

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT IN AND FOR  
HILLSBOROUGH COUNTY, FLORIDA**

CITY OF TAMPA, CITY ATTORNEY GINA  
K. GRIMES, on behalf of Shelquen Washington,  
individually, and as mother and next friend of  
Keziah Neely, Laon'iah Womack and Ende' Womak

Plaintiffs,

vs.

**CASE NO.: 19-CA-012893**

CTP FINANCIAL INC., CHRISTIAN PODEDWORNEY  
and VINCENT RUSSELL LAMBERT,

Defendants.

\_\_\_\_\_ /

SHELQUEN WASHINGTON, individually,  
and as mother and next friend of Keziah  
Neely, Laon'iah Womack and Ende' Womak

Intervenor,

vs.

CTP FINANCIAL INC., CHRISTIAN PODEDWORNEY  
and VINCENT RUSSELL LAMBERT,

Defendants.

\_\_\_\_\_ /

**INTERVENOR COMPLAINT**

INTERVENOR, SHELQUEN WASHINGTON, individually and as mother and next friend of KEZIAH NEELY, LAON'IAH WOMACK, and ENDE' WOMAK ("Ms. Washington", the "Washington family", or collectively "Intervenor") sues Defendants, CTP FINANCIAL INC., CHRISTIAN PODEDWORNEY, and VINCENT RUSSELL LAMBERT, (collectively referred to as "Defendants"), and alleges as follows:

**GENERAL ALLEGATIONS**

1. This is an action for damages, injunctive relief and other statutory relief brought pursuant to the Federal Fair Housing Act, 42 U.S.C. 3601, et seq., and Chapter 12 of the City of Tampa Human Rights Ordinances, for discrimination in housing on the basis of race, color, sex, disability familial status, as well as retaliation.

2. This Court has jurisdiction pursuant to 42 U.S.C. § 3613(a)(1)(A), and Section 12-112(b)(2) of the Tampa Code, and 42 U.S.C. § 3613.

3. The amount in controversy exceeds \$30,000.00, as such, this Court has subject matter jurisdiction.

4. Venue is proper in this circuit as the incident complained of occurred in Hillsborough County, and the property is located in the City of Tampa, in Hillsborough County, Florida.

5. Shelquen Washington (“Ms. Washington”) is a resident of Hillsborough County, Florida and is *sui juris*. She is the mother of Keziah Neely, who is nine years old, Laon’iah Womack, who is seven years old, and Ende’ Womack, who is five years old. Ms. Washington is a Black, African American woman.

6. Defendant, CTP FINANCIAL, INC. (“CTP”) is a Florida Corporation, licensed to do and doing business in Hillsborough County Florida. CTP owns and operates a quadplex located at 4907 Temple Heights Road, in Tampa Florida. (Subject Property)

7. Defendant, CHRISTIAN PODEDWORNEY (“Podedworney”) is and was at all times material hereto an owner and director, or agent of, Defendant, CTP FINANCIAL, INC, is a resident of New York State and is *sui juris*.

8. Defendant, VINCENT RUSSELL LAMBERT (“Lambert”) is and was at all times material hereto employed by CTP FINANCIAL, INC. as a property manager for rental apartments located 4907 Temple Heights Road, in Tampa Florida. At all times material, Lambert resides in Hillsborough County Florida, and is *sui juris*.

9. As the property manager of the Subject Property, Lambert had actual authority to act for CTP Financial for all purposes in the scope of operating a rental property.

10. Podedworney was substantially involved in all discriminatory and retaliatory actions against the Washington family, and ratified all discriminatory and retaliatory actions of Lambert.

11. On or about May 21, 2018, Ms. Washington filed a housing discrimination complaint with the United States Department of Housing and Urban Development, which was subsequently transferred to the City of Tampa Office of Human Rights.

12. On October 15, 2019, the Administrator issued its Notice of Determination of Reasonable Cause and issued an Administrative Charge finding reasonable cause to believe a discriminatory housing practice occurred. Such determination is attached hereto as Exhibit “A”.

13. After receiving the Administrator’s Finding of Cause, and in accordance with Section 12-112, Tampa Code, Ms. Washington has the right to file as an intervenor in a case brought by the City Attorney.

14. Intervenor has otherwise complied with all condition precedents or such conditions have been waived.

15. Pursuant to Section 12-114, Tampa Code, and 42 U.S.C. § 3613, the Intervenor is entitled to an award of its reasonable attorney’s fees and costs.

**FACTUAL ALLEGATIONS**

16. Ms. Washington moved from Myrtle Beach, South Carolina to Tampa, Florida with her three children.

17. Ms. Washington agreed to rent the dwelling at located at 4907 Temple Heights Road, Apartment C, Tampa, Florida, 33617 from November 16, 2017 to November 30, 2018 by entering into and executing a Lease Agreement with CTP on November 16, 2017.

18. When she first moved in, Ms. Washington advised Mr. Lambert that her 7 year old daughter, Laon'iah has a developmental disability. Lambert advised that Defendants were placing a playground in the backyard.

19. Because of Laon'iah's disability, she needs to be constantly watched as she elopes when she has an opportunity, as such the gated back yard was perfect for Leon'iah's use and enjoyment of the property.

20. On or about November 27, 2017, while in the parking lot outside of Washington's apartment, Lambert advised Washington that he had previously had issues with a former tenant whom had played the "race card", but he would not mind having his "first piece of dark meat" and proceeded to pinch Washington's shoulder without her consent. A former employee of CTP and co-worker of Lambert, Christopher Stout ("Stout"), witnessed the event.

21. After this event, when Ms. Washington did not accept Mr. Lambert's advances, and would be seen with other men, Mr. Lambert began an unceasing campaign of harassment culminating in attempts to get her evicted from the premises.

**A. Mr. Lambert is a Racist**

22. At all times material Lambert was a racist, and outwardly demonstrated his racist tendencies to Stout and others throughout the property.

23. Lambert has a history of criminal activity, and despite the history of such criminal activity, Defendants CTP and Podedworney placed Lambert in a position of authority.

24. On January 5, 2018, Lambert texted a picture and text to Stout:



Stout wrote:

And omg is that u in pic. Got ur stance

Lambert wrote back:



Not saying. Its me...its a secret organization..ya know. Have to kill you after.  
Anyway at amscott right now

25. On March 14, 2018, Lambert wrote as follows:



Yea shes a typical nig..  
Auto jumps to race card instead of looking in mirror and realizing shes a shitty neighbor and tenant & her free ride is up

MAR 14 AT 11:38 AM

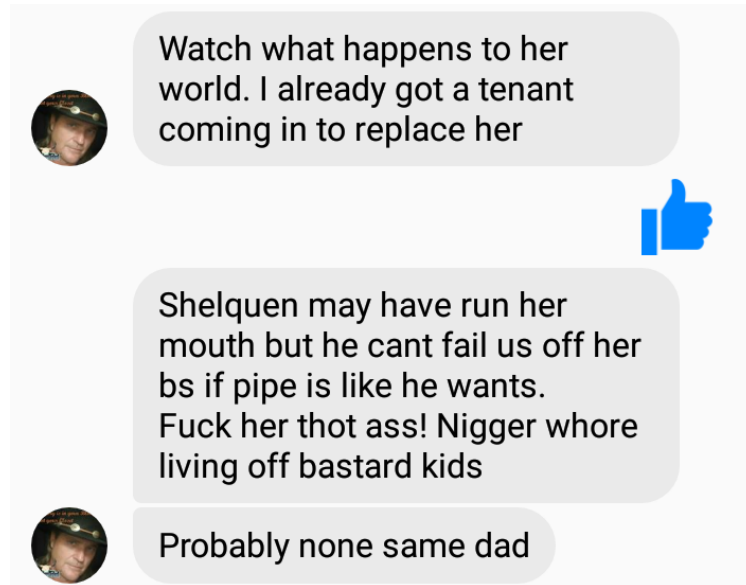
26. Lambert's plan was to manufacture a case against Ms. Washington, have her kids taken away and leave her destitute:



All she can do is create more work for us but im gonna get her kicked out..welfare free ride is over and them kids (her paycheck) in state custody

See how niggery she gets then

27. Lambert's plan was to evict Ms. Washington:



28. To Stout's mother, Lambert stated "I, kinda waiting on eviction to finish & her out before we finish rest of paint & stuff outside. I aint got time for ghetto drama. That neighborhood was starting to look better until she moved in & old crown come back around.... & from what it looked like them 2 girls was hooking up with everyone."

**B. Restricting use of the Back Yard**

29. In April 2017, Lambert locked the gate to the back yard and placed a no trespassing sign on the back yard to prevent Ms. Washington and her children from using the gated area of the property.

