



**PALM BEACH COUNTY
FAIR HOUSING/EQUAL EMPLOYMENT BOARD
MEETING AGENDA
January 19, 2022 at 5:30 P.M.**

This meeting is being conducted in person on Wednesday, January 19, 2022 at 5:30 P.M in the McEaddy Conference room, 12th Floor, Palm Beach County Government Center, 301 North Olive Avenue, WPB, FL 33401. Based on the most recent recommendations of the CDC and the rising positivity rates of COVID-19 in Palm Beach County, effective January 3, 2021 and until further notice, it is the County's policy that individuals must wear facial coverings and practice social distancing from other individuals while indoors on County property. County property includes all County-owned and County-leased buildings. This requirement includes vaccinated and non-vaccinated individuals, per CDC guidelines. If you require a special accommodation, you should contact the appropriate office in advance. Law Enforcement is authorized to issue a trespass warning and remove any individuals not in compliance with this policy.

Information for those attending in person:

- You are required to **wear a mask** covering your nose and mouth upon entry into the Government Center.
- You will be met by OEO staff at the elevator on the 12th floor. Please enter the building no earlier than 15 minutes prior to the start of the meeting.
- You will also have your **temperature taken**, which must read below 100.4 degrees.
- Once in the meeting room, there will be chairs set up to accommodate for **social distancing**.
- You will not be allowed to attend the meeting in person if you answer "yes" to any of the following questions:
 - Have you taken any fever-reducing medicine such as Tylenol or Advil for fever in the last 12 hours?
 - Have you tested positive for the coronavirus (COVID-19) within the last 14 days?
 - Have you experienced a loss of taste or smell sensation within the last 14 days?
 - Have you experienced persistent pain or pressure in your chest over the last 14 days?
 - Have you been sick with a fever, cough, shortness of breath, or respiratory infection in the past 14 days?
 - Have you had close contact with someone who has—OR—is under investigation for COVID-19 in the past 14 days?
 - Are you currently awaiting COVID-19 test results?

Below is information on how you can join the meeting virtually:

- **Meeting No. (Access Code): 2312 731 4749**
- **Meeting Password: 8KcaU7XppY2**

Join from the meeting link

<https://pbc-gov.webex.com/pbc-gov/j.php?MTID=m4b9446d818ae1d7dfd0487590369ad22> [pbc-gov.webex.com]

Join from a mobile device (attendees only)

1-904-900-2303..23182656704## United States Toll (Jacksonville)
1-844-621-3956..23182656704## United States Toll Free

Join by phone

1-904-900-2303 United States Toll (Jacksonville)
1-844-621-3956 United States Toll Free



Join from a video system or application

Dial [23127314749@pbc-gov.webex.com](tel:23127314749)

You can also dial 173.243.2.68 and enter your meeting number

Public comments can be submitted in advance of the meeting to Pamela Guerrier at Pguerrie@pbcgov.org. For additional information, please contact Pamela Guerrier (561) 355-4884. In accordance with the Americans with Disabilities Act (“ADA”), persons with disabilities requiring accommodations in order to participate in this public meeting should contact Pamela Guerrier at (561) 355-4884 no later than two (2) business days prior to such meeting.

- I. CALL TO ORDER
- II. ATTENDANCE
- III. ADOPTION OF AGENDA
- IV. REVIEW & APPROVAL OF OCTOBER 20, 2021 MINUTES
- V. SELECTION OF CHAIR AND VICE CHAIR
- VI. DIRECTOR’S REPORTS
 - A. Case Reports
 1. Fair housing
 2. Employment
 - B. Monthly Reports
- VII. GENERAL COMMENTS
- VIII. OLD BUSINESS
 - A. Miracle League
- IX. NEW BUSINESS
 - A. Administrative Hearing Request – Schedule Administrative Hearing
- X. BOARD COMMENTS
- XI. STAFF COMMENTS



A. Commissioner McKinlay's direction to staff to explore including domestic violence and stalking victims as categories in Palm Beach County's fair ordinance

XII. PUBLIC COMMENTS

XIII. ADJOURNMENT

**PALM BEACH COUNTY
FAIR HOUSING / EQUAL EMPLOYMENT BOARD
MEETING MINUTES**

October 20, 2021

I. CALL TO ORDER

The meeting was called to order at 6:00 p. m. A quorum was present.

