



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MINUTES
BELOIT EQUAL OPPORTUNITIES
AND HUMAN RELATIONS COMMISSION**

Wednesday, May 18, 2011 at 5:30 PM

1. Call to Order and Roll Call
Meeting was called to order at 5:35 PM by Vice-chair Gretchen Roy.
Present: Commissioners Gretchen Roy, Carolyn Lawrence, Matthew Finnegan, Marilyn Ophaegbulem, Ricardo Valdez, Mark Spreitzer and Staff Representative Teri Downing.
Excused: Commissioner Kathryn Ingram.

2. Approval of Minutes of the February 16, 2011 Meeting
Commissioner Lawrence moved for approval of minutes of the regular meeting held on February 16, 2011 and Commissioner Roy seconded. The motion carried.

3. Introduction and Welcome of New City Council Representative Mark Spreitzer and New EOHR Commissioner Marilyn Ohaegbulem
Vice-chair Gretchen Roy introduced and welcomed the two new Commissioners to the EOHR.

4. Public Participation
There were no members of the public present.

5. Review and Discussion of Mock Hearing
Staff explained that the City would like feedback from the Commission regarding the mock hearing held April on 16, 2011. Commissioner Roy stated that the mock hearing went very well and she learned quite a bit from participating. Commissioner Lawrence said that the Complainant's attorneys were much more prepared than the Respondent's attorneys. Commissioner Lawrence said this concerned her because it seems that the side with better legal representation has a better chance of winning. Commissioner Spreitzer said perhaps the Commission could find a way to ensure both parties get fair access to legal representation. Commissioner Valdez said that this should be the job of the Commission; if one side of a complaint does not have the means to access adequate representation, the Commission should ask the appropriate questions to draw out the facts needed to make a fair decision.

Commissioner Lawrence asked if the Commission can impose punitive damages. Staff explained that punitive damages can be awarded, but must be requested by one of the

parties in order to do so. Ms. Lawrence stated she would like the Commission to have this option because a victim may not be aware they can ask for such damages. Commissioner Finnegan said that if a party does not ask, then they may not want punitive damages. He said the Commission should not assume that punitive damages are automatic and appropriate in each case. Commissioner Lawrence said that the Commission should look out for the lay person in matters like this. Mr. Finnegan stated that the Commission must also look out for the landlord or respondent in these cases otherwise the decision will not be fair.

Staff explained that the City Attorney's office suggested creating by-laws for the Commission that would include specific procedures for hearings. City staff and the City Attorney's office will write the by-laws and then they would come before the Commission for revision and approval.

Commissioner Lawrence asked if there was a standardized scale that the Commission could refer to when considering punitive damages in order to evaluate whether the requested damages are reasonable. Staff said she would ask the City Attorney's office if this would be appropriate and an allowable part of the by-laws.

Commissioner Valdez suggested that an actual fair housing case be used for a mock hearing in the future, either a closed case in Beloit or a case from another jurisdiction.

6. Discussion and Procedures for Appeals Hearing

Staff reported that there are two cases that have been appealed for Commission review. In both cases, the Investigator reached a determination of no reasonable cause. Staff handed out an outline regarding the procedure for an appeals hearing and the Commission reviewed it. Commissioner Lawrence asked if the Investigator will be at the hearing. Staff explained that he will not as this is a file review only.

7. Upcoming Events

Carolyn Lawrence announced that the Back-to-Beloit event is approaching. Ms. Lawrence also asked if any of the children from the Merrill Center won prizes in the State's Fair Housing Poster contest this year. Staff said she will check and send out the information to the Commissioners.

Staff told the Commissioners that the Professor from the UW Madison's Neighborhood Law Project asked if the Commission would consider holding a mock hearing each year. The Commissioners agreed that this would be a nice exercise training for the members.

8. Adjournment

Commissioner Valdez moved for adjournment and Commissioner Lawrence seconded. Motion carried. The meeting was adjourned at 6:00 PM by Chair Gretchen Roy.

Teri Downing
Grants Administrator