30. Other tenants who had back-doors to their apartments that entered the back yard were permitted to use the facility, however, Lambert would not allow Ms. Washington or her family to use the back yard.

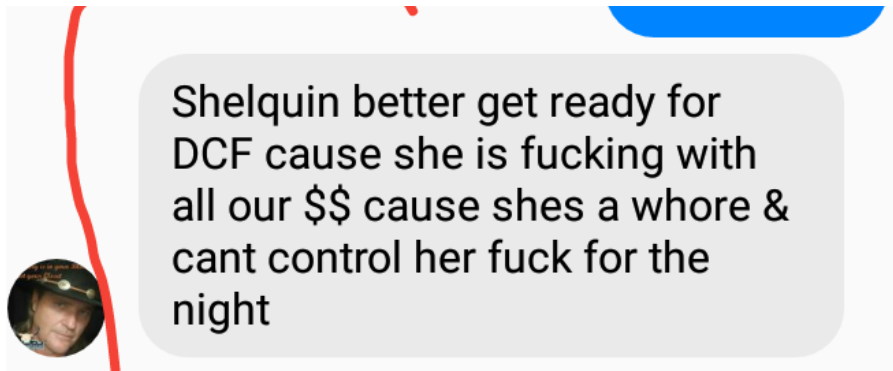
31. As a result, Ms. Washington had to be very vigilant that 7-year-old daughter, Laon'iah would not run away, and she could not have a safe space for her children to play.

32. When the gate was broken one morning, Lambert blamed Ms. Washington for vandalizing the gate.

**C. Filing a False Report with the Department of Children and Families**

33. On March 6, 2018, Lambert called a false report into the Hillsborough County Sheriff's Office, which referred the matter to the Florida Department of Children and Families.

34. Lambert notified Stout that he was going to make the call, as reported in his texts:



35. The false report contained many false and defamatory allegations:

- a. The children are left outside without supervision climbing into the dumpster and in between cars while the adults are in the home inside.
- b. The mother usually roles and smokes “dope/marijuana”, the grandmother is a crack addict, there is always a smell of “weed” coming out of the apartment, and that there are alcohol bottles constantly placed on the stairs of the home
- c. The home is overcrowded with three adults and nine children, and the children’s beds are “stacked like sausages” due to the limited space.
- d. The mother has had romantic relationships with at least six different men, and some of them are known drug dealers.



36. The investigator did a home visit, and did a detailed investigation finding that there was no basis for the report and that the children are not left unsupervised.

37. Ms. Washington agreed to a drug test to establish that she was not on any substances.

38. Lambert relied on the provision of the law which requires DCF to ensure that the reporters names are kept confidential; however, that did not stop him from bragging about his deeds to Stout:



Why would DCF say anything about us?  
They arent allowed to reveal who reports them.  
Im gonna make a call to inspector again but if we dont get inspection today i will try & shoot you \$\$ so you can chill in your crib.  
I would record everything you can from them.  
They just more scum like Lavanna.

Idk man. I was with Muhammad n grandma come over yelling

I just spoke to DCF lady who actually was the one there. She said they were recording her & said they knew who reported them however it against the law to reveal their sources.

39. Following the DCF home visit, Ms. Washington was very upset. Mr. Lambert was hoping that Ms. Washington would react to his false report to give him a reason to evict her:



When i come back im having  
cops nearby to set her up &  
hopefully get her arrested.  
I spoke to captain Flynn today &  
told her that i have her on video  
calling me racist names so it  
could be hate crime...lol  
Thats right. Goes both ways

40. While Ms. Washington was upset, she did not give any pretext for Lambert to call the police.

**D. Blaming Ms. Washington for Clogging Pipes**

41. The quadplex had one plumbing line for four apartments, and there were many children residing in the premises; however, Lambert only blamed Ms. Washington for clogs in the pipe.

42. The pipes were clogged with toys and baby wipes; however, Ms. Washington does not use baby wipes for her children.

**E. Causing Damage to and Failing to Repair Ms. Washington's Apartment**

43. Lambert cut the freon for the Air conditioner to Ms. Washington's apartment.

44. Lambert directed Stout not to fix items in Ms. Washington's apartment because he was trying to evict her, and he could fix such items after she was evicted. Lambert advised Stout that Ms. Washington was going to destroy the apartment when she left:



No. Im not gonna waste my weekend worrying about it. Let the monkeys tear it up & we get paid to evict and repair

**F. Blaming Ms. Washington for leaving garbage on the Property.**

45. In March of 2018, the persons in the next-door apartment moved out and offered Ms. Washington their furniture. Ms. Washington advised Stout that she was either going to bring it in her house or sell it to someone down the road. Lambert advised Stout to leave it where it was because he had a resident in Winter Haven that he wanted to see if they wanted it.

46. Thereafter, Lambert underhandedly took photographs of the furniture and attempted to use the photographs of evidence of wrongdoing on the part of Ms. Washington.

**G. Attempting to have Ms. Washington's Voucher revoked.**

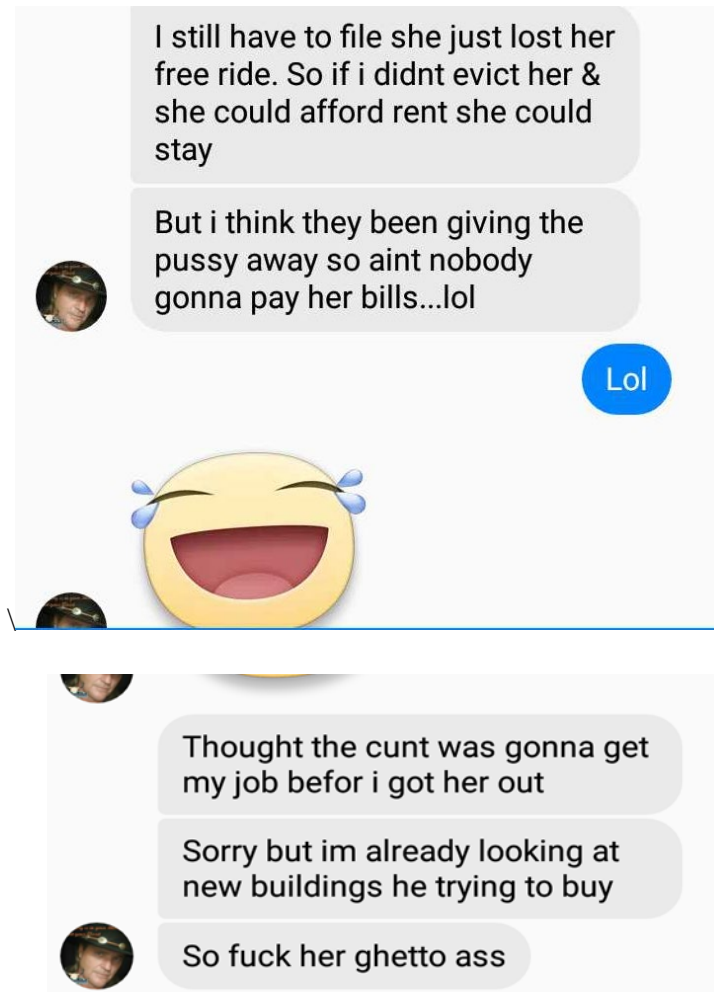
47. On March 5, 2018, Podedworney emailed Tampa Housing Authority and accused Ms. Washington of violating her lease terms by having more people in the unit than on the lease, clogging the pipes with baby wipes, and smoking marijuana on the property.

48. At one time, Lambert believed that the Tampa Housing Authority revoked her voucher:



Guess what? Section 8 just notified us they cancelled. Shelquens voucher & she has to be out at midnight on 4/30/2018

49. Again, Lambert was upset that his campaign of harassment was thwarted:



**H. Penalizing her for having guests who were Black.**

50. When friends or anyone would come to visit Ms. Washington, Lambert would call the police as they would not abide by the “no loitering” signs by the building.

51. Lambert would assume that all Black men who would be in the building would be there for Ms. Washington.

52. On March 13, 2018, a Black man came to Ms. Washington to take her to the hospital emergency room. Lambert advised him that he was the property manager and demanded that he move. He called the police on this man.

