F.R. § 100.204.

Florida Statutes

1. Fair Housing Act, Sections 760.20 - 760.37, Florida Statutes (2014).
2. Florida Statute §760
3. Florida Statute §119

Regulations

1. 42 U.S.C. § 3604(f)(3)(B). HUD regulations pertaining to reasonable accommodations may be found at 24 C.F.R. § 100.20.
2. 42 U.S.C. § 3604(f)(3)(B).
3. 24 C.F.R. Part 8

PRELIMINARY STATEMENT

Appellant, Charlene Cintron and minor children, will be referred to herein as “Appellants,” or if necessary, individually as Charlene, Chevonne, and Janessa. Appellee, Deland Housing Authority, will be referred to herein as the “Appellee” or the “Housing Authority”.

TERMINOLOGY

The Act defines a person with a disability to include (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such an impairment; and (3) individuals with a record of such an impairment.

The term "physical or mental impairment" includes, but is not limited to, such diseases and **conditions as orthopedic**, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism

Equal access: equal opportunity of a qualified person with a disability to participate in or benefit from educational aid, benefits, or services

Reasonable modifications: under a regulatory provision implementing Title II of the ADA, public entities are required to make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity

What is a "reasonable accommodation" for purposes of the Act?

A "reasonable accommodation" is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Since rules, policies, practices, and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others will sometimes deny them an equal opportunity to use and enjoy a dwelling. The Act makes it unlawful to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling.

To show that a requested accommodation may be necessary, there must be an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.

What is a reasonable accommodation under Section 504?

A reasonable accommodation is a change, adaptation or modification to a policy, program, service, or workplace which will allow a qualified person with a disability to participate fully in a program, take advantage of a service, or perform a job. Reasonable accommodations may include, for example, those which are necessary in order for the person with a disability to use and enjoy a dwelling, including public and common use spaces. Since persons with disabilities may have special needs due to their disabilities, in some cases, simply treating them exactly the same as others may not ensure that they have an equal opportunity to use and enjoy a dwelling.

In order to show that a requested accommodation may be necessary, there must be an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.

When and how should an individual request an accommodation?

Under the Act, a resident or an applicant for housing makes a reasonable accommodation request whenever she makes clear to the housing provider that she is requesting an exception, change, or adjustment to a rule, policy, practice, or service because of her disability. She should explain what type of accommodation she is requesting and, if the need for the accommodation is not readily apparent or not known to the provider, explain the relationship between the requested accommodation and her disability.

An applicant or resident is not entitled to receive a reasonable accommodation unless she requests one. However, the Fair Housing Act does not require that a request be made in a particular manner or at a particular time. A person with a disability need not personally make the reasonable accommodation request; the request can be made by a family member or someone else who is acting on her behalf. An individual making a reasonable accommodation request does not need to mention the Act or use the words "reasonable accommodation." However, the requester must make the request in a manner that a reasonable person would understand to be a request for an exception, change, or adjustment to a rule, policy, practice, or service because of a disability.

Although a reasonable accommodation request can be made orally or in writing, it is usually helpful for both the resident and the housing provider if the request is made in writing. This will help prevent misunderstandings regarding what is being requested, or whether the request was made. To facilitate the processing and consideration of the request, residents or prospective residents may wish to check with a housing provider in advance to determine if the provider has a preference regarding the manner in which the request is made. However, housing providers must give appropriate consideration to reasonable accommodation requests even if the requester makes the request orally or does not use the provider's preferred forms or procedures for making such requests.

What if a housing provider fails to act promptly on a reasonable accommodation request?

A provider has an obligation to provide prompt responses to reasonable accommodation requests. An undue delay in responding to a reasonable accommodation request may be deemed to be a failure to provide a reasonable accommodation.

If a person believes she has been unlawfully denied a reasonable accommodation, what should that person do if she wishes to challenge that denial under the Act?

When a person with a disability believes that she has been subjected to a discriminatory housing practice, including a provider's wrongful denial of a request for reasonable accommodation, she may file a complaint with HUD within one year after the alleged denial or may file a lawsuit in federal district court within two years of the alleged denial. If a complaint is filed with HUD, HUD will investigate the complaint at no cost to the person with a disability.

