

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

February 20, 2014

Rhodes Office Tower Lobby Hearing Room

Columbus, Ohio

**CALL TO ORDER**

Chairman Hubert called the meeting to order at 9:30 a.m.

**Commissioners Present:**

Chairman Leonard Hubert  
Commissioner Stephanie Mercado  
Commissioner Tom Roberts  
Commissioner William W. Patmon, III  
Commissioner Lori Barreras

A quorum was present.

**OCRC Staff Present:**

G. Michael Payton, Executive Director; Keith McNeil, Regional Counsel/Director of Operations; Stephanie Bostos Demers, Chief Legal Counsel; Desmon Martin, Director of Enforcement and Compliance; Aman Mehra, Columbus Regional Director; Norman Gibson, Dayton Regional Director; Darlene Newbern, Toledo Regional Director Vera Boggs, Cleveland/Akron Regional Director; Ronnell Tomlinson, Director of Housing/Alternative Dispute Resolution; 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 Roberts to approve the January 30, 2014 minutes. Second by Commissioner Patmon.**

**Roll Call Vote:**

<b>Chairman Leonard Hubert</b>	<b>YES</b>
<b>Commissioner Mercado</b>	<b>ABSTAIN</b>
<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Lori Barreras</b>	<b>YES</b>

**Motion carried.**

## CONFIRMATION OF STAFF FINDINGS

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

Rodell C. Davis v. Ohio AFL-CIO  
COL71(40093)03072013  
22A-2013-01771C

Sarah Parker-Allen v. City of Columbus, Department of Public Service  
COLB1(40123)03202013  
22A-2013-03062C

Magaly Retamar-Lopez v. State of Ohio Adjutant General's Department  
COL71(40151)03262013  
22A-2013-03073C

Jeremy Florea v. DeCapua Enterprises, dba Dawson  
COL71(40154)03262013  
22A-2013-02007C

Dedra Stephens v. Aveda Institute Columbus  
COLK1(40178)04052013  
22A-2013-02027F

Rodell C. Davis v. Ohio AFL-CIO  
COL71(40248)05072013  
22A-2013-02248C

Jessi Chapman v. Appraisal Asset, LLC  
COLH1(40342)06202013  
05-13-0963-8  
22A-2013-02510F

Jessi Chapman v. Exit Realty Leaders and Trinita Real Estate Group Hilliard, LLC dba  
Exit Kleos Associates Realty  
COLH1(40343)06202013  
05-13-0954-8  
22A-2013-02511F

Rodell C. Davis v. Ohio AFL-CIO  
COL71(40395)07122013  
22A-2013-03240C

Aristides Jurado v. Brookside Daycare Center  
COLG1(40639)11072013  
22A-2014-00549F

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

Donna Gentile v. Georgetown of the Falls, LLC  
AKR73(36908)05142013  
22A-2013-02181C

Sherman A. Flakes v. S. D. Myers, Inc.  
AKR73(36953)06112013  
22A-2013-02429C

Margaret Esterle v. Community Drug Board dba The Community Health Ctr  
AKR73(36962)06132013  
22A-2013-02437C

Sherman A. Flakes v. S. D. Myers, Inc.  
AKR73(37112)09242013  
22A-2013-03430C

Fair Housing Advocates Association v. Harry Gongloff and Gongloff Properties Inc.  
CLEH4(41945)04082013 AMENDED  
22A-2013-03112F

Housing Research and Advocacy Center v. Tracy Brown and Hollywood Properties,  
LLC, and Bryan Kmiec  
CLEH4(41963)04252013 AMENDED  
05-13-0734-8  
22A-2013-02054F

Otto O. Bouttakoth v. Cast-Fab Technologies, Inc.  
DAYB6(23539)04052013  
22A-2013-02037C

Arthur McCurdy v. Kroger Company  
DAYG6(23710)06262013  
22A-2013-03021F

Jerome Jackson v. AFSCME, Local 217 Ohio Council #8  
DAYB6(23963)10232013  
22A-2014-00716C

Jerome Jackson v. UC Medical Center  
DAYB6(23964)10232013  
22A-2014-00717C

Deborah Keaton v. Tall Oaks Realty, LLC; Daniel Pessar; Tall Oaks Apartments, Taffy  
Bradford, Property Manager  
DAYH6(40447)07312013 \*AMENDED  
22A-2013-03129F

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

Fair Housing Advocates Association v. Tall Oaks Realty, LLC; Daniel Pessar; Tall Oaks Apartments, Taffy Bradford, Property Manager  
DAYH6(40448)07312013 \*AMENDED  
22A-2014-00849F

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

Tina M. Hull v. Best Western Premier Grand Plaza Hotel\*  
TOLA2(35833)03272013 AMENDED  
22A-2013-01791C

\*Split recommendation. Probable Cause finding on issues of discipline and termination on the basis of sex. No Probable Cause finding on issues of discipline and termination on the basis age. Reconsideration filed on the Probable Cause finding.