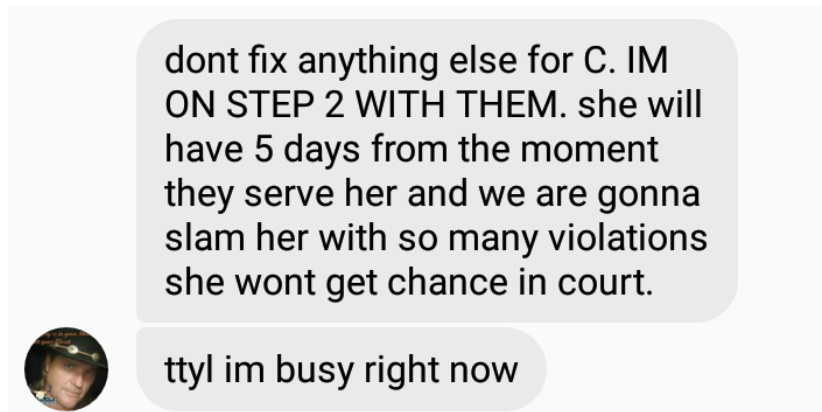
### **I. Eviction Proceedings**

53. On or about March 13, 2018, Ms. Washington notified Podedworney that she informed the Housing Counselor of harassment by Lambert and further advised that she had never been made to feel more uncomfortable in her life. Podedworney responded that he would speak to her when he returned to his office from traveling.

54. Instead of Podedworney contacting Washington, on or about March 13, 2018, CTP instead issued a 7 Day Notice to Vacate to Washington, which stated that her lease was terminated effective immediately. The 7 Day Notice alleged that Washington violated several Florida Statutes and accused Washington of a litany of offenses and violations, most of which were not even a violation of the Lease Agreement.

55. On May 14, 2018, with authority granted by CTP and Podedworney, Lambert instituted a sworn Complaint (For Tenant Eviction For Other Than Delinquent Rent) in the County Court, in and for Hillsborough County, Case No. 18-CC-025773.

56. Lambert's plan was to have so many violations that she will not have a chance in court:



57. Washington answered Defendants' Complaint and attached proof of Defendants' motivation behind the eviction action through the written statement of Stout and screen captures of the aforementioned Facebook messages of Lambert.

58. Defendants' efforts failed as, following a Final Hearing, during which the Court heard testimony of Washington and Lambert and reviewed exhibits submitted by both parties, the Court entered judgment in favor of Washington on August 9, 2018.

59. On or about August 21, 2018, Defendants issued a Notice of Non-Renewal of Lease to Washington. The notice prohibited Washington from converting to month-to-month tenancy. The notice did not state any reason for Washington's non-renewal.

60. Washington's occupancy of the dwelling ended on November 30, 2018.

61. All foregoing actions by Defendants were in total and reckless disregard of Ms. Washington's rights and indifferent to the protected civil rights and medical condition or needs of Ms. Washington and her children.

62. As a result of this discrimination, retaliation, and harassment, Ms. Washington and her Children have actual damages, loss of community status, mental anguish, embarrassment,

shame, worry, frustration, humiliation, dislocation, loss of capacity for the enjoyment of life, and loss of housing opportunities.

**COUNT I**  
**CLAIM FOR DISCRIMINATION IN THE RENTAL OF A DWELLING**  
**AGAINST CTP, PODEDWORNEY and LAMBERT**

63. Intervenor hereby incorporates by reference her allegations contained in Paragraph Nos. 1 through 62 above.

64. At all times material Podedworney was substantially involved in all discriminatory and retaliatory actions against the Washington family, and he and CTP ratified all discriminatory and retaliatory actions of Lambert

65. As a result of the failure to accede to Lambert's desire for sexual conquest, Lambert engaged in a campaign to evict Ms. Washington and her children, motivated by discriminatory animus and ratified by both CTS and Podedworney.

66. The motivating factor for the eviction of Ms. Washington spans the gamut of discriminatory basis, including the following:

- a. Gender: Defendants were under the belief that she had romantic relationships with many men;
- b. Gender: Ms. Washington would not have a romantic relationship with Lambert;
- c. Race and Color: Ms. Washington was Black and African American and had visitors who were Black and African American;
- d. Race and Color: Ms. Washington would have a relationship with Black and African American men, and not Lambert; and

- e. Familial Status: Ms. Washington was a single mother, and Lambert believed that Washington was having children with different men and could not adequately care for her children.

67. As a result, thereof, Defendants engaged in a relentless effort to harass and ultimately evict Ms. Washington and her family.

68. Defendants attempted to evict Ms. Washington and failed to do so. However, notwithstanding the failure to evict, and with notice of their unlawful acts, Defendants non-renewed her lease.

69. Such decision to terminate, and then to refuse to renew Ms. Washington's tenancy by the Defendants was motivated by a discriminatory purpose and in total disregard of the Ms. Washington's rights under the Tampa Code.

70. Further, as a direct and proximate result of Defendants' discrimination, Ms. Washington has have suffered irreparable loss and injury including, but not limited to actual damages, humiliation, emotional distress, and deprivation of the right to equal housing opportunities. These losses are either permanent or continuing and Intervenor will suffer these losses in the future.

WHEREFORE, SHELQUEN WASHINGTON, individually and as mother and next friend of KEZIAH NEELY, LAON'IAH WOMACK, and ENDE' WOMAK demands judgement against Defendants, CTP FINANCIAL INC., CHRISTIAN PODEDWORNEY, and VINCENT RUSSELL LAMBERT, That the Court declare that the actions of the Defendants violated the Fair Housing Act and Tampa Code by discriminating against persons award appropriate compensatory and punitive damages to Ms. Washington and her children against Defendants to compensate them



for her actual damages and for the humiliation, embarrassment and emotional distress caused by Defendants' discriminatory actions; reasonable costs and attorneys' fees; and any and all other relief that may be necessary and appropriate.

**COUNT II**  
**CLAIM FOR DISCRIMINATION IN THE TERMS, CONDITIONS, OR PRIVILEGES**  
**IN THE RENTAL OF A DWELLING**  
**AGAINST CTP, PODEDWORNEY and LAMBERT**

71. Intervenor hereby incorporates by reference her allegations contained in Paragraph Nos. 1 through 62 above.

72. At all times material Podedworney was substantially involved in all discriminatory and retaliatory actions against the Washington family, and he and CTP ratified all discriminatory and retaliatory actions of Lambert.

73. Motivated by discriminatory animus, Lambert, engaged in relentless harassment against Washington and her family, which included the following:

- a. Disability discrimination: deprived seven year old Leon'iah the safe use of a fenced in area where her mother would not need to worry about her escaping;
- b. Familial status: filed a false report on Ms. Washington and her family to trigger the Department of Children and Families to remove her children and cause her to lose her ability to have a section 8 voucher;
- c. Familial status: accused her of allowing her children to play in dumpsters and roam the parking lot unattended;
- d. Race/Color: did not permit her to have guests and believed that all of guests were loiterers on the property and would call the police on her guests;

- e. Race/Color: accused Ms. Washington of being a marijuana user and her mother of being a crack user; and
- f. Race/Color: deliberately cut utilities to Ms. Washington's home, and then refused to allow such utilities to be repaired.

74. Such relentless harassment, which led ultimately to a non-renewal, was based on the direct animus of Defendants and was motivated by a discriminatory purpose and in total disregard of the Ms. Washington's rights under the Tampa Code.

75. Further, as a direct and proximate result of Defendants' discrimination, Ms. Washington has have suffered irreparable loss and injury including, but not limited to actual damages, humiliation, emotional distress, and deprivation of the right to equal housing opportunities. These losses are either permanent or continuing and Intervenor will suffer these losses in the future.

WHEREFORE, SHELQUEN WASHINGTON, individually and as mother and next friend of KEZIAH NEELY, LAON'IAH WOMACK, and ENDE' WOMAK demands judgement against Defendants, CTP FINANCIAL INC., CHRISTIAN PODEDWORNEY, and VINCENT RUSSELL LAMBERT, That the Court declare that the actions of the Defendants violated the Fair Housing Act and Tampa Code by discriminating against persons award appropriate compensatory and punitive damages to Ms. Washington and her children against Defendants to compensate them for her actual damages and for the humiliation, embarrassment and emotional distress caused by Defendants' discriminatory actions; reasonable costs and attorneys' fees; and any and all other relief that may be necessary and appropriate.

**COUNT III**  
**CLAIM FOR COERCION AND INTIMIDATION**

**AGAINST CTP, PODEDWORNEY and LAMBERT**

76. Intervenor hereby incorporates by reference her allegations contained in Paragraph Nos. 1 through 66 above.

77. At all times material Podedworney was substantially involved in all discriminatory and retaliatory actions against the Washington family, and he and CTP ratified all discriminatory and retaliatory actions of Lambert.

78. Tampa Code Section 12-85 makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of such person having exercised or enjoyed, or on account of such person having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by the provisions in this article.

79. Ms. Washington refused to accede to, or even demonstrate interest in Lambert's desire to have sexual relations with her. As a result of not accepting his advances and his efforts to discriminate against her based upon gender, Lambert engaged in a series of retaliatory acts that led to her eviction. These included the following:

- a. Accusations of drug use by her and her family;
- b. Accusations of not adequately caring for her children, and allowing her children to play in garbage dumpsters and through cars;
- c. Refusal of her family to be able to have use and enjoyment of the back yard;
- d. False accusations before the Florida Department of Children and Families with the goal of dependency proceedings and removal of her children;
- e. False accusations before the Tampa Housing Authority with the goal of having her housing subsidy revoked;

- f. Deliberate cutting of freon pipes to deprive Ms. Washington and her family of air conditioning; and
- g. Reporting her guests to the police solely because of their color and race.

