

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

BROWARD COUNTY
HUMAN RIGHTS SECTION,
on behalf of LINDA LEVY,

HRS CASE NO.: 1112-06-22

Petitioner,

HUD CASE NO.: 04-22-1613-8

v.

GALT OCEAN TERRACE CONDOMINIUM
ASSOCIATION, INC.,
BROCK PROPERTY MANAGEMENT, INC.,
JANE BROCK, and
CLAUDIO LOFFREDA-MANCINELLI,

Respondents.

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STATEMENT OF CHARGE

Petitioner, Broward County Human Rights Section (the "Section"), on behalf of Complainant, LINDA LEVY ("Ms. Levy"), brings this action pursuant to Section 16½-35 of the Broward County Human Rights Act (the "Human Rights Act"), against Respondents, GALT OCEAN TERRACE CONDOMINIUM ASSOCIATION, INC. ("Galt Ocean"), BROCK PROPERTY MANAGEMENT, INC. ("Brock Property Management"), JANE BROCK ("J. Brock"), and CLAUDIO LOFFREDA-MANCINELLI ("Loffreda-Mancinelli") (collectively, "Respondents") due to Respondents' 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. Levy 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 (“HUD”), 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. Levy was the owner of a condominium located within the Galt Ocean Terrace residential dwelling complex at 3031 N. Ocean Blvd., Apt. #1905, Fort Lauderdale, FL 33308 (“Unit”).

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

5. Galt Ocean is a not-for-profit corporation operating as a condominium association with its principal place of business at 3031 N. Ocean Blvd., Fort Lauderdale, FL 33308.

6. Brock Property Management is a for-profit corporation operating as the

property manager for Galt Ocean with its principal place of business at 7401 Wiles Road, Suite 205, Coral Springs, FL 33067.

7. J. Brock is the registered agent of Brock Property Management and the property manager of Galt Ocean.

8. Loffreda-Mancinelli is the director of Galt Ocean.

9. The condominium units at Galt Ocean are dwellings within the meaning of Subsection 16 $\frac{1}{2}$ -3(u) of the Human Rights Act and, as such, are subject to the anti-discrimination requirements thereof.

7. The condominium units at Galt Ocean 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 June 3, 2022, Ms. Levy filed a complaint with the Section alleging housing discrimination against Respondents based upon their denial of her request for a reasonable accommodation to provide her with a designated parking spot closer to her unit.

9. Galt Ocean's Declaration of Condominium states that each unit is entitled to the exclusive use of one parking space, assigned to the applicable unit by an "Instrument of Assignment" that has the same formality as a deed. The Declaration of Condominium also states that the unit owner who is designated in an "Instrument of Assignment" to have the exclusive use of a parking space may assign the exclusive use of said parking space to another unit owner.

10. Ms. Levy's assigned parking space is number 77, which is located approximately 162 feet from the entrance of the building.

11. In March 2022, Ms. Levy submitted a reasonable accommodation request to Galt Ocean for a designated parking space closer to her unit. On or about May 10, 2022, Galt Ocean sent Ms. Levy an e-mail stating that all resident parking spaces are assigned to the units and that it could not reassign parking spaces.

13. On or about May 11, 2022, Ms. Levy submitted a second request to Galt Ocean for a designated parking space closer to her unit. That same day, she informed Brock Property Management that her disability prevents her from walking long distances and that she needed a designated parking space closer to her unit.

13. On or about May 13, 2022, Loffreda-Mancinelli responded to Ms. Levy by e-mail, stating "Galt Ocean does not have any disable[d] parking spots to be assigned 'ad personam.'"

14. On or about May 31, 2022, Ms. Levy submitted a third request to Galt Ocean for a designated handicapped parking space and provided a letter dated May 23, 2022, from her treating physician, which stated that Ms. Levy is disabled due to chronic pain syndrome complicated by a cardiac condition that causes marked inability to ambulate any significant distances. The letter further stated that Ms. Levy would benefit from a parking space closer to the exit of the building and suggested that Galt Ocean contact other residents to see if anyone would be willing to change parking spots.

