

**BROWARD COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
HUMAN RIGHTS BOARD**

BROWARD COUNTY  
HUMAN RIGHTS SECTION,  
on behalf of PATRICIA CINTRON,

HRS CASE NO.: 1037-02-18

Petitioner,

HUD CASE NO.: 04-18-2088-8

v.

ENVIRON TOWERS I CONDOMINIUM  
ASSOCIATION, INC.,

Respondent.

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**STATEMENT OF CHARGE**

Petitioner, Broward County Professional Standards/Human Rights Section (the "Section"), on behalf of Complainant, PATRICIA CINTRON ("Ms. Cintron"), brings this action pursuant to Section 16½-35 of the Broward County Human Rights Act (the "Human Rights Act"), against Respondent, ENVIRON TOWERS I CONDOMINIUM ASSOCIATION, INC. ("Environ Towers"), due to Environ Towers' violation of the Human Rights Act as well as the Federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended (the "Fair Housing Act"), by unlawfully discriminating against Ms. Cintron because of her disability. In support of this Statement of Charge, the Section alleges the following:

**Jurisdiction**

This action is brought before the Broward County Human Rights Board, which is empowered to hold hearings, adjudicate facts, and grant relief from discriminatory actions pursuant to Section 16½-22(b) of the Human Rights Act.

## **Parties**

1. Petitioner, the Section, is an agency of the Broward County Government, a political subdivision of the state of Florida and a home rule charter county.

2. The Section has the authority to investigate complaints of discrimination brought under the Human Rights Act and, as a Fair Housing Assistance Program certified by the United States Department of Housing and Urban Development, authority to investigate any complaint of housing discrimination brought pursuant to the Fair Housing Act.

3. At the time of the actions set forth herein, Ms. Cintron and her husband, Vericondo Furnari, were the owners of a condominium located within the Environ Towers residential dwelling complex at 7200 Radice Court, Unit 106, Lauderhill, Florida 33319 ("Unit").

4. Ms. Cintron suffers from a disability. Therefore, Ms. Cintron belongs to a class of persons protected from unlawful housing discrimination by the Human Rights Act and the Fair Housing Act.

5. Environ Towers is a not-for-profit corporation operating as a condominium association with its principal place of business at 7200 Radice Court, Lauderhill, Florida 33319.

6. The condominium units at Environ Towers are dwellings within the meaning of Subsection 16½-3(u) of the Human Rights Act and, as such, are subject to the anti-discrimination requirements thereof.

7. The condominium units at Environ Towers are dwellings within the

meaning of 42 U.S.C. Subsection 3602(b), and, as such, are subject to the anti-discrimination requirements of the Fair Housing Act.

### **General Allegations**

8. On or about March 10, 2018, Ms. Cintron filed a complaint with the Section alleging housing discrimination against Environ Towers based upon Environ Towers' denial of Ms. Cintron's request for a reasonable accommodation to maintain an emotional support animal in the Unit. Ms. Cintron also filed a complaint with the U.S. Department of Housing and Urban Development ("HUD").

9. Environ Towers' rules and regulations govern Ms. Cintron's use of the Unit and prohibit pets on the premises. Notwithstanding the foregoing, some residents of Environ Towers have pets.

10. On or about January 16, 2018, Ms. Cintron made a written request to Environ Towers to maintain an emotional support animal in the Unit to help her cope with her disability. Ms. Cintron's request included, among other supporting documents, correspondence dated January 8, 2018, from a board certified physician in family practice, Oscar Mendez, M.D. In his correspondence, Dr. Mendez stated that: (1) Ms. Cintron is "affected with Depression," (2) Ms. Cintron "needs her pet to help keep her symptoms under control," and (3) he could be reached at his office telephone number "[i]n the event that additional information [wa]s needed."

11. On January 30, 2018, Environ Towers, denied Ms. Cintron's reasonable request for an emotional support animal. Environ Towers based its decision upon its review of the supporting documentation that Ms. Cintron furnished, which it found to be

legally inadequate as to whether Ms. Cintron is indeed disabled and in need of an emotional support animal to use and enjoy her Unit, as well as its prior interactions and observations of Ms. Cintron.