80. Such relentless harassment which led ultimately to a non-renewal was based on the direct animus of Defendants and was motivated by a retaliatory purpose and in total disregard of the Ms. Washington's rights under the Tampa Code.

81. Further, as a direct and proximate result of Defendants' discrimination, Ms. Washington has have suffered irreparable loss and injury including, but not limited to actual damages, humiliation, emotional distress, and deprivation of the right to equal housing opportunities. These losses are either permanent or continuing and Intervenor will suffer these losses in the future.

WHEREFORE, SHELQUEN WASHINGTON, individually and as mother and next friend of KEZIAH NEELY, LAON'IAH WOMACK, and ENDE' WOMAK demands judgement against Defendants, CTP FINANCIAL INC., CHRISTIAN PODEDWORNEY, and VINCENT RUSSELL LAMBERT, That the Court declare that the actions of the Defendants violated the Fair Housing Act and Tampa Code by discriminating against persons award appropriate compensatory and punitive damages to Ms. Washington and her children against Defendants to compensate them for her actual damages and for the humiliation, embarrassment and emotional distress caused by Defendants' discriminatory actions; reasonable costs and attorneys' fees; and any and all other relief that may be necessary and appropriate.

**COUNT IV – BATTERY**

82. Intervenor hereby incorporates by reference her allegations contained in Paragraph Nos. 1 through 66 above.

83. The pinching of Ms. Washington after Lambert stating that he would not mind having his “first piece of dark meat” was harmful, offensive and without Ms. Washington’s consent.

84. Lambert intended to cause such conduct.

85. Further, as a direct and proximate result of Lambert’s Battery, Ms. Washington has have suffered irreparable loss and injury including, but not limited to actual damages, humiliation, and emotional distress. These losses are either permanent or continuing and Intervenor will suffer these losses in the future.

WHEREFORE, SHELQUEN WASHINGTON demands judgement against Defendant, VINCENT RUSSELL LAMBERT for appropriate compensatory and punitive damages and any and all other relief that may be necessary and appropriate.

#### **COUNT V- NEGLIGENT HIRING AND SUPERVISION**

86. Intervenor hereby incorporates by reference her allegations contained in Paragraph Nos. 1 through 66 above.

87. Since 2019, Vincent Lambert has many arrests and convictions in both Hillsborough and Polk counties for misdemeanors and felonies, including multiple arrests and convictions for battery, criminal mischief, grand theft third degree, burglary, domestic violence battery, contacting without a license.

88. Further, Defendants, CTP FINANCIAL INC. and CHRISTIAN PODEDWORNEY at all times knew from communication with Lambert that he was an unrepentant racist and misogynist.

89. Defendants, CTP FINANCIAL INC., CHRISTIAN PODEDWORNEY failed to do a background search on Lambert, and had they have done a background search on Lambert they should have known that he was patently unfit to be a property manager.

90. Upon discovering additional criminal violations, and his behaviors, Defendants, CTP FINANCIAL INC., CHRISTIAN PODEDWORNEY had a duty to discharge Lambert.

91. Defendants, CTP FINANCIAL INC. and CHRISTIAN PODEDWORNEY owed a duty to the plaintiff to hire and retain safe and competent employees.

92. Defendants, CTP FINANCIAL INC. and CHRISTIAN PODEDWORNEY knowingly kept a dangerous employee on the premises.

93. Further, as a direct and proximate result of Defendants' hiring and retaining Lambert, and his egregiously discriminatory and harmful behaviors, Ms. Washington and her family have suffered irreparable loss and injury including, but not limited to actual damages, humiliation, and emotional distress. These losses are either permanent or continuing and Intervenor will suffer these losses in the future.

WHEREFORE, SHELQUEN WASHINGTON, individually and as mother and next friend of KEZIAH NEELY, LAON'IAH WOMACK, and ENDE' WOMAK demands judgement against Defendants, CTP FINANCIAL INC. and CHRISTIAN PODEDWORNEY award appropriate compensatory and punitive damages to Ms. Washington and her children against Defendants to compensate them for her actual damages and for the humiliation, embarrassment and emotional

distress caused by Defendants' discriminatory actions; reasonable costs and attorneys' fees; and any and all other relief that may be necessary and appropriate.

**DEMAND FOR JURY TRIAL**

Intervenor demands a trial by jury on all such issues triable.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed and served electronically on this 30<sup>th</sup> day of December, 2019 to all counsel on the herewith service list.

DISABILITY INDEPENDENCE GROUP, INC.  
2990 Southwest 35th Avenue  
Miami, Florida 33133  
Phone (305) 669-2822  
Facsimile (305) 442-4181  
E-Mail: [mdietz@justdigit.org](mailto:mdietz@justdigit.org)  
[aa@justdigit.org](mailto:aa@justdigit.org)

By: /s/ Matthew W. Dietz  
Matthew W. Dietz, Esq.  
FL BAR NO.: 0084905

**SERVICE LIST**

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Email: [aid@dayeslaw.com](mailto:aid@dayeslaw.com)

# **EXHIBIT “A”**





# City of Tampa

*Jane Castor, Mayor*

## Planning and Development Office of Human Rights

4900 W. Lemon Street  
Tampa, Florida 33609

Office: (813) 274-5835  
Fax: (813) 7941

*Certified Mail, Return Receipt Requested (70181130000216751197)*  
October 15, 2019

Shelquen Washington  
8307 Elmer Street  
Tampa, FL 33604

**Re: Shelquin Washington v. CTP Financial, Inc. And Christian Podedworny  
and Vincent Lambert  
Case No. HUD: 04-18-2628-8 / TOHR: HOU 18-0029**

Dear Ms. Washington:


The Human Rights Board (Board) reviewed the above referenced housing discrimination complaint, adopting the **Reasonable Cause** Determination made by this office. As conciliation efforts have been unsuccessful, pursuant to Chapter 12, Section 12-112 of the City of Tampa Human Rights Ordinance (Tampa Code), you are hereby notified by the Board that you have the right to elect that an administrative hearing be conducted in this case presided by an independent hearing officer. The City Attorney shall present the case findings on behalf of the Complainant or the aggrieved person.

Pursuant to Section 12-112, City of Tampa Code, the Complainant, the Respondent, or the aggrieved person on whose behalf the complaint was filed, has the right to elect, within twenty (20) days from receipt of this Notice, to have the claims asserted in the Administrative Charge to be decided in a civil action in a court of competent jurisdiction. If a timely election is made, the City Attorney shall commence and maintain the civil action on behalf of the Complainant or the aggrieved person. If a timely election is not made, an administrative hearing on the Administrative Charge shall be conducted by an Administrative Hearing Officer.

The election to file a court action or to request an administrative hearing should be filed with the Administrator - City of Tampa Office of Human Rights, Housing and Community Development Division, 4900 W. Lemon Street, Tampa, Florida 33609. Make written election on or before **Tuesday, November 12, 2019**, by emailing [vanessamccleary@tampagov.net](mailto:vanessamccleary@tampagov.net), Attention: Vanessa B. McCleary or by fax at 813.274.7941 or mail.

If you have any questions concerning this matter, please feel free to contact me directly at 813.274.8229.

Sincerely,

  
Vanessa B. McCleary  
Administrator



**City of Tampa**

*Jane Castor, Mayor*

**Planning and Development  
Office of Human Rights**

4900 W. Lemon Street  
Tampa, Florida 33609

Office: (813) 274-5835  
Fax: (813) 7941

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Determination of Reasonable Cause and Issuance of an Administrative Charge, together with its enclosures, have been furnished by U. S. certified mail, return receipt requested, to:

Complainant: Shelquen Washington, with address at

8307 Elmer Street  
Tampa, FL, 33604,

And

Respondent: CTP Financial, Inc., with address at

c/o Joseph F. Southron, Esq.  
Four Rivers  
400 N. Ashley Drive, Suite 1900  
Tampa, FL, 33602,

And

Respondent: Christian Podedworny, with address at

c/o Joseph F. Southron, Esq.  
Four Rivers  
400 N. Ashley Drive, Suite 1900  
Tampa, FL, 33602,

And

Respondent Vincent Lambert, with address at

1234 Reynolds Rd. Lot 238  
Lakeland, FL 33801

this 15<sup>th</sup> day of October, 2019, at Tampa, Florida.