II. ATTENDANCE

A. Board Attendance

Jeffrey M. Garber
Deidra E. Newton
Jefferson Grant - Virtual
Keith Ahronheim – Virtual
Stephen Wertheimer - Virtual

Absent

J.R. Thicklin
Steven Rappaport

B. Staff Attendance

Pamela Guerrier
David Ottey
Triana Davis
Melanie Powlis

III. ADOPTION OF AGENDA

After being moved and properly seconded, the agenda was unanimously approved by all Board members.

IV. REVIEW & APPROVAL OF MINUTES

After being moved and properly seconded, the minutes of the September 8, 2021 meeting was unanimously approved by all Board members.

V. DIRECTOR'S REPORTS

A. Case Reports

1. Employment

Mrs. Guerrier informed the Board that the office started the new fiscal year "2022" on October 1, 2021, and that there has been a decline of cases filed, which other agencies are also experiencing.

2. Fair Housing

Mrs. Guerrier informed the Board that the office completed the HUD performance assessment and is working through any of the deficiencies that were indicated, by HUD. The completed cases processed for fiscal 2020 were about 75 cases. The number of cases required based on the population of the county is about 20 cases, so the office has done 300% more and with the additional cases, it takes a longer time to complete the investigation within 100 days. While it is recognized as a deficiency for not completing the cases within 100 days HUD has recognized that our quality and quantity make up for it.

B. Monthly Reports

None

VI. PUBLIC COMMENTS

None

VII. OLD BUSINESS

Mrs. Guerrier informed that the board submitted the recommendations to the BCC awarded contracts to seven (7) out of the eight (8) agencies who the board recommended for the Handicap Accessibility and Awareness grant. Mrs. Guerrier informed the board that Miracle League recommended to receive a contract for \$5000 did not move forward with a signed contract so it was not submitted to the BCC. Mrs. Guerrier is working with Miracle League to address any concerns and or questions regarding the provision of the contract.

Mrs. Guerrier updated the board on the proposed revisions made to the housing ordinance specifically removal of the quorum requirement to add a reference to the county resolution for a quorum, a clear procedure to obtain a civil action, and the removal for the charging party to request an administrative hearing. Mrs. Guerrier will move forward with a public hearing on November 16, 2021.

VIII. NEW BUSINESS

None

X. BOARD COMMENTS

None

XI. STAFF COMMENTS

Mrs. Guerrier reminded the board about the attendance and that the quorum requirement is twenty-five percent of the board members appointed to meet a quorum and to be mindful to confirm their attendance in-person or virtual.

XII. MEETING DATE, TIME, AND LOCATION

Mrs. Guerrier informed the board that there may be additional meetings because of the need

to schedule administrative hearings.

The next Fair Housing/Equal Employment Board meeting is scheduled on **Wednesday, January 19, 2021 at 5:30 p.m.** at the McEaddy Conference Room.

XIII. ADJOURNMENT

The meeting was adjourned at 6:16 p. m.



INTEROFFICE MEMORANDUM

MELISSA MCKINLAY
County Commissioner
District 6
Palm Beach County
Board of County Commissioners

DATE: November 1, 2021
TO: Board of County Commissioners; Verdenia Baker, County Administrator; Denise Coffman, County Attorney
FROM: Commissioner Melissa McKinlay
SUBJECT: Commissioner Comments – November 2, 2021

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Governmental Center
301 North Olive Avenue, 12th Floor
West Palm Beach, FL 33401
Telephone: (561) 355-2206
Facsimile: (561) 355-4366
mmckinlay@pbcgov.org

Under my Commissioner Comments at the November 2, 2021, BCC meeting, I would like to request staff direction to explore including domestic violence, dating violence, and stalking victims as categories in Palm Beach County's Fair Housing Ordinance. As backup, I have attached Miami-Dade County's Fair Housing Ordinance, which includes these categories.

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Glades Office Complex
2976 State Road #15
Belle Glade, FL 33430
Telephone: (561) 996-4814
Facsimile: (561) 992-1038

■
www.pbcgov.com

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Affirmative Action Employer"*

Sec. 11A-12. - Unlawful housing practices.