12. Prior to denying Ms. Cintron's reasonable request for an emotional support, Environ Towers failed to:

- a. Request additional documentation from Ms. Cintron;
- b. Request additional documentation from Dr. Mendez;
- c. Attempt to engage in an open dialogue with Ms. Cintron;
- d. Attempt to engage in an open dialogue with Dr. Mendez; or
- e. Otherwise, attempt to engage in meaningful interactive process to assess the reasonableness of Ms. Cintron's request for an accommodation.

13. After receiving the complaint, the Section investigated Ms. Cintron's allegations of housing discrimination and found reasonable cause to believe that Environ Towers had engaged in a discriminatory housing practice by failing to engage in the interactive process prior to denying Ms. Cintron's request for a reasonable accommodation.

14. Specifically, the Section found that Environ Towers failed to provide Ms. Cintron with an opportunity to address any doubts regarding her disability or her need for the requested accommodation. Accordingly, this action is now necessary.

**Count I – Violation of 42 U.S.C. Subsections 3604(f)(2) and (f)(3)(B)**

15. The Section realleges and incorporates, by reference, paragraphs 1-14,

as if fully set forth herein.

16. Environ Towers, through its conduct and actions described above, violated 42 U.S.C. Subsections 3604(f)(2) and (f)(3)(B) by failing to engage in the interactive process prior to denying Ms. Cintron's request for a reasonable accommodation.

17. As a result of the conduct and actions of Environ Towers, Ms. Cintron has suffered damages and is an aggrieved person within the meaning of 42 U.S.C. Subsection 3602(i).

18. The discriminatory conduct or actions of Environ Towers were intentional, willful, and/or taken in disregard for the rights of Ms. Cintron.

**Count II – Violation of Subsections 16½-35(g)(2) and (h)(2)  
of the Human Rights Act**

19. The Section realleges and incorporates, by reference, paragraphs 1-18, as if fully set forth herein.

20. Environ Towers, through its conduct and acts described above, violated Subsections 16½-35(g)(2) and (h)(2) of the Human Rights Act by failing to engage in the interactive process prior to denying Ms. Cintron's request for a reasonable accommodation.

21. As a result of the conduct and actions of Environ Towers, Ms. Cintron has suffered damages and is an aggrieved person within the meaning of Subsection 16½-35(b).

22. The discriminatory conduct or actions of Environ Towers were intentional, willful, and/or taken in disregard for the rights of Ms. Cintron.

### **Prayer for Relief**

WHEREFORE, the Section, on behalf of Ms. Cintron, respectfully requests that the Human Rights Board enter a final order pursuant to 42 U.S.C. Section 3612 and Section 16½-49 of the Human Rights Act, which:

(a) Declares that the discriminatory housing practices of Environ Towers, as set forth above, violate both the Human Rights Act and the Fair Housing Act;

(b) Awards to Ms. Cintron such damages as would fully compensate her for any injuries caused by Environ Towers' denial of Ms. Cintron's request for a reasonable accommodation because of her disability;

(c) Awards the Petitioner its reasonable attorneys' fees and costs incurred in bringing this action to enforce the Fair Housing Act and the Human Rights Act on behalf of Ms. Cintron;


(d) Assesses a civil penalty against Environ Towers in the amount authorized in Section 16½-50(c) of the Human Rights Act, in order to vindicate the public interest; and

(e) Grants such other relief as justice may require.

Respectfully submitted,


**FOR THE BROWARD COUNTY  
HUMAN RIGHTS SECTION**

Anthony C. Halmon  
Assistant County Attorney  
Office of the County Attorney  
Governmental Center, Room 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301

BY:   
Anthony C. Halmon  
Florida Bar No.: 118240

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the original of this Statement of Charge was filed with Rhonda Wiltshire, Equal Opportunity Officer of the Broward County Professional Standards/Human Rights Section, as Ex-Officio Clerk for the Human Rights Board; and a true copy of the original was furnished by electronic mail and U.S. Mail to: Complainants, Patricia Cintron and Verincondo Furnari, 7200 Radice Court, Unit 106, Lauderhill, FL 33319, [patifur@yahoo.com](mailto:patifur@yahoo.com); Respondent, Environ Towers I Condominium Association, Inc., c/o Richard Ross, Treasurer/Chairman Legal Advisory Committee, 7200 Radice Court, Unit 508, Lauderhill, FL 33319, [mross7200@hotmail.com](mailto:mross7200@hotmail.com), on this \_\_\_\_ day of September, 2018.

BY:   
Anthony C. Halmon  
Florida Bar No.: 118240