# City of Tampa

Jane Castor, Mayor

## Planning and Development Office of Human Rights

4900 W. Lemon Street  
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### CITY OF TAMPA

#### OFFICE OF HUMAN RIGHTS HOUSING AND COMMUNITY DEVELOPMENT DIVISION

#### ADMINISTRATIVE CHARGE

Shelquen Washington v. CTP Financial, Inc. and Christian Podedworny and Vincent Lambert  
Case No. HUD: 04-18-2628-8/ TOHR: HOU 18-0029

Reasonable cause having been found against the Respondent for a discriminatory housing practice under Title VIII of the Civil Rights Act of 1968, as amended, the Fair Housing Act and the City of Tampa Human Rights Ordinance (Chapter 12, City of Tampa Code), as enumerated in the findings of facts and conclusions of law of the Final Investigative Report, that the violation caused the Complainant to incur damages within the meaning of the law, and that the Respondent should be permanently enjoined from continuing such act of discrimination, this administrative charge is issued.

*October 16, 2019*  
- DATED

*Vanessa B. McCleary*  
- VANESSA B. MCCLEARY  
ADMINISTRATOR



# City of Tampa

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### DETERMINATION OF REASONABLE CAUSE

**Case Name:** Shelquen Washington v. CTP Financial, Inc., et al.

**Case Number:** HUD: 04-18-2628-8/ TOHR: HOU 18-0029

- I. **Jurisdiction:** Complainant, Shelquen Washington (Female/Black/), alleged that she was discriminated against when she and her three (3) minor children were subjected to adverse terms and conditions, had their housing be made unavailable, and harassed based on their race and familial status. The Complainant also alleged that she was sexually harassed based on her sex. Respondents are CTP Financial, Inc., ownership entity of the subject property; Vincent Lambert (White/Male), Property Manager; and Christian Podedworny (White/Male), Owner of CTP Financial, Inc.

The subject property is a quadplex located at 4907 Temple Heights Road, APT C, Tampa, FL, 33617 in Hillsborough County and is not exempt under Section 803 or 807 of the Fair Housing Act ("the Act") or City of Tampa Human Rights Ordinance (Tampa Code), Chapter 12. If proven, the alleged actions of Respondents would be in violation of Section 804(a) of the Act and Section 12-81(1) of the Tampa Code; Section 804(b) of the Act and Sections 12-81(2) of Tampa Code; and Section 818 of the Act and Section 12-85 of the Tampa Code. Section 804(a) of the Act and Section 12-81(1) of the Tampa Code, make it unlawful to refuse to sell or rent after making a bona fide offer or to refuse to negotiate for the sale and rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin. Section 804(b) of the Act, and Section 12-81(2) of the Tampa Code make it unlawful to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of race, color, religion, national origin, or sex. Section 818 of the Act and Section 12-85 of the Tampa Code make it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise of enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by section 803, 804, 805, or 806 of the Act.

The last date of alleged discrimination occurred on September 10, 2018. The complaint was filed timely on May 21, 2018. The complaint was amended on July 19, 2018, and September 13, 2018, to add additional allegations of sexual harassment and adverse terms and conditions. The subject property receives Housing Choice Vouchers (Section 8) payments.



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- II. **Complainant's Allegations:** The Complainant alleged that Respondent Lambert made sexual comments and physically touched her due to gender. Following this, Respondent Lambert began accusing the Complainant of not supervising her children, having an unauthorized occupant, causing plumbing issues, smoking marijuana, and other false lease violations. The Complainant also alleged that Respondent Lambert did not allow her access to a gated area and he referred to her and her children using racial slurs. The Complainant was also served an eviction and a non-renewal notice due to false complaints made by Respondent Lambert.
- III. **Respondents' Defenses:** Respondents CTP Financial, Inc., Christian Podedworny, and Vincent Lambert denied discriminating against the Complainant as they alleged she has committed numerous lease violations, resulting in an eviction being filed, and a non-renewal being issued. Respondents asserted that they treat all tenants of all races and families equally. Respondents denied claims that the Charging Party was sexually harassed.
- IV. **Findings:** According to the Complainant's lease, she agreed to rent unit C, for herself and her three minor children from November 16, 2017 to November 30, 2018. The Complainant signed the lease on November 16, 2017. According to Respondent Podedworny, more than 90% of his tenants are Black. Respondent Podedworny provided leases for his other tenants, including their photo identification. According to property records, Respondent Podedworny resides in Brooklyn, New York; therefore, Respondent Lambert is responsible for the day-to-day operation of the subject property.

According to the Complainant, on or about November 27, 2017, while in the parking lot outside of her unit, Respondent Lambert mentioned that he had previously had issues with a former tenant whom had played the "race card", but he would not mind having his first piece of dark meat and then pinched her shoulder. Respondent Lambert denied making the comment to the Complainant and he denied pinching her on her shoulder. The Complainant cited that Christopher Stout, former Maintenance Employee, was present for this encounter as he was taking items out of Respondent Lambert's truck for a maintenance job.

In a handwritten statement from Mr. Stout, dated April 7, 2018, he confirmed that Respondent Lambert made a sexual comment to the Complainant about her being his "first black piece". The Complainant stated that she did not report this treatment to anyone, as she did not think anyone would believe her. This was the only incident in which Respondent Lambert made a sexual comment to the Complainant and physically touched her, making her feel violated.

According to Respondent Lambert, he had issues with the Complainant from the onset of her tenancy, since she smoked marijuana on the steps of her unit. However, the



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Complainant relayed that Respondent Lambert offered her what appeared to be an e-cigarette, a pen, in the parking lot and curious she tried it only on that one occasion. She stated that she never smoked marijuana on the steps of her unit.

Subsequently, on or about January 1, 2018, the Complainant stated that Respondent Lambert accused her of allowing the aggrieved parties (her children) to place trash in the parking lot; and she was also accused of having an unauthorized occupant in her unit. The Complainant denied all the Respondent's claims.

In an email, dated March 5, 2018, Respondent Podedworny sent an email to Melissa Pagan, Housing Counselor, Tampa Housing Authority, stating that he was having issues with the Complainant concerning unauthorized occupants, plumbing issues, and smoking marijuana. Respondent Podedworny indicated that if the behavior continued the Complainant would be evicted.

In text messages, dated March 13, 2018, the Complainant notified Respondent Podedworny that she had informed her Housing Counselor of harassment from Respondent Lambert. She further stated that Respondent Lambert was a drug addict who "tried to get black guys to pay him to sell drugs off [the] property". The Complainant ended the message that she had never been so uncomfortable in her life. Respondent Podedworny responded that he was traveling, but he would reach out to her when he got back to the office. According to Respondent Podedworny, the Complainant did not answer his call when he attempted to call her back, but he spoke with Respondent Lambert and he denied ever harassing the Complainant. The Complainant stated that Respondent Podedworny never attempted to call her back or get additional information about her claims in the text message.

On March 13, 2018, the Complainant was issued a Seven (7) Day Notice to Vacate, stating that her lease was terminated effective immediately. The notice cited that the Complainant violated several Florida Statutes concerning failure to comply with the lease agreement. Attached to the document was an email, dated March 13, 2018, from Respondent Podedworny to the Complainant and her housing counselor. Respondent Podedworny stated that there were ongoing issues with the Complainant's tenancy.

Specifically, on March 13, 2018, Respondent Podedworny stated that the Complainant's guest had an altercation with Respondent Lambert about parking. The incident escalated and police were called, as Respondent Lambert was unsuccessful in getting the guest to cease blocking the entrance. Additional claims were made that the Complainant had an unauthorized guest living in her unit; she left furniture in the middle of the parking lot; she caused emergency plumbing repairs; she allowed people to loiter on the steps leading to her



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unit; and she allowed her children to play in a dumpster unattended. She was also accused of storing an untagged vehicle in the parking lot. The Respondents provided undated photos of couches and a table in the parking lot and an untagged white Nissan parked next to the furniture. There were also undated photos of clogged plumbing and a wet toy on the floor.

According to the Complainant, on or about March 13, 2018, Respondent Lambert got into a verbal altercation with the Complainant's male friend and called the police. According to Facebook messages, between "Vincent Russell", who is Respondent Lambert, Russell is his middle name, and Mr. Stout the following conversations transpired.

**Respondent Vincent Russell (Lambert)** wrote "yeah shes a typical nig..auto jumps to race car[d] instead of looking in mirror and realizing shes a shitty neighbor and tenants & her free ride is up." **Mr. Stout** responded "arrogance".

In another exchange of messages, later that day, **Respondent Vincent Russell (Lambert)** stated "shelquen better get ready for DCF cause she is f\*ckng with all our \$\$ cause shes a whore & cant control her f\*ck for the night". **Mr. Stout** "Vince I did not see him today, I don't know how he could have gotten pass me this time". Later during the exchange **Respondent Vincent Russell (Lambert)** stated "all she can do is create more work for us but im gonna get her kicked out...welfare free ride is over and them kids (her paycheck) in state custody", "see how n\*ggers she gets then".