There are several ways that a person may file a complaint with HUD:

- By placing a toll-free call to 1-800-669-9777 or TTY 1-800-927-9275;
- By completing the "on-line" complaint form available on the HUD internet site: <http://www.hud.gov>; or
- By mailing a completed complaint form or letter to:

Office of Fair Housing and Equal Opportunity Department of Housing & Urban Development
451 Seventh Street, S.W., Room 5204 Washington, DC 20410-2000.

Section 504 prohibits discrimination on the basis of disability in any program, service, or activity that receives federal financial assistance. This means, for example, that persons with disabilities may not be denied the opportunity to participate in a program, service, or activity; may not be required to accept a different kind or lesser program or service than what is provided to others, and may not be required to participate in separate programs and services, even if separate programs and services exist. In general, with respect to housing, it means that a housing provider may not deny or refuse to sell or rent to a person with a disability, and may not impose application or qualification criteria, rental fees or sales prices, and rental or sales terms or conditions that are different than those required of or provided to persons who are not disabled. Housing providers may not require persons with disabilities to live only on certain floors, or to all live in one section of the housing. Housing providers may not refuse to make repairs, and may not limit or deny someone with a disability access to recreational and other public and common use facilities, parking privileges, cleaning or janitorial services, or any services which are made available to other residents. People with disabilities may not be denied the opportunity to serve on planning or advisory boards because of their disabilities.

TIMELINE OF EVENTS:

1. Charlene Cintron writes a letter to the Director of the Deland Housing Authority, Millie Quiones on 12/10/2016 by email, that the Deland Housing Authority Housing Inspector Fran Bosgraaf did not do her job and do her yearly Housing Inspection under the Housing Quality Standards (HQS) under the Policy and Procedures for the Deland Housing Authority, the dwelling that the Appellants lived in at that time 1196 Tivoli Drive Deltona Florida 32725. (Exhibit
2. Fran Bosgraaf becomes the Appellants "Case Worker" (Exhibit 15 DOAH Exhibit) The person who the Appellant "snitched" on that she did not do her job.
3. The Appellants are approved by Fran Bosgraaf to move to 613 Anderson Drive Deltona Florida after the Deland Housing Authority Housing Inspector Fran Bosgraaf inspects the 613 Anderson Drive dwelling and passes the 613 Anderson Drive dwelling, Fran Bosgraaf then tells the Appellant they may proceed and move into the house The Appellants move in on 12/1/2013.
4. 12/4/2013 Downsize of Voucher following the complaint of the Deland Housing Inspector not doing her job signed by Fran Bosgraaf. The same person who Inspected the dwelling, passed the dwelling, told the Appellant to move in to the dwelling. (Exhibit 40 DOAH Exhibit)
5. The Appellant is FORCED to do a Reasonable Accommodation 12/16/2013 request to keep her own bedroom, not to be shared with her 18-year-old daughter Jolene Barton, the Appellant Charlene Cintron at this time is an adult and head of the household with known disabilities known to the Deland Housing Authority. (Exhibit 16, and Exhibit 17, both DOAH Exhibit)
6. The Appellant ask the Director of Deland Housing Authority to please intercede and stop this retaliation by Fran Bosgraaf being done so with malicious intent, while using her power over the Appellant and her children. Email dated 12/16/2013. (Exhibit 19 DOAH Exhibits)
7. Fran Bosgraaf co-worker and friend Yazzmin Gallardo follows with the retaliation against the Appellant and sends a letter to the Appellants to TERMINATE HER HOUSING CHOICE VOUCHER dated 2/3/2014.

