

HOUSING DISCRIMINATION COMPLAINT

CASE NUMBER: 04-11-1099-8/6/9

1. Complainants

Steven Kohn
3841 N 51st Ave
Hollywood, FL 33021

Renee Kohn
3841 N 51st Ave
Hollywood, FL 33021

2. Other Aggrieved Persons

Rebecca L. Kohn

Hannah E. Kohn

Sara R. Kohn

Minor #1 Kohn

Minor #2 Kohn

Minor #3 Kohn

Minor #4 Kohn

Minor #5 Kohn

Minor #6 Kohn

Minor #7 Kohn

3. The following is alleged to have occurred or is about to occur:

Discriminatory acts under Section 818 (coercion, Etc.).
Using ordinances to discriminate in zoning and land use.

4. The alleged violation occurred because of:

National origin and religion.

5. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):

3841 N 51st Ave
Hollywood, FL 33021

6. Respondent(s)

City Commission of Hollywood, FL
P. O. Box 220945
Hollywood, FL 33022-9045

Cameron D. Benson, City Manager
City of Hollywood, FL
P. O. Box 220945
Hollywood, FL 33022-9045

Richard Blattner, Dist 4 Commissioner
City of Hollywood, Florida
P. O. Box 220945
Hollywood, FL 33022-9045

Cathy Swanson-Rivenbark, Interim City Mgr
City of Hollywood, FL
P. O. Box 220945
Hollywood, FL 33022-9045

Clay Milan, Director, Code Enforcement
City of Hollywood, FL - Office of Code Enforcement
P. O. Box 220945
Hollywood, FL 33022-9045

Irish Gardner, Code Enforcement Officer
City of Hollywood, FL - Office of Code Enforcement
P. O. Box 220945
Hollywood, FL 33022-9045

7. The following is a brief and concise statement of the facts regarding the alleged violation:

Complainants Steven and Renee Kohn own a single family home located at 3841 N 51st Ave., in Hollywood, Broward County, Florida. The complainants identified their religion as Sephardic Orthodox Judaism. The complainants note that their readily observable religious practices, speech, dress, and customs are influenced by Arabic culture. The complainants belong to a class of persons whom the Fair

Housing Act (the Act) as amended, protects from unlawful discrimination because of religion and national origin. The complainants' property is subject to the ordinances and restrictions of the City of Hollywood, Florida, administered by and through the Respondent City Commission, Respondent Cameron D. Benson, the City Manager, Respondent Cathy Swanson-Rivenbark, Interim City Manager, Respondent Richard Blattner, District 4 City Commissioner, Respondent Clay Milan, Director of Code Enforcement, and Respondent Irish Gardner, Code Enforcement Officer. To the complainants' belief, none of the respondents practice Sephardic Orthodox Judaism.

According to the complainants, shortly after they moved into their home in 2008, some of their neighbors objected to their Judeo-Arabic cultural practices, describing the complainants as "Palestinians," "Muslims," and "terrorists." The neighbors undertook a campaign to harass the complainants by repeatedly reporting them to the City of Hollywood Police and Code Enforcement in regard to their pets: eight hens and two 17" Dwarf Nigerian goats. In November of 2010, the same neighbors went so far as to circulate a pamphlet entitled, "Are the Kohns Jewish," pointing out Muslim influences that, in their opinion, negate their status as Jewish.

On November 24, 2010, the City of Hollywood dispatched 5 police cars, 10 armed police officers and 2 code enforcement officers to the complainants' home to deliver citation warnings about their pets, which Respondent Milan contends are livestock. The complainants felt intimidated, upset, and humiliated by the City's show of force. The complainants observed that the warnings were written and ordered to be delivered before an inspection of their property had even occurred. They assert that they are in compliance with the City's ordinances, dispute the characterization of their pets as "livestock," and believe the City is selectively enforcing these ordinances against them, based on cultural biases. In deposition testimony on July 27, 2011, Respondent Gardner, a code enforcement officer, admitted that other city residents with poultry have been treated differently by the City. To the complainants' belief, these other residents are not practitioners of Sephardic Orthodox Judaism. During their dealings with the respondents and their neighbors, the complainants assert they have never demonstrated threatening behavior to justify the City's show of force.

Within a few days of circulating the "Are the Kohns Jewish" pamphlet, on December 1, 2010, the neighbor e-mailed Respondent Blattner asking for his support in dealing with the Kohns via code compliance enforcement. Respondent Blattner forwarded her e-mail to other City officials and convened an internal meeting to discuss the complainants. The complainants assert that because of the cultural bias of City officials, and as a result of the neighbor's discriminatory influence on Respondent Blattner, the City of Hollywood has persisted in harassing the complainants. Continually since August 23, 2010, the City of Hollywood has fined the complainants \$250/day for their pets, applying the lien retroactively to August 18, 2009. On July 13, 2011, the City of Hollywood filed a lawsuit against the complainants to collect over \$160,000 in Code Enforcement fines.

The complainants believe the respondents are using code enforcement violations as a pretext to discriminate against them based upon their religion and perceived national origin. They allege that the respondents collectively have harassed and intimidated them in violation of Section 818 of the Act. They further allege the respondents collectively have used zoning and land use ordinances to discriminate against them in violation of Section 810(g)(2)(C) of the Act, Title VI of the Civil Rights Act of 1964, and Section 109 of the Housing and Community Development Act of 1974.

8. The most recent date on which the alleged discrimination occurred:

July 13, 2011, and is continuing.

9. Types of Federal Funds identified:

Community Development Block Grant.

10. The acts alleged in this complaint, if proven, may constitute a violation of the following:

Sections 818 and 810(g)(2)(C) or f of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

Title VI of the 1964 Civil Rights Act.

Section 109 of the Housing and Community Development Act of 1974.

Please sign and date this form:

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.

Steven Kohn

(Date)

Renee Kohn

(Date)

N O T E : HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.