In messages dated March 15, 2018, **Respondent Vincent Russell (Lambert)** says, "Shelquen may have run her mouth but he cant fail us off her bs if the pipe is like he wants. F\*ck her thot a\*s! N\*gger whore living off bastard kids", "probably none same dad".

In another exchange of messages on Facebook, undated, **Respondent Vincent Russell (Lambert)** questioned why the Florida Department of Children and Families (DCF) would say anything about him and **Mr. Stout** since they were not allowed to reveal who provides information. **Respondent Vincent Russell (Lambert)** instructed **Mr. Stout** to record everything he could from "them" as they were "just more scum like Lavanna".

In another message, **Respondent Vincent Russell (Lambert)** informed **Mr. Stout** that he was having "cops nearby to set her up & hopefully get her arrested". **Respondent Vincent Russell (Lambert)** claimed to have video of the Complainant calling him racist names, but the requested video was never provided.



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In another set of messages, **Respondent Vincent Russell (Lambert)** stated, "let the monkeys tear it up and we get paid to evict and repair. It was further stated that once the inspection was passed, they were going to "lock the fence and let them be monkeys out front and wait on eviction". He also stated, "nigs like this is why I feel like I do about them".

In another exchange, undated, **Respondent Vincent Russell (Lambert)** instructed **Mr. Stout** to stop fixing items in unit C and since the Complainant had been served, they were going to give her more violations, to reduce her success in court.

Additional Facebook messages were provided in which **Respondent Vincent Russell (Lambert)** threatened to turn off the water in the Complainant's unit. **Respondent Vincent Russell (Lambert)** went on to call the Complainant "ghetto".

In a message dated January 2<sup>nd</sup>, **Respondent Vincent Russell (Lambert)** sent **Mr. Stout** a message and photo of a person standing in front of fire in a Ku Klux Klan robe and hood. **Mr. Stout** responded that he knew the person in the photo was **Respondent Vincent Russell (Lambert)** due to his stance. **Respondent Vincent Russell (Lambert)** responded that he could not say it was him since it was a secret organization.

**Respondent Lambert** denied writing the aforementioned messages, but acknowledged that the photo used for the **Respondent Vincent Russell (Lambert)** messages was him. He insisted that some of the messages regarding maintenance seemed familiar, but the exchange did not make sense. **Respondent Lambert** also denied being the individual in the Ku Klux Klan photo included in the messages.

In a handwritten statement from **Mr. Stout**, dated April 7, 2018, he confirmed that the messages were from his account and were between himself and **Respondent Lambert**. **Mr. Stout** further stated that **Respondent Lambert** was "always trying to get an eviction and cause problems for her," in reference to the Complainant. **Mr. Stout** further stated that the Complainant had a "good family." **Mr. Stout** stated that he terminated his employment with the Respondents because of **Respondent Lambert's** treatment of tenants. During an interview, **Respondent Lambert** asserted that **Mr. Stout** was an angry former employee, who was terminated for not fixing items in the units and he received drugs from the Complainant's visitors. He further stated that **Mr. Stout** has a criminal record and warrants for his arrest. **Respondent Lambert** further accused **Mr. Stout** of using the N-word in messages.





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According to a "Property Manager Statement", from Respondent Lambert, dated March 21, 2018, he accused the Complainant of creating a hostile and unsafe environment for him and other tenants. He reported that he has seen the Complainant using marijuana on several occasions, accused her of allowing the Complainant's cousin, Shaesha Washington, the Complainant's mother, and other children, to live in the unit. Respondent Lambert reiterated the plumbing and the parking issues. He stated that the Complainant was being investigated by DCF due to a complaint "we" filed.

Respondent Lambert provided copies of undated Facebook messages with Mr. Stout stating, "we gotta get C out", which is the Complainant's unit. He further stated that the unit was damaged. The Complainant substantiated that Respondent Lambert contacted DCF and falsely reported that she was not monitoring her children and was using drugs, causing additional harm to herself and her children. The Respondents provided photos of children standing on a couch leaned against a dumpster; however, according to the Complainant, those were not her children in the photo.

The Complainant provided a copy of the report issued by DCF, concerning the investigation of her children's treatment. The Complainant's children were deemed as safe and there was no impending danger identified from the investigation. The investigation was closed on April 10, 2018.

During an interview with Mr. Stout, he recalled the Complainant becoming upset with Respondent Lambert on one occasion, and this was after Respondent Lambert reported her to DCF. Mr. Stout stated that he had never seen the Complainant use drugs. In regards to the furniture, Mr. Stout stated that Respondent Lambert told the Complainant to leave the furniture in the parking lot as he was going to see if a tenant at another property was interested in purchasing it. Once Respondent Lambert did not update the Complainant on the sale, he attempted to evict her for leaving the furniture in the lot. Mr. Stout also stated that the Complainant's Nissan Maxima was untagged for no more than a week. In regards to the parking issues with the Complainant's visitor, Mr. Stout stated that he witnessed the incident and the car was moved once Respondent Lambert voiced that he was the property manager. In regards to the fence, Mr. Stout stated that the Complainant's children were not allowed to use the back gate area, due to Respondent Lambert's insisting that the area was covered with debris from cleaning another unit. According to an Obituary for Mr. Stout, he died on July 14, 2018.

The Complainant alleged that on or about April 1, 2018, Respondent Lambert installed a lock on the gate to the back yard of the subject property denying her minor children a safe



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area to play. Respondent stated that the back yard area was inaccessible to tenants and children due to ongoing renovations of unit D at the subject property. Respondents provided photos of a lawn with scattered tools and debris to support these claims. Upon visiting the subject property, it can be seen that the tenants for units A, B, and D, must go through the gate to access their units, while the Complainant's unit is the only unit outside the gated area.

According to the Complainant, on or about May 16, 2018, she was served with an eviction notice. The Complainant believes that the eviction was filed because of her rejecting the advances of Respondent Lambert and in continued harassment of herself and her children. According to records from the Hillsborough County Clerk of Court, Respondent Lambert filed an eviction against the Complainant on May 15, 2018. He stated that it was due to her failure to vacate after the seven-day notice was issued on March 13, 2018. Respondent Podedworny provided written authorization to Respondent Lambert to represent him in the proceedings. On August 9, 2018, a judgement was entered in favor of the Complainant after hearing testimony from the Complainant and Respondent and reviewing documentation.

On August 21, 2018, the Complainant was issued a Notice of Non-Renewal of Lease from Respondents. The notice stated that the Complainant was not allowed to be converted to month-to-month tenancy. No reason for action was listed on the notice. According to Respondent Podedworny, the non-renewal notice was issued due to previous lease violations. Respondent Podedworny stated that the eviction proceedings were in her favor because she was not served properly.

In an interview with the Complainant's mother, Angie Jenkins (Black/female), she denied living at the subject property, as she lives in South Carolina and visited the Complainant and her grandchildren for approximately two weeks.

During an interview with Shaesha Washington (Black/female), the Complainant's cousin, she denied living at the subject property with the Complainant. She asserted that she monitored the Complainant's children and her own children while the Complainant was at work. She acknowledged that staying overnight at the Complainant's home for approximately five nights in any given month. She denied seeing any drug use by the Complainant. In regards to plumbing, she asserted that the Complainant's children are too old for baby wipes, which were found in the clogged pipes. Ms. Shaesha Washington stated that she believed Respondent Lambert liked the Complainant since he seemed to get upset when she had male visitors.



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The Respondents provided copies of lease violation notices for three previous tenants at the subject property. Notices were also provided for two previous tenants at other Tampa properties. All of the tenants are black. Four of the notices were issued to tenants in relation to rent owed, while the other concerned improper storage of a go-cart. The Respondents provided no lease violation notices related to the items cited in the Complainant's notices. According to the Hillsborough County Clerk of Court, Respondent Lambert has filed eviction proceedings for past due rent against two tenants, one was Black, while the other was Hispanic.

In a written statement from Ashley Brown, tenant from unit B, she stated that she has witnessed Respondent Lambert blocking the Complainant's children from playing in the yard behind the building. She further stated that Respondent Lambert seems to have issues when the Complainant has guests at her unit, but he does not have issues when guests visit tenants in units A and B.

Respondents acknowledged that they do not have a visitor policy. However, according to the Housing Assistance Payment Program contract between the Tampa Housing Authority, the Complainant and Respondents, only the Complainant and her three children are allowed to live in her unit; visitors are allowed for a 14-day visit. Respondents stated that they trespassed the Complainant's visitors from the property as they were local drug dealers, but no documentation was provided in support of these claims.