Lawanda Mitchell v. Empowering People Workshop, Inc. dba Creative Learning Workshop  
AKR73(36924)05242013  
22A-2013-02274C

**3. Complainant's Request for Reconsideration – Deny – Untimely**

Deborah Parker v. Real Time Resolutions, Inc.  
AKRH3(36853)04182013  
22A-2013-01995F

**4. Probable Cause – Schedule Conciliation**

Lloyd Clark v. State of Ohio, Department of Job and Family Services  
COL71(40191)04102013  
22A-2013-02200C

Willie Mathis v. State of Ohio, Department of Job and Family Services  
COL71(40192)04102013  
22A-2013-02009C

Chris A. Lee v. Aarons, Inc.  
CLE74(42005)05292013  
22A-2013-02334C

**Probable Cause – Schedule Conciliation – continued**

Fair Housing Resource Center, Inc. v. Paul Brunner, Brunner Nicholas L – Trustee of the  
Nicholas L. Brunner Revocable Living Trust  
CLEH4(42013)05292013 AMENDED  
05-13-0866-8  
22A-2013-02341F

Matthew C. Engelman v. IAC Huron, LLC  
CLEB4(42125)08122013  
22A-2013-03048C

Laura L. Middleton v. The Home Depot  
DAYA6(23536)04022013  
22A-2013-01937C

Miami Valley Fair Housing Center, Inc. v. Michael H. Moler, Jr., Owner  
DAYH6(23620)05162013  
22A-2013-02326F

**5. Issue Formal Complaint**

Brandon Michael Pieper v. Infinity Oilfield Services, LLC  
COLB1(40312)06112013  
22A-2013-02679C

Bernadine Mitchell v. City of Cleveland  
CLEB4(41908)03142013  
22A-2013-01707C

**6. Ratify Conciliation Agreement after a Finding of Probable Cause**

Housing Research and Advocacy Center v. Craig Semenech, Semenech LLC, James D.  
Lyons  
CLEH4(41944)04082013 AMENDED  
05-13-1126-8  
22A-2014-00820F

Paula L. Bentley v. Craig Semenech, Semenech LLC, James D. Lyons  
CLEH4(41958)04232013  
22A-2013-02050F

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

Fair Housing Resources Center, Incorporated v. S & S Nest, LLC, Sushma Angra, Agent  
AKRH4(42014)05292013  
05-13-0867-8  
22A-2013-02384F

Housing Research and Advocacy Center v. Marija and James Ahmetspahic  
AKRH4(42015)05282013 AMENDED  
05-13-0870-8  
22A-2013-02342F

Housing Research and Advocacy Center v. Alexander and Jennifer McClelland  
AKRH4(42323)01222014  
05-14-0408-8  
22A-2014-00985F

Louis Brown v. City of Cleveland\*  
CLE74(42010)05312013  
22A-2013-02339C

\*Split recommendation. Conciliation Agreement and Consent Order ratified on the issue of providing a reasonable accommodation. No Probable Cause finding on the issue of discipline

Housing Resource and Advocacy Center v. K & D Management, LLC, Derrick Denman, South Pointe Towers, Ltd. dba Trinity Towers  
CLEH4(42027)06112013  
05-13-0985-8  
22A-2013-02476F

Housing Research and Advocacy Center v. Mark A. Coleman, Mary Ann Anderson  
CLEH4(42049)06242013  
22A-2013-02566F

Yolanda R. Gilliam v. Kamel Kassem; K&D Properties of Cincinnati LLC  
DAYH6(23713)06272013  
22A-2014-00290F

Angie L. Awls v. Taylor Automotive Group  
ADR72(36321)12192013  
22A-2014-00744C

David Jones, III v. Gabriel Brothers, Inc. d/b/a Gabe's  
ADRB2(36331)12302013  
22A-2014-00811C

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

Stephanie Oxner v. Alliance One, Ltd.  
ADR72(36265)11132013  
22A-2014-00389C

Donald and Kathryn Phillips v. Belmont Properties, Inc., Walt Ramey and Lisa Kester  
ADRH3(37186)11052013  
05-14-0110-8  
22A-2014-00427F

Fair Housing Contact Service, Inc. v. Mark Weber, Gillian Weber and Mark Weber and  
Son Construction  
ADRH3(37250)12232013  
05-14-0332-8  
22A-2014-00825F

Bernard Roberts v. North American On-Site LLC  
ADRA3(37265)01152014  
22A-2014-00870C

Housing Research and Advocacy Center v. Randolph Balog  
ADRH4(42283)12122013  
05-14-0244-8  
22A-2014-00798F

Kenia Wagner v. Cleveland Housing Network, Inc./Sharon Perries  
ADRH4(42292)12172013  
05-14- 0333-8  
22A-2013-00802F

Housing Research and Advocacy Center v. Milton Yee, Co-Trustee  
ADRH4(42315)01132014 AMENDED  
05-14-0362-8  
22A-2014-00859F

Ken Parker on behalf of Danica Parker v. West Union Plumbing & Supply  
ADRG6(24044)1202013  
22A-2014-01061F

Kenneth Sullivan v. ADEX International  
ADRA6(24109)01152014  
22A-2014-00898C

## 8. Withdrawal of Charge with Settlement

Jayanna A. Miller v. Abbington Pickerington Partners Limited Partnership  
COL71(40526)09102013  
22A-2014-00094C

Debra J. Davis v. City of Toledo, Department of Finance, Accounts Division  
TOLB2(35854)04052013  
22A-2013-01843C