- (1) *Discrimination in sale or rental of housing and other prohibited practices.* It shall be unlawful for any person, owner, financial institution, real estate broker, real estate agent or any representative of the above to engage in any of the following acts because of race, color, religion, ancestry, national origin, age, sex, pregnancy, disability, marital status, familial status, gender identity, gender expression, sexual orientation, source of income, or actual or perceived status as a victim of domestic violence, dating violence or stalking, of a prospective buyer, renter, lessee.
- (a) To refuse to sell, purchase, rent, lease, finance, negotiate or otherwise deny to or withhold any dwelling or to evict a person; or
 - (b) To discriminate against a person in the terms, conditions, or privileges of the sale, purchase, rental or lease or any dwelling, or in the furnishing of facilities or services in connection therewith; or
 - (c) To refuse to receive or transmit a bona fide offer to sell, purchase, rent or lease any dwelling; or
 - (d) To represent to a person that any dwelling is not available for inspection, sale, purchase, rental or lease when in fact it is so available, or to refuse to permit a person to inspect any dwelling; or
 - (e) To refuse to lend money, whether or not secured by mortgage, or otherwise refuse to make funds available for the purchase, acquisition, construction, alteration, improvement, repair or maintenance of any dwelling; to impose different terms or conditions of such financing or refuse to provide title or insurance relating to the ownership or use of any interest in any dwelling, or to refuse to provide appraisal or brokerage services; or
 - (f) To refuse to purchase loans, debts, or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling or which are secured by residential real estate or to impose different terms or conditions for such purchases; or
 - (g) To make, publish, print, circulate, post, mail, or cause to be made, published, printed, circulated, posted or mailed, any notice, statement or advertisement, or to announce a policy, or to sign or to use a form of application for the sale, purchase, rental, lease or financing of any dwelling, or to make a record of inquiry in connection with the prospective sale, purchase, rental, lease or financing of any housing accommodation which indicates any discrimination, any discriminatory preference, any intent to discriminate or any intent to make a discriminatory preference; or
 - (h) To discriminate in any financial transaction involving real property because of its location, or to "red-line"; or
 - (i) To offer, solicit, accept or use a listing of any dwelling for sale, purchase, rental or lease with the understanding that a person may be subjected to discrimination in connection with such sale, purchase, rental, lease, or the furnishing of facilities or services in connection therewith; or
 - (j) To directly or indirectly induce or attempt to induce for profit, the sale, purchase, rental, lease or the listing for any of the above, of any dwelling by representing that the presence or anticipated presence of a person of a particular race, color, religion, national origin, age, sex, disability, familial status, marital status, sexual orientation, source of income, or actual or perceived status as a victim of domestic violence, dating violence or stalking, will or may result in blockbusting, such as but not limited to:
 - (i) The lowering of property values in the area;
 - (ii) An increase in criminal or anti-social behavior in the area; or
 - (iii) A decline in the quality of the schools or other services or facilities in the area; or
 - (k) To make any representations concerning the listing for sale, purchase, rental, or lease, or the anticipated listing of any sale, purchase, rental, or lease of any dwelling for the purpose of inducing or attempting to induce any such listing for any of the above transactions; or