8. The Appellant ask for a Reasonable Accommodation for her minor daughter Chevonne Barton who has orthopedic disabilities and is undergoing multiple surgeries, physical therapy and other related services for her disabilities. The request in writing Exhibit 22 DOAH Exhibit showing the Reasonable Accommodation dated 9/1/2014 was approved.
9. Exhibit 20 DOAH Exhibit shows prior to the above Reasonable Accommodation request for minor child Chevonne Barton the Appellants have a three-bedroom Housing Choice Voucher.
10. Exhibit 23 DOAH Exhibit shows the Appellants consistently asking what happened to the Approved 9/9/2014 Reasonable Accommodation for the Medically needed extra bedroom for minor child Chevonne Barton.
11. Exhibit 25 DOAH Exhibit again asking and explain about the Reasonable Accommodation Approve on 9/9/2014.
12. Exhibit 25 date 10/23/2014 T. Hiller telling the Appellants who is to use each bedroom. Telling the Appellants, they only have a three-bedroom that pays about \$875.00.
13. Exhibit 25 triggers the Appellants to once again be FORCED to request a Reasonable Accommodation dated 11/1/2014 for 18-year-old daughter Jolene Barton not to share her room with Janessa Barton Appellants minor daughter.
14. Exhibit 34 DOAH Exhibit Refusal to make change in policy, procedures. Sandy Huffman would not even allow Jolene Barton to request a Reasonable Accommodation to be a Relative Caretaker to Appellant Charlene Cintron. To fill out the Reasonable Accommodation request form.
15. The Appellants file a Complaint to HUD, HUD refers complaint to FCHR, FCHR does not put the Facts of Law and follow the Law or Deland Housing Authorities Policy and Procedures Book, for Appellants, Appellant file for hearing, DOAH again DOAH fails and errors to put Fact of Law in the Discrimination and Retaliation done to Appellants, Appellants file for an Appeal.

STATEMENT OF THE CASE

DOAH Case number 15-7307

FCHR Case Number 20156H0061

This case came before the court DOAH after the Appellant filed a complaint to HUD for a Reasonable Accommodation for the minor child Chevonne Barton made on 9/1/2014 for an Extra bedroom medically needed for Medical Equipment, the Reasonable Accommodation dated 9/1/2014 was then Approved on 9/9/201 by The Deland Housing Authority however Deland Housing Authority would not honor the Approved Reasonable Accommodation for the Appellants. The Reasonable Accommodation for Chevonne Barton the minor child with orthopedic problems in both the right and left leg, made the 3 bedrooms voucher the Appellants had into a 4-bedroom voucher. The Deland Housing Authority would not issue the 4-bedroom Housing Choice Voucher to Appellants after the approved reasonable accommodation. Instead the Deland Housing Authority dictated to the Appellants as to what person in the Appellants family would be in each of the 3 bedrooms at the 613m Anderson Drive dwelling.

The HUD complaint triggered a referral by HUD Complaints to Florida Commission on Human Relations (FCHR). FCHR investigated case and confused the process and information with the discrimination complaint. FCHR closed the case with many error's. The FCHR based their decision on a letter meant for Jolene Barton and not Chevonne Barton, they also did not use the guidelines in which the Deland Housing Authority already told the Appellants they only have a three-bedroom voucher (Exhibit 25, DOAH Exhibit), at that time the Appellants could not do paperwork because there was no paperwork to do to get the 4-bedroom voucher only the housing

authority can authorize a family to move and issue vouchers. Once the housing authority issues a voucher that the family can do paperwork for the newly issued voucher and to move.

The Appellant's moved forward to have the Department of Administrative Hearings (DOAH) schedule a hearing. The Judge at the DOAH also made errors in the clear evidence provided by the Appellants and in the case of actual and purposeful malicious discrimination against Appellants, Charlene Cintron for minor child Chevonne Barton Reasonable Accommodation with regards to request in writing to the Deland Housing Authority. As well as the denial to Jolene Barton to request a Reasonable Accommodation to be the Relative Caretaker (Exhibit 35, DOAH Exhibit). The Deland Housing Authorities Policy and Procedures support the claims made by the Appellants who are now seeking an appeal to a DOAH decision in which the Lower Tribunal Judges statement is a contradiction the Facts of Law were ignored and the decision was not based on the evidence provided at the DOAH Hearing, the court denied the Appellants and closed the case.

The Appellant Chevonne requests under a Reasonable Accommodation according to the current housing laws, are to obtain an extra bedroom medically needed for Medical Equipment.

Jolene Barton was not allowed to fill out a request for Reasonable Accommodation to be a Relative Caretaker. Exhibit 35, DOAH Exhibit.