Monty Griffin v. City of Toledo, Toledo Fire and Rescue Department  
TOL72(35985)06172013 AMENDED  
22A-2013-02460C

Charlotte M. Lucas v. Advance Auto Parts  
TOL72(36131)08262013  
22A-2013-03170C

Darcel Alexander v. Children's Hospital Medical Center of Akron  
AKR73(36981)06252013  
22A-2013-02588C

Cynthia E. Brooks v. Akron Board of Education  
AKR71(40386)07012013 AMENDED  
22A-2013-03297C

Pierre R. LaBranche v. Sparton Medical Systems, Inc.  
CLE74(42123)08092013  
22A-2013-03046C

Pierre R. LaBranche v. Sparton Medical Systems, Inc.  
CLE74(42154)08282013  
22A-2013-03199C

Heather Ditzler v. Indian Village Mobile Home Park  
DAYH6(23567)04222013  
22A-2013-02310F

Sheila Hall v. Indian Village Mobile Home Park  
DAYH6(23568)04222013  
22A-2013-02311F

Annie B. Watkins v. Aramark Healthcare Support Services, Inc.  
DAYA6(23928)10102013  
22A-2014-01060C

Bradley S. Martindale v. KLW Plastics  
DAY76(24043)12022013  
22A-2014-00527C

## **Withdrawal of Charge with Settlement – continued**

Donald T. Gray v. Columbia Gas of Ohio  
ADR71(40715)01022014  
22A-2014-01005C

Michael Barringer v. Teledyne Turbine Engines  
ADR72(36286)11222013  
22A-2014-00488C

Marie A. Duran v. Foundation Park Care Center  
ADRB2(36291)11262013  
22A-2014-00517C

Cecil A. Duckworth v. Dick's Sporting Goods, Inc.  
ADR73(37195)11182013  
22A-2014-00432C

Catherine S. Oree v. Stark Area Regional Transit Authority  
ADR73(37246)12202013  
22A-2014-00806C

Amanda Marie Heise v. Ronika III Inc. dba Memories Restaurant  
ADR74(42293)12172013  
22A-2014-00803C

## **9. Withdrawal of Charge – Grant**

Omhashim Hassan v. Exit Trinity Realty  
COLH1(40722)12202013  
05-14-0326-8

Cathy Schultz v. Trilogy Health Service, LLC dba Valleyview Healthcare Center  
TOLB2(35871)04122013 AMENDED  
22A-2013-01873C

Michael J. Metzger v. ProMedica Flower Hospital dba ProMedica Health Systems, Inc.  
TOLB2(35881)04172013  
22A-2013-01943C

Martrese Rushing v. Mercy St. Charles Hospital  
TOL72(35899)04292013  
22A-2013-02040C

Lori Mariucci v. Owens-Brockway Glass Container, Inc.  
TOLB2(35903)05012013  
22A-2013-02069C

## **Withdrawal of Charge – Grant – continued**

Alexis Sawyer v. Harbor  
TOLB2(35907)05032013  
22A-2013-02075C

Leona Moore-Ash v. Economic Opportunity Planning Association of Greater Toledo,  
Inc. dba EOPA  
TOLA2(36003)06262013  
22A-2013-02575C

Renaee Pattin v. Omnicare ESC, LLC  
TOL72(36088)08062013 AMENDED  
22A-2013-02942C

Paula Radley v. The Kroger Co.  
TOL72(36100)08092013 AMENDED  
22A-2013-02990C

Jerry Elie v. City of Akron, Fire Department  
AKR73(37255)12232013  
22A-2014-00827C

Veda Kelly v. Beauty Outlet  
DAY76(23733)07032013  
22A-2013-03329C

Katherine Castillo v. William and Linda Barton  
ADRH3(37129)09252013  
05-13-1464-8  
22A-2014-00041F

### **10. Withdrawal of Charge – Grant –After a Finding of Probable Cause - Close**

Lawanda Mitchell v. Empowering People Workshop, Inc. dba Creative Learning  
Workshop  
AKR73(36924)05242013  
22A-2013-02274C

### **11. Failure to Cooperate – Dismiss**

Joshua Jones v. Ditri Properties, LLC  
CLEH4(42327)01272014  
22A-2014-00995F

**12. Administrative Closure**

Donna Durgala v. Briarwood Estates, Owner's Management Company, Linda Tantanella and Jim Crouch

AKRH3(37189)11182013

22A-2014-00428F

Penny L. Fisher v. United Property Management Company

DAYA6(23996)11042013

22A-2014-00727C

**13. No Probable Cause – Dismiss**

Kathleen Tincher v. Franklin County Sheriff's Office

COL71(40169)04022013

22A-2013-03072C

Michael Delaney Russell, Jr. v. Garment Supplies Com dba Sewing Collection, Inc.