15. On or about June 1, 2022, Galt Ocean responded to Ms. Levy's third request, stating that it could not ask residents to give up their parking spaces because

they are deeded to each unit.

16. In addition to the parking spaces assigned to each unit, Galt Ocean has three unassigned parking spaces that are closer to the entrance than Ms. Levy's assigned parking space. One space, labeled "Car Wash," is located near access to a water hose, and residents are able to use this space while washing their cars. Another space, labeled "Service," is used for vendors to unload large and/or heavy items through the back entrance of the building. The third space is labeled "Office." Upon information and belief, the security guard for Galt Ocean parks in the Office space.

17. After receiving the complaint, the Section investigated Ms. Levy's allegations of housing discrimination and found reasonable cause to believe that Respondents had engaged in a discriminatory housing practice by denying Ms. Levy's request for a reasonable accommodation.

18. Specifically, the Section found that Respondents failed to engage in the interactive process with Ms. Levy and did not discuss alternative accommodations with her that would effectively address her disability-related needs. Accordingly, this action is now necessary.

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

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

20. Respondents, through their conduct and actions described above, violated 42 U.S.C. Subsections 3604(f)(2)(A) and (f)(3)(B) by denying Ms. Levy's request for a reasonable accommodation.

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

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

**Count II – Violation of Subsections 16½-35(g)(1) and (h)(2)
of the Human Rights Act**

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

24. Respondents, through their conduct and acts described above, violated Subsections 16½-35(g)(1) and (h)(2) of the Human Rights Act by denying Ms. Levy's request for a reasonable accommodation.

25. As a result of the conduct and actions of Respondents, Ms. Levy has suffered damages and is an aggrieved person within the meaning of Subsection 16½-3(b).

26. The discriminatory conduct or actions of Respondents were intentional, willful, and/or taken in disregard for the rights of Ms. Levy.

Prayer for Relief

WHEREFORE, the Section, on behalf of Ms. Levy 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 Respondents, as set forth above, violate both the Human Rights Act and the Fair Housing Act;

(b) Awards to Ms. Levy such damages as would fully compensate her for any injuries caused by Respondent's denial of Ms. Levy'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. Levy;

(d) Assesses a civil penalty against Respondents 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**

Kristen M. McLaren
Senior Assistant County Attorney
Office of the County Attorney
Governmental Center, Room 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301

BY: Kristen McLaren Digitally signed by Kristen McLaren
Date: 2025.05.08 14:01:14 -04'00'
Kristen M. McLaren
Florida Bar No.: 1003315

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 Human Rights Section, as Ex-Officio Clerk for the Human Rights Board; and a true copy of the original was furnished by U.S. Mail to: Complainant, Linda Levy, 3031 N. Ocean Blvd., Apt.1905, Fort Lauderdale, FL 33308; Respondent, Galt Ocean Terrace Condominium Association, Inc., c/o Wasserstein P.A., Registered Agent, 301 Yamato Road, Suite 2199, Boca Raton, FL 33431; Respondent, Brock Property Management, Inc., c/o Jane M. Brock, Registered Agent, 7401 Wiles Road, #205, Coral Springs, FL 33067; Respondent Claudio Loffreda-Mancinelli, c/o Galt Ocean Terrace Condominium Association, Inc., 12444 W. Atlantic Blvd., Coral Springs, FL 33071; Respondent, Jane Brock, c/o Galt Ocean Terrace Condominium Association, Inc., 7401 Wiles Road, Coral Springs, FL 33067; and Respondents' Representative, Scott A. Bassman and Matthew A. Green, Cole, Scott & Kissane, P.A., 110 S.E. 6th Street, Suite 2700, Fort Lauderdale, FL 33301 , on this 8th day of May, 2025.

BY: Kristen McLaren Digitally signed by Kristen McLaren
Date: 2025.05.08 14:01:40 -04'00'
Kristen M. McLaren
Florida Bar No.: 1003315