The federal laws in this matter are also in support of the Appellant's who would seek the Judge to apply the laws from the State of Florida, Deland Housing Authority Policy and Procedures Book (Exhibit 2, DOAH Exhibit), and Federal laws that govern in this case. The court made an application of the law in the lower court's decision which denied the appellants', this is done so in error of application of the laws and regulations.

The main regulation that the State of Florida provides in Housing Discrimination is Section 504, which also cover request in changes in policy, procedures and services when a Reasonable Accommodation is requested in the area of Housing under Section 504-HUD. (Deland Housing Authority Exhibit 2, DOAH Exhibit 2; Page 2-7; Policies Related to Persons with Disabilities, Section 2-II.A.

In making a decision in regards to this Brief, all parties are aware of the Reasonable Accommodation request made and Approved that the ability to enjoyment entitled by the Appellants was so purposefully interrupted in their Housing Choice Voucher district and under not only the State of Florida laws but Federal laws, and the Deland Housing Authority Policy and Procedures Book. (Exhibit 2, DOAH Exhibit).

This brief will provide the court with the laws applicable to the issues and ask that the laws be applied in a Reversal of the decision made by the DOAH as soon as the court is able to do so.

STIPULATED FACTS: The Appellants

1. Charlene Cintron did so on write a letter to the Deland Housing authority “snitching” on Fran Bosgraaf the Deland Housing Authorities Housing Inspector, the Deland Housing Inspector did not do her job and inspect her house, under HQS and the yearly required inspection of a Housing Choice Voucher holders dwelling.
2. Charlene Cintron was then subjected to the Deland Housing Authorities Housing Inspector becoming her Case Worker after she wrote the letter to the Deland Housing Authority Director Millie Quiones, “snitching” on the Deland’s Housing Authority Inspector Fran Bosgraaf.
3. The Deland Housing Authority Inspector Fran Bosgraaf passed her dwelling on 613 Anderson Drive, Deltona Florida in November of 2013 and told the Appellants they could move in.
4. Deland Housing Inspector Fran Bosgraaf informed the Appellants in a letter signed by Fran Bosgraaf the she intended to downsize the Housing Choice Voucher this is the start of the retaliation and discrimination. The downsize was based on a fictitious claim made by Fran Bosgraaf.
5. One type of disability discrimination prohibited by the Act is the refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. This was done to Chevonne Barton minor child in her Approved Reasonable Accommodation and again to Jolene Barton request for Reasonable Accommodation to be Relative Caretaker to Charlene Cintron.

STIPULATED FACT: Deland Housing Authority Taken from DOAH Exhibits

The Appellants were not given Due Process through the Policies and Procedures of the Deland Housing Authority for the delay in allowing the Appellants to utilize the Reasonable Accommodation for Chevonne Barton and Refusal to make changes in policy, procedures... for Jolene Barton.

1. The white book presented by Attorney R. Loukonen Exhibit 2, DOAH Exhibit 2 which included a “Book” Exhibit 2, Deland Housing Authority Policy and Procedure, Administrative Plan book was produced at the DOAH Hearing to all in attendance, the Judge, myself Charlene Cintron, and Deland Housing Authority staff in attendance, the book contains all the Exhibits used by the Plaintiff and by the Defendant at the DOAH hearing, the Appellant makes the statement so there are no issues in the presentation of the Exhibits in this Brief. The Exhibits are considered stipulated facts agreed upon prior to the start of the DOAH hearing by the Deland Housing Authority between attorney R. Loukonen, and Charlene Cintron as to what Exhibits in the book could be used along with Exhibits produced by Charlene Cintron both parties agreed.
2. Deland denied the discrimination allegation.
3. The Deland housing acknowledge an Approved Reasonable Accommodation for Chevonne Barton approved 9/9/2014.
4. Deland housing admitted refusal to allow Jolene Barton to fill out a Reasonable Accommodation form for Relative Caretaker. (Exabit 35, DOAH Exhibit 35)
5. Sandy Huffman stated in an email and under oath that they do not have Relative Caretaker and denied Jolene Barton her right to request a Reasonable Accommodation to

be a Relative Caretaker, Mrs. Huffman stated, “We do not have a policy for Relative Caretaker”. This was the last question asked at the DOAH hearing and the Appellants read, page 2-7 of the Administrative plan “Book” Which states, “One type of disability discrimination prohibited by the Fair Housing Act is the refusal to make reasonable accommodation in rules, policies, practices, or services when such accommodation may be necessary to afford a person with a disability the equal opportunity to use and enjoy a program dwelling under the program.”