COL71(40183)04082013

22A-2013-02015C

Jamila Nailah Dailey v. Exel

COL71(40195)04122013

22A-2013-02013C

Lou Ann Elliott v. O'Bleness Memorial Hospital

COL71(40209)04152013

22A-2013-02251C

Leslie J. Hopping v. The Columbus Academy

COL71(40212)04230213

22A-2013-02089C

Deborah Ann Baker v. Riverside Methodist Hospital

COL71(40213)04252013

22A-2013-02198C

Richard Lee Stretton v. Kelly Services

COLA1(40215)04252013

22A-2013-02191C

Maroll Akot v. Belcan Corporation

COL71(40228)04302013

22A-2013-02642C

Shari J. Lowes v. Franklin County Sheriff's Office

COL71(40280)05292013

22A-2013-02494C

**No Probable Cause – Dismiss – continued**

Alassane Toure v. TS Tech USA Corporation  
COL71(40424)07252013  
22A-2014-00988C

Lauren Janka v. Jerome Holdings LLC dba Joe Knows Energy, LLC  
COLE1(40464)04102013  
846-2013-28739

Linette Nivins v. OUAC, Inc.  
COL71(40467)08082013  
22A-2013-03313C

Amber L. Dixon v. Penn Station  
COL71(40474)08132013  
22A-2013-03077C

John Walter Farmer v. Barton Malow Company  
COLA1(40477)08142013  
22A-2013-03056C

Jemmell Clark v. Miami-Jacobs Career College and Delta Career Education Corporation  
COL71(40494)08272013  
22A-2013-03458C

Jeffrey L. S. Green v. Central Ohio Gaming Ventures, LLC  
COL71(40510)08292013  
22A-2014-00266C

Bobbie Miller v. McDonald's Restaurant  
COL74(41971)04292013  
22A-2013-02667C

Maxine Collins v. New Avenues to Independence, Inc.  
COLH4(42157)09032013  
05-13-1527-8  
22A-2013-03252F

David Baden v. Wood County Engineers  
TOLA2(35878)04152013  
22A-2013-01910C

D. William Thornton v. Campus Village Toledo, LLC; Rich Dunn, Manager  
TOLH2(35886)04182013  
05-13-0743-8  
22A-2013-01965F

**No Probable Cause – Dismiss – continued**

Rena Kemp v. Hearthside Food Solutions, LLC  
TOL72(35891)04242013  
22A-2013-01992C

Rena Kemp v. Impact Employment Solutions, Inc.  
TOL72(35892)04242013  
22A-2013-01994C

Jackie A. Oliver v. State of Ohio, Department of Rehabilitation and Correction  
TOL72(35906)05022013  
22A-2013-02073C

Kristine M. Worthy v. Lucas County Court of Common Pleas  
TOL72(35909)05062013  
22A-2013-02085C

Irene H. Wozniack v. Exel Inc.  
TOLA2(35922)05082013  
22A-2013-02129C

Shameka McCarver v. Lucas County Board of Developmental Disabilities  
TOL72(35957)05302013  
22A-2013-02282C

Shirley Reynolds v. First Acceptance Insurance Company, Inc.  
TOLB2(35975)06062013 AMENDED  
22A-2013-02357C

Rochelle Bush v. ProMedica Systems, Inc. dba ProMedica Flower Hospital  
TOL72(35981)06122013  
22A-2013-02442C

Erwin L. Anderson v. Hearthside Food Solutions, LLC  
TOL72(36082)08052013  
22A-2013-02905C

Erwin L. Anderson v. Impact Employment Solutions, Inc.  
TOL72(36083)08052013  
22A-2013-02906C

Glenita R. Kenney v. Chrysler Group, LLC  
TOLB2(36094)08082013  
22A-2013-02975C

Glenita R. Kenney v. UAW International Union, UAW Local 12, Region 2B  
TOLB2(36095)08082013  
22A-2013-02976C

**No Probable Cause – Dismiss – continued**

Stephen Johnson v. Bank of America Home Loan et al; Josie Capristo, Customer Representative; Monica Martinez, Customer Representative  
TOLH4(41932)03252013  
05-13-0614-8  
22A-2013-01851F

Priscilla Myerson v. Wells Fargo Home Mortgage, A Division of Wells Fargo Bank, N.A.; Kyle Blau, Mortgage Consultant; Phillip Crouse, Mortgage Consultant  
TOLH6(23520)03212013  
05-13-0740-8  
22A-2013-01908F

Makita T. Gulley v. Model Ohio Enterprises, LLC dba Fussy Cleaners  
AKR73(37002)07152013  
22A-2013-02698C

Lanaye L. Allen v. Medical Elastomer Development, Inc. dba Qure Medical  
AKRA3(37007)07182013  
22A-2013-02763C

John Hesel v. Family Dollar Stores of Ohio, Inc.  
AKRB3(37009)07192013  
22A-2013-02769C

Elmer Brown, III v. Shearer's Foods, LLC  
AKR73(37015)07242013  
22A-2013-02853C

Clydelle Lee Walker v. Few Automotive Glass Applications, Inc.  
AKR73(37049)08092013  
22A-2013-03024C

Alfreda D. Atkins v. Karn Arjun Enterprise, LLC dba Subway  
AKRG3(37061)08202013  
22A-2013-03100F

Jack Fernandez v. Ken-Dal Corporation  
AKRE3(37081)08062013  
532-2013-02247F

Stefanie G. Gregory v. Fannie May Confections Brands, Inc. dba Harry London Candies, Inc.  
AKR73(37196)11202013  
22A-2014-00437C