In an interview with Kendra Green, friend of the Complainant's neighbor in the building adjacent to the subject property, she recalled overhearing a white male on the phone making comments that he was sick of n\*ggas sitting outside. She never heard the male say the Complainant's name, but she recalled him driving a white truck and seemed to be a maintenance person tending to the building. Ms. Green has never seen the Complainant smoke nor the Complainant's children unattended.

In an interview with Ashley Brown (Black/female), occupant in the building adjacent to the subject property, she recalled Respondent Lambert having arguments with the Complainant about visitors to her unit. This was witnessed on approximately three occasions. Some of the individuals in the parking lot were not the Complainant's visitors, but mostly males loitering in front of her unit. She also stated that she has not seen the Complainant's children unattended or her using drugs.

In an interview with Sulay Perez (Hispanic/female), Respondent's witness, who also lives in the Complainant's building, she stated that she has had no issues with Respondents. Ms. Perez and her minor son reside in the unit. She recalled Respondent Lambert stating that he



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preferred to rent to Hispanics than blacks, because Hispanics were cleaner. Respondent Lambert made this comment after Ms. Perez moved into unit B in March 2018. Ms. Perez recalled a fence being installed around summer 2018, at the subject property. Upon questioning Respondent Lambert about the fence, he responded that it will keep the kids who lived in the front from playing in the back.

In an interview with Stephanie Cortes (Hispanic/female), Respondent's witness, who lived in the Complainant's building, she stated that Respondent Lambert has stated to her that he likes younger girls with daddy issues. Ms. Cortes stated that he made this comment in approximately October 2017, when she moved to the property. Ms. Cortes resides in Unit A with her husband and minor children. Ms. Cortes recalled Respondent Lambert making remarks about the Complainant that she loves to use the system. She also recalled the Complainant and Respondent Lambert arguing about the Complainant's visitor blocking the parking lot. Ms. Cortes further stated that she has not witnessed the Complainant using drugs, leaving her children unattended, or leaving furniture in the parking lot. Ms. Cortes did not recall a lock being on a fence. In a conversation with Mr. Stout, Ms. Cortes recalled Mr. Stout telling her that he was no longer going to lie for Respondent Lambert about the Complainant.

Ms. Cortes provided screenshots of text message conversations with Respondent Lambert. In an undated message Respondent Lambert stated that Mr. Stout was "2 faced" because he had texts of Mr. Stout referring to the Complainant as a n\*gger and that he wanted to "bust" the Complainant "in the face". Respondent Lambert provided Ms. Cortes with a screenshot of Facebook messages between him and Mr. Stout.

In the Facebook message, Mr. Stout referred to an unnamed individual as "dirty nigs". He further explained how "she f\*cked up" by trying to throw him under the bus and the individual did not realize he "could come up with enough sh\*t to really ruin her life". Respondent Lambert responded "yea shes a typical nig..". Later in the messages, Mr. Stout stated that he had to "step away from these n\*ggers". Following the screenshots, Respondent Lambert informed Ms. Cortes that Mr. Stout had altered messages and sent them to the Complainant.

In an interview with Kameeka Dubose (Black/female), Respondent's witness, she stated that she had plumbing issues when she first moved to the property as her children had flushed items down the toilet. She did not recall what the items were. Ms. Dubose and her minor children moved to the property, Unit D, on approximately March 27, 2018. Ms. Dubose recalled the fence being installed at the property and she had to call Respondent



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Lambert to get access. Respondent Lambert told her that the fence was installed since the construction crew had tools left in the area. Ms. Dubose also recalled Respondent Lambert calling her sexy, but she was not offended by the comment since he did not "make any moves towards her".

In an interview with Katrina Wright (Black/female), Respondent's witness, she stated that she has not had an incident in which she felt uncomfortable around Respondent Lambert. She described him as funny. Ms. Wright resides at another property owned by Respondent Podedworny with her minor child in Tampa, Florida.

The Charging Party moved out of Respondents' unit at the conclusion of her lease.

**Analysis:** *The Tampa Code and Section 804(a) of the Act makes it unlawful to refuse to sell or rent after making a bona fide offer or to refuse to negotiate for the sale and rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin. In order to establish a violation of subsection 804(a) of the Act, and Chapter 12, Section 12-81(1) of the Tampa Code, the following elements must be established: **Reasonable Cause***

1. The Complainant is a member of a group protected by the Fair Housing Act.

The Complainant identifies as an Black female; therefore, she is a member of a protected group based on Race and Gender. As a result, this element is met.

2. The Complainant was Respondent's tenant.

According to the Complainant's lease, she agreed to rent Unit C, for herself and her three minor children from November 16, 2017 to November 30, 2018. The Complainant signed the lease on November 16, 2017. As a result, this element is met.

3. The Respondent acted to terminate the Complainant's tenancy by initiating an eviction, sending a notice to termination, or refusing to renew the Complainant's lease.

On March 13, 2018, the Complainant was issued a Seven (7) Day Notice to Vacate, stating that her lease was terminated effective immediately. The notice cited that the Complainant violated several Florida Statutes concerning failure to comply with the lease agreement. Attached to the document was an email, dated March 13, 2018,



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from Respondent Podedworny to the Complainant and her housing counselor. Respondent Podedworny stated that there were ongoing issues with the Complainant's tenancy. Specifically, On March 13, 2018, Respondent Podedworny stated that the Complainant's guest had an altercation with Respondent Lambert about parking. The incident escalated and police were called, as Respondent Lambert was unsuccessful in getting the guest to cease blocking the entrance. Additional claims were made that the Complainant had an unauthorized guest living in her unit, she had left furniture in the middle of the parking lot, she caused emergency plumbing repairs, she allowed people to loiter on the steps leading to her unit, and she allowed her children to play in a dumpster unattended. She was also accused of storing an untagged vehicle in the parking lot.

According to records from the Hillsborough County Clerk of Court, Respondent Lambert filed an eviction against the Complainant on May 15, 2018. He stated that it was due to her failure to vacate after the seven-day notice was issued on March 13, 2018. On August 21, 2018, the Complainant was issued a Notice of Non-Renewal of Lease from Respondent. According to Respondent Podedworny, the non-renewal notice was issued due to previous lease violations. As a result, this element was met.

4. The Respondent did not take a similar action against a similarly situated tenant of a different protected class or the dwelling remained available thereafter.

Respondent provided copies of lease violation notices for three previous tenants at the subject property. Notices were also provided for two previous tenants at other Tampa properties. All of the tenants are black. Four of the notices were issued to tenants in relation to rent owed, while the other concerned improper storage of a go-cart. Respondent provided no lease violation notices related to the items cited in the Complainant's notices.

According to the Hillsborough County Clerk of Court, Respondent Lambert has filed eviction proceedings for past due rent against two tenants, one was Black, while the other was Hispanic. While Respondent has given lease violations and filed eviction proceedings for individuals within and outside of the Complainant's protected class, it was not for reasons similar to the Complainant. As a result of this, this element was met.



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*The Tampa Code and Section 804(b) of the Act makes it unlawful to refuse to make it unlawful to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of race, color, religion, national origin, or sex. In order to establish a violation of subsection 804(b) of the Act, and Chapter 12, Section 12-81(2) of the Tampa Code, the following elements must be established: **Reasonable Cause***

1. The Complainant is a member of a group protected by the Fair Housing Act.

The Complainant identifies as a Black female; therefore, she is a member of a protected group based on Race and Gender. The Complainant also has three minor children; therefore, they are all a member of a protected group based on familial status. As a result, this element was met.

2. The Complainant was the Respondent's tenant.

According to the Complainant's lease, she agreed to rent Unit C, for herself and her three minor children from November 16, 2017 to November 30, 2018. As a result, this element is met.

3. The Respondent imposed unfavorable or less favorable terms or conditions on the Complainant's tenancy.

The Complainant alleged that on or about April 1, 2018, Respondent Lambert installed a lock on the gate to the back yard of the subject property denying her minor children a safe area to play. Respondent stated that the back yard area was inaccessible to tenants and children due to ongoing renovations of unit D at the subject property. Respondents provided photos of a lawn with scattered tools and debris to support these claims.

4. The Respondent did not impose such terms and conditions on similarly situated tenants not in the Complainant's protected class.



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In an interview with Kameeka Dubose (Black/female/mother to minor children), Respondent's witness, she stated that Respondent Lambert told her that the fence was installed since the construction crew had tools left in the area. In an interview with Sulay Perez (Hispanic/female/ mother to minor child), Respondent's witness, whom also lives in the Complainant's building, she stated that upon questioning Respondent Lambert about the fence, he responded that it was to keep the kids who lived in the front from playing in the back. Upon visiting the subject property, it can be seen that the tenants for units A, B, and D, must go through the gate to access their units, while the Complainant's unit is the only unit outside the gated area. As a result of this, element was met.

