

Conciliation Agreement

October 2, 2018
Page 1 of 4

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

[REDACTED]

Complainant,

vs.

[REDACTED] President of Seaside Villas
I Board of Directors, and Gary Fons, Vacation
Time of Hilton Head

Respondents.

) BEFORE THE SOUTH CAROLINA
) HUMAN AFFAIRS COMMISSION
)

) SHAC No. H-1-18-001
) HUD No. 04-18-0925-8
)

CONCILIATION AGREEMENT

This compromise Conciliation Agreement (hereinafter " Conciliation Agreement") is entered into by and between the South Carolina Human Affairs Commission (hereinafter "Commission"), on behalf of [REDACTED] (hereinafter "Complainant"), and [REDACTED] President of the Seaside Villas I Board of Directors, and Gary Fons, Vacation Time of Hilton Head.

WHEREAS, a verified complaint was filed on January 30, 2018 by Complainant against Respondents alleging a violation of the South Carolina Fair Housing Law and dual-filed with the United States Department of Housing and Urban Development ("HUD") under the Federal Fair Housing Act, as amended.

I. CASE SYNOPSIS

The Complainant alleged the Respondents refused to grant her a reasonable accommodation in that she was not allowed to have her Emotional Support Animal on the premises.

Respondents deny having discriminated against Complainant, but agree to settle the claims in the underlying action by entering into this Conciliation Agreement.

WHEREAS, the Commission and the parties hereto wish to reach a just resolution of the aforementioned dispute, and reach a full, equitable and final settlement of all matters arising out of the aforementioned complaint.

NOW, THEREFORE, the parties hereby agree and stipulate to the following:

II. GENERAL PROVISIONS

The terms set forth herein are contractual and not merely a recital.

- A. The parties acknowledge that this Agreement is a full settlement of the disputed complaint. The parties hereto state that they have read and fully understand the significance of the terms set forth herein and have executed this compromise Conciliation Agreement freely and

- E. Respondents agree to revise reasonable accommodation/modification policies in accordance with the South Carolina Fair Housing Law as necessary. Respondent agree any such policies will be submitted to the Commission for approval.
- F. Complainant and Respondents agree that the Commission shall monitor compliance with the terms and conditions specified in this Conciliation Agreement for a six-month period. As part of such monitoring, the Commission may inspect Respondents' pertinent records and practices and interview witnesses associated with the future compliance events described in this Conciliation Agreement. Respondents agree to provide their full cooperation, within reason, in any monitoring review undertaken by the Commission to ensure compliance with this Conciliation Agreement.

IV. RELIEF FOR COMPLAINANT

- A. Respondents agree to permit the Complainant to have her Emotional Support Animal on the premises.
- B. Respondents agree that there shall be no discrimination or retaliation of any kind against Complainant or any person who assisted the Commission in the filing of this charge or in the investigation of this matter.

V. RELEASE BY COMPLAINANT

- A. Upon compliance with the terms of Paragraph IV through herein, Complainant agrees to release and forever discharge Respondents and Respondents' employees, agents, successors, insurers, and assigns from any and all claims which may be raised on account of the matters raised herein.

VI. BREACH OF CONCILIATED TERMS

- A. Nothing in this Conciliation Agreement shall be construed to preclude the Commission and/or any aggrieved individual(s) from bringing suit to enforce this Conciliation Agreement in the event that Respondents fail to perform the promises and representations contained herein. Neither does it preclude the Commission from filing charges in the future concerning events occurring after the execution of this Conciliation Agreement. The Commission shall determine whether Respondents have complied with the terms of this Conciliation Agreement. In the event that the Commission determines that Respondents have not complied with the terms hereof, the Commission shall send written notice to Respondents and Respondents shall be given a reasonable time period to remedy such non-compliance.
- B. Complainant and Respondents agree that this Agreement may be used as evidence in a subsequent proceeding in which any of the parties allege a breach of this Agreement.

VII. REPORTING & RECORDKEEPING

Parties shall submit proof of compliance with the terms of this Agreement to:

South Carolina Human Affairs Commission
Fair Housing Division
Attention: [REDACTED]

Conciliation Agreement

October 2, 2018

Page 4 of 4

1026 Sumter Street, Suite 101
Columbia, SC 29201

The submitter of any documentation should include the SHAC and HUD case numbers, which are as follows:

SHAC No. H-1-18-001
HUD No. 04-18-0925-8

VIII. COMMISSION REVIEW

A. Subject to the provisions of Section 814 of the Fair Housing Act, as amended, 42 U.S.C. Section 3614, and in accordance with the provisions of State Regulations R. 65-225.G., the Commission may, from time to time, review compliance with this Conciliation Agreement, and, if necessary, recommend to the South Carolina Attorney General that a civil action be filed to seek the enforcement of any of the terms set forth herein.

IX. EFFECTIVE DATE

This Conciliation Agreement shall become effective on the date on which it is approved and signed by the Commissioner of the South Carolina Human Affairs Commission.

IN WITNESS WHEREOF, the parties have subscribed their names hereto on the day and date indicated.

[Redacted Signature]

10/17/18

(Date)

Seaside Villas I Board of Directors

[Redacted Signature]

Vacation Time of Hilton Head

[Redacted Signature]

10/19/18

(Date)

Complainant

[Redacted Signature]

11-12-2018

(Date)

Conciliator

Raymond Buxton II

11-19-18

(Date)

Raymond Buxton II, Commissioner
Approved on Behalf of the Commission