**No Probable Cause – Dismiss – continued**

Monica Hill v. Alcoa, Inc.  
AKRB3(37218)12032013  
22A-2014-00564C

Amy Braisel v. Retiree Housing Management, Inc. and John J. Joyce  
CLEH4(41924)03212013  
05-13-0606-8  
22A-2013-01897F

Holly Rae Blaha v. Aaron's, Inc. dba Aaron's Sales and Lease  
CLE74(42006)05292013  
22A-2013-02335C

Louis Brown v. City of Cleveland\*  
CLE74(42010)05312013  
22A-2013-02339C

\*Split recommendation. Conciliation Agreement and Consent Order ratified on the issue of providing a reasonable accommodation. No Probable Cause finding on the issue of discipline

Michael Barto v. Bank of America, Bank of America – Home Loans Servicing LP, Bank of America Home Loans – Legal Department, Bank of America Home Retention and Bank of America Home Loans  
CLEH4(42016)05282013  
22A-2013-02343F

Valerie K. Thompson v. City of Cleveland  
CLE74(42020)060852013  
22A-2013-02347C

Clarence Thomas v. Rite Aid of Ohio, Inc.  
CLEA4(42096)07232013  
22A-2013-02842C

Diamon Taylor v. T & S Management, Inc. dba McDonald's  
CLEB4(42116)08082013  
22A-2013-02972C

Louis Brown v. City of Cleveland  
CLE74(42126)08122013  
22A-2013-03049C

Willie C. Crawford v. The Cleveland Clinic Foundation  
CLEG4(42137)08192013  
22A-2013-03089F

**No Probable Cause – Dismiss – continued**

Raetrell George v. Richmond Heights Local School District  
CLE74(42202)10032013  
22A-2014-00072C

Kristina A. Longino v. Richmond Heights Local School District  
CLE74(42228)10212013  
22A-2014-00246C

Marie Sigmon v. Cuyahoga County  
CLE74(42252)11142013  
22A-2014-00405C

Teran M. Randleman v. Firelands Regional Medical Center  
CLE74(42265)11262013  
22A-2014-00518C

Elkanard Smith, Jr. v. Cuyahoga Metropolitan Housing Authority  
CLE74(42272)12052013  
22A-2014-00583C

Caleb Gross v. 3M Company  
CLE74(42289)12162013  
22A-2014-00666C

Tammi Scott v. City of Columbus, Division of Police  
CLE71(40288)05302013  
22A-2013-02452C

Nicole Mancini v. City of Columbus, Division of Police  
CLE71(40295)06042013  
22A-2013-02674C

Jennifer Ash v. New Hillwood 1 Associates, LLC dba Collison Apartments, ABC  
Management, and Paula Etling  
CLEH3(36836)03212013  
05-13-0601-8  
22A-2013-03196F

Jennifer Henley v. Kenneth McBride  
CLEH3(36864)04052013  
05-13-0715-8  
22A-2013-02017F

Kristina Dugandzic v. Northeastern Ohio Foot & Ankle Surgical Associates, Inc.  
CLE73(36988)07052013  
22A-2013-02707C

**No Probable Cause – Dismiss – continued**

Dennis W. Haywood v. Metro Cleveland Security, Inc.  
CLE73(36996)07092013  
22A-2013-02648C

Shamika Alexander v. St. Vincent DePaul Gateway Shelter  
DAYB6(23606)05132013  
22A-2013-02755C

Carolyn D. Gaines v. Fortis College-School of Nursing  
DAYK6(23607)05092013  
22A-2013-03131F

Donetha Shephard v. YWCA of Dayton Women's Shelter  
DAY76(23617)05152013  
22A-2013-02420C

Gerald Bradley v. Mahle Behr Service America LLC  
DAY76(23619)05162013  
22A-2013-02421C

Amber Swihart v. Medlab  
DAY76(23660)06072013  
22A-2013-02516C

Cayce Cantrell v. Dayton Police Department  
DAYB6(23664)06112013  
22A-2013-02759C

Leif Freeman v. Ford Motor Company  
DAY76(23762)07232013  
22A-2013-02872C

Diane C. Helmick v. University of Dayton  
DAY76(23790)08062013  
22A-2013-03143C

Belitta Croley v. Wells Fargo Home Mortgage, Janet Denny, Home Mortgage Consultant  
NMLS #589969  
DAYH6(23812)08152013  
05-13-1294-8  
22A-2013-03157F

Maxine S. Thomas v. PNC Bank  
DAYB6(23817)08202013  
22A-2013-03163C

**No Probable Cause – Dismiss – continued**

Corey J. Bonner v. Cincinnati Police Department  
DAY76(23832)08272013  
22A-2013-03225C

Timothy J. Wirth v. The Home Depot, Inc.  
DAYB6(23881)09242013  
22A-2014-00751C

Andrea Wilson v. Evergreen Southwest Behavioral Services dba Bridgewell Hospital  
DAY76(23886)09262013  
22A-2014-00327C

Deloris Reese v. Ford Motor Company-Sharonville Plant  
DAYA6(23890)10012013  
22A-2014-00318C

Joyzell D. George v. Ford Motor Company  
DAYA6(23892)10012013  
22A-2014-00324C

Janet R. Alexander v. Ford Motor Company  
DAYA6(23894)10012013  
22A-2014-00328C