*The Tampa Code and Section 818 of the Act make it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise of enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by section 803, 804, 805, or 806 of the Act. In order to establish a violation of subsection 818 of the Act, and Section 12-85 of the Tampa Code, the following elements must be established: **Reasonable Cause***

1. The Complainant is a member of a protected class.

The Complainant is a black female and has three minor children. Therefore, she is a member of a protected group based on race, sex, and familial status and this element is met.

2. The conduct was severe or pervasive.

According to the Complainant, on or about November 27, 2017, while in the parking lot outside of her unit, Respondent Lambert mentioned that he had previously had issues with previous tenant who had played the "race card", but he would not mind having his first piece of dark meat and then pinched her shoulder. Respondent Lambert denied making the comment to the Complainant and he denied pinching her on her shoulder. In a handwritten statement from Mr. Stout, dated April 7, 2018, he stated Respondent Lambert made a sexual comment to the Complainant about her being his "first black piece".

According to Facebook messages, between "Vincent Russell" and maintenance person, Christopher Stout (white/male), Vincent Russell wrote "yeah shes a typical





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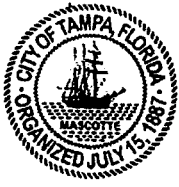
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nig..auto jumps to race car[d] instead of looking in mirror and realizing shes a shitty neighbor and tenants & her free ride is up." Mr. Stout responded "arrogance". In another exchange of messages, later that day, Vincent Russell stated "shelquen better get ready for DCF cause she is f\*ckng with all our \$\$ cause shes a whore & cant control her f\*ck for the night". Mr. Stout responded "Vince I did not see him here today, I don't know how he could have gotten pass me this time". Later during the exchange Vincent Russell stated "all she can do is create more work for us but im gonna get her kicked out...welfare free ride is over and them kids (her paycheck) in state custody", "see how n\*ggersy she gets then". In messages dated March 15, 2018, Vincent Russel says "Shelquen may have run her mouth but he cant fail us off her bs if the pipe is like he wants. F\*ck her thot a\*s! N\*gger whore living off bastard kids", "probably none same dad".

In another exchange of messages, undated, Vincent Russell questioned why DCF would say anything about him and Mr. Stout since they are not allowed to reveal who provides information. Vincent Russell instructed Mr. Stout to record everything he could from "them" as they were "just more scum like Lavanna". In another message Vincent Russell informed Mr. Stout that he was having "cops nearby to set her up & hopefully get her arrested". In another set of messages Vincent Russell stated "let the monkeys tear it up and we get paid to evict and repair. It was further stated that once inspection was passed they were going to "lock the fence and let them be monkeys out front and wait on eviction". He also stated "nigs like this is why I feel like I do about them". In another exchange, undated, Russell instructed Mr. Stout to stop fixing items in unit C and since the Complainant had been served, they were going to give her more violations, to reduce her success in court. Additional messages were provided in which Russell threatened to turn off the water in the Complainant's unit. Russell goes on to call the Complainant "ghetto".

Respondent Lambert denied writing the aforementioned messages, but acknowledged that the photo used for the Vincent Russell messages was him. He insisted that some of the messages regarding maintenance seemed familiar, but the exchange did not make sense. In a handwritten statement from Mr. Stout, dated April 7, 2018, he stated that the messages were from his account and were between himself and Respondent Lambert. Mr. Stout further stated that Respondent Lambert was "always trying to get an eviction and cause problems for her", in reference to the Complainant.



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Respondent's witness, Stephanie Cortes, Ms. Cortes provided screenshots of text message conversations with Respondent Lambert. In an undated message Respondent Lambert stated that Mr. Stout was "2 faced" because he had texts of Mr. Stout referring to the Complainant as a n\*gger and that he wanted to "bust" the Complainant "in the face". Respondent Lambert provided Ms. Cortes with a screenshot of Facebook messages between him and Mr. Stout. In the Facebook message, Mr. Stout referred to an unnamed individual as "dirty nigs". He further explained how "she f\*cked up" by trying to throw him under the bus and the individual did not realize he "could come up with enough sh\*t to really ruin her life". Respondent Lambert responded "yea shes a typical nig..". Later in the messages, Mr. Stout stated that he had to "step away from these n\*ggers".

As a result, this element was met.

3. The conduct interfered with the sale, rental, use, availability, enjoyment, or terms and conditions of the Complainant's housing.

After receiving information from Respondent Lambert, on March 5, 2018, Respondent Podedworny informed the Complainant's Housing Counselor that he was having issues with the Complainant concerning unauthorized occupants, plumbing issues, and smoking marijuana. On March 13, 2018, the Complainant was issued a Seven Day Notice to Vacate, stating that her lease was terminated effective immediately. The notice cited that the Complainant violated several Florida Statutes concerning failure to comply with the lease agreement. Attached to the document was an email, dated March 13, 2018, Respondent Podedworny stated that there were ongoing issues with the Complainant's tenancy.

Specifically, claims were made that the Complainant had an unauthorized guest living in her unit, she had left furniture in the middle of the parking lot, she caused emergency plumbing repairs, she allowed people to loiter on the steps leading to her unit, she allowed her children to play in a dumpster unattended, and her storing an untagged vehicle in the parking lot. All of the claims made by Respondent were unsubstantiated and denied by the Complainant.

Respondent Lambert filed an eviction against the Complainant on May 15, 2018. He stated that it was due to her failure to vacate after the seven-day notice was issued on March 13, 2018. On August 9, 2018, a judgement was entered in favor of the Complainant after hearing testimony from the Complainant and Respondent and



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reviewing documentation. On August 21, 2018, the Complainant was issued a Notice of Non-Renewal of Lease from Respondent. The notice stated that the Complainant was not allowed to be converted to month-to-month tenancy. Respondent Podedworny stated that the eviction proceedings were in the Complainant's favor because she was not served properly.

As a result, this element was met.

4. The conduct was based on the Complainant's protected class under the Act.

Respondent Lambert made one comment, of a sexual nature, to the Complainant, but no evidence was found that the comment was quid pro quo harassment. Respondent Lambert made several derogatory statements about the Complainant and her family based on race, and he was the catalyst in issuing lease violations, an eviction, and ultimately a non-renewal of lease for their tenancy. Evidence of him displaying this behavior was received from the Complainant, Mr. Stout, and Ms. Cortes.

As a result, this element was met.

**Conclusion:** The Charging Party alleged that she was discriminated against based on race, sex, and familial status. The investigation found that the Complainant and her children had their housing be made unavailable, as Respondents issued false lease violations, an eviction, and a lease non-renewal notice due to their membership in protected groups. Witness statements substantiated claims that the Complainant and her children were also subjected to adverse terms and conditions, as they were not allowed to use the yard area behind the building. The Charging Party and her children were also subjected to a hostile environment as Respondent Lambert referred to them using derogatory racial epithets while he reported to Respondent Podedworny false information to end their tenancy.

Therefore, based on the foregoing facts and analysis of the investigation, as set forth above, it is recommended that there is "Reasonable Cause" exists to believe that the Respondents engaged in illegal discriminatory housing practices in violation of Section 804(a) of the Act and Section 12-81(1) of the Tampa Code; Section 804(b) of the Act and Sections 12-81(2) of Tampa Code; Section 818 of the Act and Section 12-85 of the Tampa Code.

- V. **Additional Information:** Notwithstanding this determination by the Tampa Office of Human Rights (TOHR), the Fair Housing Act and Tampa Code provides that the complainant may file a civil action in an appropriate federal district court or state court



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within two years after the occurrence or termination of the alleged discriminatory housing practice. The computation of this two-year period does not include the time during which this administrative proceeding was pending. In addition, upon the application of either party to such civil action, the court may appoint an attorney, or may authorize the commencement of or continuation of the civil action without the payment of fees, costs, or security, if the court determines that such party is financially unable to bear the costs of the lawsuit.

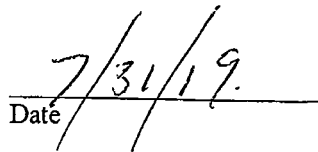
TOHR's regulations implementing the Tampa Code require that a dismissal, if any, be publicly disclosed, unless the Respondent requests that no such release be made. Such request must be made by the respondent within thirty (30) days of receipt of the determination to the Tampa Office of Human Rights at the address contained in the enclosed summary. Notwithstanding such request by the Respondent, the fact of a dismissal, including the names of all parties, is public information and is available upon request.

For a copy of the Final Investigative Report for this case contact:

Vanessa McCleary, Manager  
Housing and Community Development  
4900 W. Lemon Street  
Tampa, FL 33609

On behalf of the Tampa Office of Human Rights

  
Vanessa B. McCleary, Manager  
Housing and Community Development Division  
City of Tampa

  
Date