- (l) To engage in or hire to be done, or to conspire with others to commit acts or activities of any nature, the purpose of which is to coerce, cause panic, incite unrest, or create or play upon fear with the purpose of either discouraging or inducing, or attempting to induce, the sale, purchase, rental, lease or listing of any dwelling on any basis prohibited by this chapter; or
 - (m) To aid, abet, incite, compel or coerce any person to engage in any of the practices prohibited by this chapter, or to obstruct or prevent any person from complying with the provisions of this chapter or any other issued thereunder; or
 - (n) To resist, prevent, impede or interfere with the Commission on Human Rights, its members and/or representatives in the lawful performance of their duties under this chapter; or
 - (o) To canvas to commit any unlawful practice prohibited by this chapter; or
 - (p) To deny or withhold any dwelling from a person on any basis prohibited by this chapter, or
 - (q) To deny any qualified person access to or membership in or participation in any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against such person in the terms or conditions of such access, membership, or participation on any basis prohibited by this chapter; or
 - (r) To coerce, intimidate, make threats, or harass people who have aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by this article.
- (2) *Reasonable modification and reasonable accommodation for disabled.* It shall be a discriminatory housing practice to:
- (a) Refuse to permit, at the expense of a disabled person, reasonable modifications of existing premises occupied or to be occupied by such disabled person if such modifications may be necessary to afford such persons full enjoyment of the premises; except that in the case of a rental a landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;
 - (b) Refuse to make a reasonable accommodation in rules, policies, practices or services, when such an accommodation may be necessary to afford a disabled person equal opportunity to use and enjoy the dwelling unit;
 - (c) In connection with the design and construction of covered multifamily dwellings submitted for building permit on or after January 13, 1990 to fail to design and construct those housing accommodations in such a manner, that:
 - (i) The public use and common use portions of such dwellings are readily accessible to and usable by disabled persons;
 - (ii) All the doors designed to allow passage into and within all premises within such housing accommodations are sufficiently wide to allow passage by persons in wheelchairs; and
 - (iii) All premises within such accommodations contain the following features of an adaptive design:
 - (I) An accessible route into and throughout the dwelling, unless it is impracticable to do so because of the terrain or unusual characteristics of the site;
 - (II) Light switches, electrical outlets, thermostats and other environmental controls in accessible locations;
 - (III) Reinforcements in the bathroom walls to allow later installation of grab bars; and
 - (IV) Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

- (iv) As used in this section, "covered multifamily dwelling" means a building which consists of four (4) or more dwelling units and has one (1) or more elevators; or the ground floor dwelling units of a building which consists of four (4) or more dwelling units and does not have an elevator.
 - (v) Compliance with the appropriate requirements of the American National Standards Institute for buildings and facilities providing accessibility and usability for physically handicapped persons, commonly cited as "ANSI A117.1 (1986)" suffices to satisfy the requirements of this Subsection (c). Public areas shall also comply with the standards set forth in the Americans with Disabilities Act Accessibility Guidelines.
 - (d) Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.
- (3) *Parking accessibility for disabled.*
- (a) If parking is provided at the dwelling site then designated accessible parking at the dwelling unit or parking most convenient to the entrance served, shall be provided on request of residents with disabilities on the same terms and with the full range of choices (for example surface parking or garage) that are provided for other residents of the dwelling site. Accessible parking on a route accessible to wheelchairs shall be in a number at least equal to one (1) and not less than two (2) percent of the total number of covered dwelling units. Accessible visitor parking shall be provided sufficient to provide access to grade level entrances of covered multifamily dwellings and accessible parking at facilities (for example, swimming pools) that serve accessible buildings shall also be provided.
 - (b) To meet the requirements of this chapter, those accessible resident spaces required in new construction must meet the width requirements specified for accessible spaces under Section 316.1955, Florida Statutes, as amended, or its successor and be adjacent to a five-foot access aisle on the same level. The slope of the spaces, and the portion of the access aisles adjacent to the spaces, shall not exceed two (2) percent in any direction. It shall not be required that the spaces be outlined in blue nor is it required to have a sign stating "parking by disabled permit only," unless such signs and striping are necessary to effectively reserve those spaces for the individuals to whom they are assigned. The spaces may be temporarily assigned to persons who do not have disabilities. A written policy must be provided to all residents who purchase or rent dwelling units stating that those spaces will be assigned or reassigned as a reasonable accommodation to residents with disabilities on the basis of need.
 - (c) When the space is assigned to a resident with a disability the space must be marked in a manner that will effectively reserve that space for the individual to whom it is assigned. Where visitor or guest parking is provided at a residential building, parking for persons with disabilities shall be provided in the same numbers and with the same configuration and specifications as required in Section 316.1955, Florida Statutes, with the following exceptions. Where all of the spaces provided for visitors provide relatively equal convenience to the building served, are level, meet the width requirements specified for accessible spaces under Section 316.1955, Florida Statutes, are on an accessible route to the building, and have an adjacent access aisle at least five (5) feet wide on the same level, then no visitor spaces need to be marked or signed or otherwise reserved for visitors with disabilities.

(Ord. No. 97-17, § 1, 2-25-97; Ord. No. 98-170, § 1, 12-1-98; Ord. No. 06-179, § 10, 12-5-06; Ord. No. 09-53, § 11, 6-30-09; Ord. No. 14-118, § 2, 12-2-14; Ord. No. 14-113, § 3, 11-5-14)