Jerol D. Lackey v. Ford Motor Company  
DAYA6(23896)10012013  
22A-2014-00320C

Keith Sellers v. ABM Maintenance Company  
DAY76(23914)10072013  
22A-2014-01074C

Albert Long v. Urban League of Greater Southwestern Ohio, Inc.  
DAY76(23922)10092013  
22A-2014-00365C

Kevin Stewart v. JB Hunt Transport, Inc.  
DAYA6(23926)10102013  
22A-2014-00364C

David W. Malachi v. Hayashi Telempu North America  
DAYA6(23948)10212013  
22A-2014-00368C

Edwin E. Appels v. Miami Valley Hospital  
DAY76(23949)10212013  
22A-2014-00739C

**No Probable Cause – Dismiss – continued**

Kendall Ross v. Keystone Senior Management Services dba Renaissance West Nursing Home

DAYB6(23956)10222013

22A-2014-00414C

Kendall Ross v. New Horizon Food Service

DAYB6(23957)10222013

22A-2014-00413C

Penny Conley v. Garfield Commons Apartments LLC

DAY76(23959)10222013

22A-2014-00509C

Shawn Reece v. Garfield Commons Apartments LLC

DAY76(23960)10222013

22A-2014-00415C

Adam Secession v. Western Ohio Regional Treatment & Habilitation

DAY72(35971)06052013

22A-2013-02333C

Albert Long v. Urban League of Greater Southwestern Ohio, Inc.

DAY76(23979)10092013

22A-2014-00418C

Charles Williams v. Advance Pierre Foods, Inc.

DAYA6(23981)10302013

22A-2014-00558C

Kevin Black v. UC Health dba University Hospital

DAYB6(23984)10312013

22A-2014-00417C

Kevin Black v. Aramark Healthcare Support Services, LLC

DAYB6(23985)10312013

22A-2014-00360C

Cheryl Twitty-Choate v. City of Cincinnati, Public Works Sanitation Department

DAY76(24004)11072013

22A-2014-00508C

Willie S. Wilson v. Good Samaritan Hospital

DAYG6(24006)11082013

22A-2014-00734F

**No Probable Cause – Dismiss – continued**

Eddie Richmond v. Ripley Schoolhouse Apts; Sue Brooks Lang, Executive Director,  
Connie Garrett Home Care Aide,  
DAYH6(24030)11202013  
22A-2014-01052F

**MOTION by Commissioner Mercado to approve the February 20, 2014 Confirmation Agenda. Second by Commissioner Roberts.**

**Roll Call Vote:**

<b>Chairman Leonard Hubert</b>	<b>YES</b>
<b>Commissioner Mercado</b>	<b>YES</b>
<b>Commissioner Roberts</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Lori Barreras</b>	<b>YES</b>

**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.

The Compliance Department, with the Executive Director's approval, requests the following case be deleted from the agenda:

### **Week 3, Page 4, Item VI-A**

#### **Consideration of Administrative Law Judge's Report and Recommendation: Respondent's Objections; Attorney General's Response thereto:**

##### **A. Administrative Law Judge Recommends Cease and Desist Order**

Paulette R. Neer v. Feet First, Inc.  
DAYE6(17651)03022006  
22A-2006-19657F  
Complaint No. 06-EMP-DAY-17651

The Respondent is requesting to appear before the Commissioners to present his case.

**MOTION by Commissioner Mercado to approve the Compliance Department's request to delete the foregoing case from the Commissioner's Agenda, Week 3, Page 4. Second by Commissioner Roberts.**

#### **Roll Call Vote:**

<b>Chairman Leonard Hubert</b>	<b>YES</b>
<b>Commissioner Mercado</b>	<b>YES</b>
<b>Commissioner Roberts</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Lori Barreras</b>	<b>YES</b>

**Motion carried.**

## APPEARANCES

### 1. Recommendation: Upon Reconsideration – No Probable Cause - Dismiss

Christie Tsoi v. DeCapua Enterprises – Cleveland, Inc. dba  
Dawson Resources  
COL71(40102)03112013  
22A-2013-03067C

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 Regional finding of No Probable Cause - Dismiss. Mr. Dunn, Charging Party, Charging Party's counsel, Respondent's representatives and Respondent's counsel were present to discuss the case.

**MOTION by Chairman Hubert to reverse the Regional recommendation of No Probable Cause – Dismiss and issue a finding of Probable Cause – Schedule Conciliation and authorize the Executive Director to Issue Formal Complaint if Conciliation fails. Second by Commissioner Roberts.**

#### Roll Call Vote:

Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES
Commissioner Lori Barreras	YES
Chairman Leonard Hubert	YES

**Motion carried.**

**MOTION by Commissioner Roberts to take a brief recess. Second by Commissioner Mercado.**

#### Roll Call Vote:

Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES
Commissioner Barreras	YES
Chairman Leonard Hubert	YES

**Motion carried.**

**MOTION by Commissioner Roberts to return to public session. Second by Commissioner Mercado.**

**Roll Call Vote:**

<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Barreras</b>	<b>YES</b>
<b>Chairman Leonard Hubert</b>	<b>YES</b>

**Motion carried**

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

Jeremy Florea v. DeCapua Enterprises-Cleveland, Inc.  
dba Dawson Resources  
COL71(40154)03262013  
22A-2013-02007C

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 Regional finding of No Probable Cause - Dismiss. Mr. Dunn, Charging Party, Charging Party's counsel, Respondent's representatives and Respondent's counsel were present to discuss the case.

