



Maine Human Rights Commission

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EXECUTIVE DIRECTOR

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COMMISSION MEETING MINUTES

October 28th, 2024, MEETING

Held in Hybrid Format - In Person (19 Union Street, Augusta, Maine) and via ZOOM

Commissioner David chaired the meeting and called it to order at 8:30 AM. Also present were Commissioners Sanders, Douglas, Walker and O'Brien.

AGENDA

Commissioner Sanders moved, seconded by Commissioner Walker to adopt the Agenda and Consent Agenda to accept the Investigator's recommended decision in each of the cases listed on the Consent Agenda (see listing beginning on page 2). 5 in favor | 0 opposed.

MINUTES

Commissioner O'Brien moved, seconded by Commissioner Douglas, to adopt the September Commission Meeting Minutes. 5 in favor | 0 opposed.

ADMINISTRATION

Monthly reports: Executive Director Thomson Crossman discussed reporting on the following Commission activities:

- Personnel: A report was placed on file.
- Compliance: Since the last meeting, there was 1 unsuccessful conciliation and 0 successful conciliations, with 4 reasonable-grounds cases remaining in active conciliation.
- New Charges: 46 new complaints were filed in September, with a total of 72 new Respondents.
- Withdrawals and dismissals: 20 issued in September, including 4 administrative dismissals, 7 right-to-sue letters, and 9 settlements with 13 total Respondents (2 private settlements and 7 settlements through the MHRC's mediation program) with a total of \$360,999 to Complainants.

New Business:

At approximately 8:45 A.M. Commissioner David began the Morning Session Hearing Agenda.

CASES VOTED ON IN A.M. SESSION

H24-0136-ABC, *Kevin Osgood (Rockport) v. MCH Housing, Inc. (Rockland), Elizabeth Schuh (Rockland), & Sherry Reimer (Rockland)*. Very early on the morning of October 28th, Mr. Osgood sent the Executive Director a request for a continuance of his case. He did not provide documentation supporting this request. He did not attend the Commission meeting. Commissioners denied his request for a continuance.

Commissioner Sanders moved, seconded by Commissioner Walker, to find there are No Reasonable Grounds to believe that Respondents retaliated against Kevin Osgood for engaging in MHRA-protected activity; and the complaint should be dismissed in accordance with 5M.R.S. § 4612(2). 5 in favor | 0 opposed.

H24-0193-AD*, *Sheila McAllister (Lagrange) v. Lori Sapiel (Milo) & Multi Management Group (Bangor)*. Ms. Sapiel presented her position. Ms. McAllister presented her position. The finding as to Respondent Multi Management Group was not contested, so no presentation regarding this finding was made. Investigator Nupur Leva reviewed her report and recommendations and answered Commissioner questions. Commissioner Douglas moved, seconded by Commissioner Sanders, to find there are **Reasonable Grounds** to believe that Lori Sapiel discriminated against Sheila McAllister on the basis of sexual orientation or gender identity and conciliation should be attempted in accordance with 5 M.R.S. § 4612(3); and No Reasonable Grounds to believe that Multi Management Group discriminated against Sheila McAllister on the basis of sexual orientation or gender identity, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 4 in favor | 1 opposed (O'Brien opposed).

H24-0209-A/B, *Delmar Head, Jr. (Westbrook) & Delmar Head, III (Westbrook) v. Wright Properties, LLC (Westbrook) & Matthew Wright (Windham)*. Attorney Dylan Maeby presented the Complainants' position. Attorney Samuel Johnson presented Respondents' position. Investigator Lex Brindley reviewed their report and recommendations and answered Commissioner questions. Commissioner Sanders moved, seconded by Commissioner O'Brien, to find there are No Reasonable Grounds to believe that Wright Properties, LLC, and Matthew Wright discriminated against Delmar Head, Jr., on the basis of disability, and No Reasonable Grounds to believe that Wright Properties, LLC, and Matthew Wright discriminated against Delmar Head, III, on the basis of disability, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 3 in favor | 2 opposed (David and Douglas opposed).

EXECUTIVE SESSION

At approximately 10:20 A.M., Commissioner O'Brien moved, seconded by Commissioner Walker, to go into executive session to discuss pending or contemplated litigation and the Commission's legal rights and duties with Commission Counsel pursuant 1 M.R.S. §405(6)(E). 5 in favor | 0 opposed.

At approximately 10:42 A.M., Commissioner Sanders moved, seconded by Commissioner O'Brien, to come out of Executive Session. 5 in favor | 0 opposed.

Commissioner Sanders moved, seconded by Commissioner O'Brien, to approve settlement in H21-0257-AC, *Carey v. Rackliff/CB Mattson*. 5 in favor | 0 opposed.

Commissioner Sanders moved, seconded by Commissioner Douglas, to litigate H24-0052-A/B, *Garcia v. Chapman & Nicolantonio*. 5 in favor | 0 opposed.

At approximately 10:45 A.M. the meeting was adjourned.

CONSENT AGENDA

The consent agenda is a listing of cases scheduled on the Commission's meeting agenda in which there was no written disagreement to the Investigator's recommendation. Commissioners considered these cases without oral argument by the parties.

ED22-0278 Heidi and Christopher LeSiege (Cumberland) v. MSAD #51 Superintendent Jeff Porter (Cumberland)

E22-0304AB* Samantha Carter (Etna) v. Christmas Tree Shops (Augusta) & Stephanie Crosby (Bangor)

E22-0306AB Ricki Stevens (Kennebunk) v. Penelope Snow (Kennebunk) & Acorn & Oak, LLC (Kennebunk)

E22-0363* Melanie Mulkern (Biddeford) v. Ascension (St. Louis, MO)

E22-0424 Lee Malvin (Greenbush) v. Watch Me Shine (Bangor)

* Indicates a case in which a "reasonable grounds" finding is recommended

- E23-0037AB Brenda Gourley (Guilford) v. Osco Pharmacy (Albertson's Shaw's) (Dover-Foxcroft) & Sarah Waugh (Dover-Foxcroft)
- PA23-0071 Dan Cox (Orrington) v. Judy's Restaurant (Bangor)
- ED23-0114 Dominic Stecher (Brewer) v. Brewer High School (Brewer)
- ED/PA23-0146 Thomas Klos obo minor child (Bingham) v. Community Regional Charter Schools (Cornville)
- H24-0168AB Lindi Walsh (Brunswick) v. Maine Properties LLC (Scarborough) & Apartments at Brunswick Landing LLC (Scarborough)
- H24-0169AB Ann Clark (Bangor) v. The Housing Foundation (Orono) & Northside Family Housing Associates LP (Bangor)

TABLED

** Indicates a case in which a "reasonable grounds" finding is recommended*