6. The Deland housing authority also stated the Charlene Cintron contacting them was considered harassment.
7. Millie Quiones admitted that she did not read the Deland Housing Authority Policy and Procedures book. Administrative Plan.
8. Attorney R. Loukonen produced a letter from Chevonne Barton, doctor Pam Perry about a medically necessary extra bedroom for Chevonne’s Barton Medical Equipment.

Procedural Background

The Appellants filed this case in a complaint to HUD, under the laws that supports their claims.

The DOAH denied the Appellants and closed the case, the court done so in error according to the laws that govern the State of Florida in this district, and in this case.

The Deland Housing Authority made many mistakes and errors when they denied access to utilize the approved Reasonable Accommodation by the Appellants, for minor child Chevonne Barton's Reasonable Accommodation.

Deland Housing Authority errored when the denied Jolene Barton, her legal right to fill out a request for a Reasonable Accommodation to be the Relative Caretaker, the Deland Housing would not even allow the Appellant to file the Request for a Reasonable Accommodation to be a Relative Caretake. (Exhibit 35, DOAH Exhibit)

The Deland Housing Authority violated their own rules under Deland Housing Policies and Procedures Book Administrative Plan, Exhibit 2, DOAH Exhibit. The Deland Housing Authority by law are to support their clients and follow the laws, and HUD regulations, in providing access to any Reasonable Accommodation request, especially in the Reasonable Accommodation

approved for minor child Chevonne Barton, as well as to allow a Request for an Reasonable Accommodation by Jolene Barton to be a Relative Caretaker.

Brief Answer

Yes, the Appellants are entitled to the application of law that support the request made by the Appellants to support Chevonne Barton a minor child under the Housing Choice Voucher Program administered by Deland Housing Authority. Overseen by HUD.

As well as to allow Jolene Barton her right to file for a Reasonable Accommodation to be a Relative Caretaker.

The Deland Housing authority is guilty of retaliation and Housing Discrimination, the Exhibits provided from the beginning are clear, have not been altered or changed and shows that the preponderance of the evidence provided by the Appellant is above approach. The Evidence is consistent with the Appellants issues in this case and also shows violations of the law as well as Deland Housing Authorities Policy and Procedures violations. (Exhibit 2, DOAH Exhibit.)

Reasoning

1. A Housing Authority in the appropriate district must conduct or arrange for a client at any time the legal right and access to request a Reasonable Accommodation to be made by their clients at any time especially of a child who has a disability, or before any significant change in the client's voucher size. The denial of the request made by the Appellant Jolene Barton to even be allowed to fill out a Reasonable Request form did not follow the law, under Reasonable Accommodation request in housing under HUD and also the Deland Housing Authority, Requirements Under Section 504 of The Rehabilitation Act of 1973.
3. Deland Housing Authority has policies and procedures for the requests made by the Appellants already in place. In their Administrative Plan "Book"
4. The Deland Housing Authority is violating their own policy and procedures by denying the request made by the Appellants and by not allowing an approved Reasonable Accommodation to be utilize, blocking the ability under the law for the Appellants to exercise the rights under the laws.