**MOTION by Commissioner Mercado to uphold the Regional recommendation of No Probable Cause – Dismiss. There was no second.**

**Motion failed.**

**MOTION by Commissioner Roberts to Reverse the Regional recommendation of No Probable Cause – Dismiss to Probable Cause – Schedule Conciliation. Second by Commissioner Barreras.**

**Roll Call Vote:**

<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>NO</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Lori Barreras</b>	<b>YES</b>
<b>Chairman Leonard Hubert</b>	<b>YES</b>

**Motion carried.**

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

Rodell Davis v. Ohio AFL-CIO  
COL71(40093)03072013  
22A-2013-01771C

Upon review of the Charging Party's request for reconsideration, Aman Mehra, Columbus Regional Director, recommended the Commission deny Charging Party's request and uphold the Regional finding of No Probable Cause - Dismiss. Mr. Mehra, Brian Coston, Columbus Regional Office Investigator, Charging Party, Respondent's representative and Respondent's counsel were present to discuss the case.

**MOTION by Commissioner Roberts to uphold the original Regional recommendation of No Probable Cause – Dismiss. Second by Commissioner Mercado.**

**Roll Call Vote:**

<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Lori Barreras</b>	<b>YES</b>
<b>Chairman Leonard Hubert</b>	<b>YES</b>

**Motion carried.**

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

Rodell Davis v. Ohio AFL-CIO  
COL71(40248)05072013  
22A-2013-02248C

Upon review of the Charging Party's request for reconsideration, Aman Mehra, Columbus Regional Director, recommended the Commission deny Charging Party's request and uphold the Regional finding of No Probable Cause - Dismiss. Mr. Mehra, Brian Coston, Columbus Regional Office Investigator, Charging Party, Respondent's representative and Respondent's counsel were present to discuss the case.

**MOTION by Commissioner Mercado to uphold the original Regional recommendation of No Probable Cause – Dismiss. Second by Commissioner Barreras.**

**Roll Call Vote:**

<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Lori Barreras</b>	<b>YES</b>
<b>Chairman Leonard Hubert</b>	<b>YES</b>

**Motion carried.**

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

Rodell Davis v. Ohio AFL-CIO  
COL71(40395)07122013  
22A-2013-03240C

Upon review of the Charging Party's request for reconsideration, Aman Mehra, Columbus Regional Director, recommended the Commission deny Charging Party's request and uphold the Regional finding of No Probable Cause - Dismiss. Mr. Mehra, Brian Coston, Columbus Regional Office Investigator, Charging Party, Respondent's representative and Respondent's counsel were present to discuss the case.

**MOTION by Commissioner Mercado to uphold the original Regional recommendation of No Probable Cause – Dismiss. Second by Commissioner Roberts.**

**Roll Call Vote:**

<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Lori Barreras</b>	<b>YES</b>
<b>Chairman Leonard Hubert</b>	<b>YES</b>

**Motion carried.**

# COMMISSIONER AGENDA

## Agenda for Week 1

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

Brandon Michael Pieper v. Infinity Oilfield Services, LLC  
COLB1(40312)06112013  
22A-2013-02679C

### 2. Findings Upon Reconsideration – No Probable Cause – Dismiss

Traci J. Stevenson v. Scott, Scriven & Wahoff LLP  
COLA1(40173)04032013  
22A-2013-02039C

Gary Riesenber g v. EMSI, Inc. dba Extra Space Storage, Inc.  
DAYA6(23868)09192013  
22A-2014-00163C

Yevgeniy A. Kontar v. The University of Findlay  
TOLA2(35802)03112013  
22A-2013-01654C

### 3. No Jurisdiction – Dismiss

Jamie Ferenbaugh v. Sanoh America, Inc.  
AKRE1(40699)12162013  
22A-2014-00831F

Edward Clay Sr. v. Apparel Care LLC  
DAYE6(24014)11142013  
22A-2014-00507F

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

#### Roll Call Vote:

<b>Chairman Leonard Hubert</b>	<b>YES</b>
<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Barreras</b>	<b>YES</b>

**Motion carried.**

## Agenda for Week 2

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

Fair Housing Advocates Association v. WY Espenschied and Whay Corporation  
AKRH3(36833)04022013  
05-13-1127-8  
22A-2013-03108F

### 2. Findings Upon Reconsideration – No Probable Cause – Dismiss

Pauline T. Aaron v. Bath & Body Works, LLC  
COLB1(40309)06112013  
22A-2013-02671C

Estrella Garriga v. City of Youngstown, Health District  
AKR73(36840)04052013  
22A-2013-03209C

Estrella Garriga v. American Federation of State, County and  
Municipal Employees, Local 2313  
AKR73(36841)04052013  
22A-2013-03210C

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

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

Deborah Gray v. Horseshoe Cleveland Management, LLC  
AKR74(41900)03122013  
22A-2013-01690C

### 3. No Jurisdiction – Dismiss

Selina Renee Miller v. Town and Country License Agency, Inc.  
COLB1(40564)09252013  
22A-2014-00143C

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

**Roll Call vote:**

<b>Chairman Leonard Hubert</b>	<b>YES</b>
<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Barreras</b>	<b>YES</b>

**Motion carried.**

## **Agenda for Week 3**

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

Gretchen Roundtree v. Tall Oaks Realty, LLC and  
Winterwood Management, LLC dba Tall Oaks Apartments  
COLH1(40306)06052013  
05-13-0900-8  
22A-2013-02353F

### **2. Findings Upon Reconsideration – No Probable Cause – Dismiss**

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

Jeannette Garland v. Jorgine's Deli & Catering, Inc.  
AKRE3(36844)04092013  
22A-2013-03194F

LaVerne Crim v. Schwebel Baking Company  
CLE74(41930)04022013  
22A-2013-02154C

### **3. No Jurisdiction – Dismiss**

Fred and Ruth Quigley v. Macedonia Property Management, LLC,  
Coblentz Homes, Inc., Joseph Migliorini, Chris Coblentz, and  
Linda Carruci  
AKRH3(36858)04192013  
22A-2013-02003F

Jessica Justice v. Cuyahoga County Children and Family Services  
CLEG4(42308)01052014  
22A-2014-00842F

### **4. Issue Cease and Desist Order – Submitted by the Attorney General's Office**

Christina Sims v. Westside Family Practice, Inc.  
COLE1(34472)05022007  
22A-2007-05664F  
Complaint No. 08-EMP-COL-34472

**Issue Cease and Desist Order – Submitted by the Attorney General’s Office -  
continued**

Damon Pace v. AM Central Ohio, Inc.  
COL71(36215)11122008  
22A-2009-01212C  
Complaint No. 09-EMP-COL-36215

**MOTION by Commissioner Mercado to adopt the staff finding in the foregoing captioned case on the Week 3 Agenda. Second by Commissioner Patmon.**

**Roll Call Vote:**

<b>Chairman Leonard Hubert</b>	<b>YES</b>
<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Barreras</b>	<b>YES</b>

**Motion carried.**

## **Add-On Agenda**

### **1. Findings Upon Reconsideration – No Probable Cause – Dismiss**

Eddie Richmond v. Ripley Schoolhouse Apartments,  
Sue Brooks, Manager  
DAYH6(23505)02222013  
05-13-0491-8  
22A-2013-01678F

**MOTION by Commissioner Mercado to adopt the staff findings in the foregoing captioned case on the Add-On Agenda. Second by Commissioner Patmon.**

#### **Roll Call Vote:**

<b>Chairman Leonard Hubert</b>	<b>YES</b>
<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Barreras</b>	<b>YES</b>

**Motion carried.**

### **REPORT FROM THE ATTORNEY GENERAL'S OFFICE**

Lori Anthony, Chief, Civil Rights Section – Ohio Attorney General's Office introduced their new legal extern, Jennifer Woods. Jennifer is a third year student at Capital University Law School.

### **EXECUTIVE DIRECTOR'S REPORT**

Director Payton invited Commissioners to attend our Annual Martin Luther King, Jr., Art, Essay and Multimedia Awards Celebration on February 27, 2014 at 10:00 a.m. in the Rhodes Tower Lobby Hearing Room. A reception will follow.

**MOTION by Commissioner Patmon to move from public session to executive session for the purpose of discussing with counsel matters of pending litigation. Second by Commissioner Mercado.**

**Roll Call Vote:**

<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner Lori Barreras</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Chairman Leonard Hubert</b>	<b>YES</b>

**Motion carried**

**MOTION by Commissioner Mercado to return from executive session to public session. Second by Commissioner Patmon.**

**Roll Call Vote:**

<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Barreras</b>	<b>YES</b>
<b>Chairman Leonard Hubert</b>	<b>YES</b>

**Motion carried**

#### **REMARKS**

Bradley Dunn, Reconsideration Supervisor, introduced Akron legal extern, Rachel-Alia Elbaz. Rachel is a second year law student at the University Of Akron School Of Law.

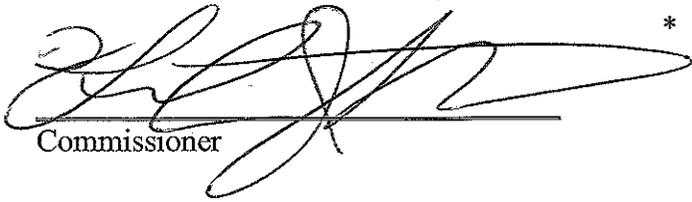
**MOTION by Commissioner Mercado to adjourn the public meeting. Second by Commissioner Roberts.**

**Roll Call Vote:**

<b>Chairman Leonard Hubert</b>	<b>YES</b>
<b>Commissioner Tom Roberts</b>	<b>YES</b>
<b>Commissioner Stephanie Mercado</b>	<b>YES</b>
<b>Commissioner William Patmon</b>	<b>YES</b>
<b>Commissioner Barreras</b>	<b>YES</b>

**Motion carried.**

The regular meeting of The Ohio Civil Rights Commission was ADJOURNED at 2:35 pm.

  
Commissioner

\* \* \*