5. Florida Statutes' in providing a person to complain to a Government agency without fear of retaliation is also a law that the appellants were entitled to, the Deland Housing Authority violated the Appellants rights.
6. Prior to the request the family did so exhaust any remedy by simply contacting the Deland Housing Authority, and telling them they were breaking the law. The Appellants rights under Federal laws were violated, which is now seen as an unnecessary action the retaliatory conduct was out of the realm of any decency and Outrageous and done so purposeful with the intent to cause a known disabled head of household further ailments with her mental health and at the cost to the Appellants entire family who reside in a State that provides many laws in the Housing Choice Voucher program for disabled people and family members with disabilities. The retaliatory conduct and discrimination was done so by treating the Appellants differently from other families under the exclusive control of the staff at the Deland Housing Authority which also included housing DISCRIMINATION.
7. The Fair Housing Act supports a reasonable accommodation request for access to a medically needed extra bedroom for the Appellant Chevonne to access to use medical equipment for her orthopedic issues and enjoyment under her APPROVED Reasonable Accommodation.
8. The Fair Housing Act also allows a participant in a Housing Choice Voucher program to make in writing and also verbally a Reasonable Accommodation request at any time.
9. The process for a Reasonable Accommodation is in Exhibit 2, DOAH Exhibit,
10. The law supports the Appellants and shown above are the laws that are applicable to the request made by the Appellants were not only reasonable but legally based.

11. Deland housing dictated who could stay in what bedroom Exhibit 25, DOAH Exhibit dated October 23, 2014 by Tersha Hiller.

Conclusion

In applying the law to facts that are based upon standard held in respect to Florida State Law, Deland Housing Authority Policy and Procedures will ensure that the issue at hand will prevail and result in a Reversal of the Lower Tribunal decision, done so by DOAH.

This case shows that federal law, state law, HUD rules and regulations, Deland Housing Authority Policy and Procedure rules supports the claims made by the Appellants;

The Appellants respectively request that the court as soon as they are audible to do so, reverse and remand the DOAH decision in favor of the Appellants.

Conclusion

The Appellants from the birth of their claim have never swayed from their claims or change their claims, The Deland Housing Authority at this point has had ample time to rectify their issues under the law and to follow their own Policy and Procedures within the Administrative Plan “Book” (Exhibit 2, DOAH Exhibit). They have not.

The Appellants have followed the law and request that this court do the same. The Deland Housing Authority broke the law, violated their own Administrative Plan and made a family under their exclusive control, who were all held to Higher Standard of the law because of their knowledge. Many of the Deland Housing Authority staff members abused the power they had over a family of all females, whose head of household is disable and whose income is fixed and at the lower end of the income spectrum. The Appellants family was in need of support from staff member at the Deland Housing Authority, the Appellants relied heavily on the fact that the Housing Authority was supposed to be follow the Federal laws, and Florida laws along with the Deland Housing Authorities Administrative Plans “Book” Policies and Procedure. This did not happen and the evidence from the DOAH proves beyond any preponderance of any evidence that the Appellants were retaliated against, discriminated again and made to endure a variety of events in which the threat of being homeless was the Appellants fate. This unconscionable, and unexplainable, the summary of events is above and is completely true, the events also broke many different laws including Federal laws and State laws along with direct and clear violations of the Deland Housing Authorities’ Administrative Plan “Book” (Exhibit 2, DOAH Exhibit). The Appellants were forced to do Reasonable Accommodations’, they were threatened with the downsizing of their voucher and again in the Termination of the Appellants voucher, which would have left this family homeless.

The Deland Housing Authority broke the law and are guilty, the Appellants even told them in an email they were breaking the law and the Deland Housing Authority continued to execute the services they did to the Appellants the way that they are described in brief, with retaliation and discrimination.

The Deland Housing Authority broke the laws and violated their own Administrative Plan “Book”, Policies and Procedures and did so with no account to how they were treating this family in relation to the “RULES” and “LAWS”.

At the end of the day it’s the point, how you treat people who are the reason why you have a job in the area you do The Appellants asked, and begged for help from all involved in this case from the Deland Housing Authority, to HUD complaint people, to FCHR, to DOAH and looked for relief for the years that have passed by and the discrimination was going on. The Appellants are hopefully that the evidence will speak for itself in a court where the laws and the facts are all that matter.

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that this brief complies with the font requirements of Fla. R. App. P. 9.210(a)(2).

CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of this Initial Brief hereof was filed electronically through the Court's eDCA system on this 13th day of March 2017. In addition to any electronic service provided to parties or counsel of record by the eDCA system, I also furnished this same day a true and correct copy by e-mail to the following:

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s/ Charlene Cintron

Charlene Cintron

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