

FAIR HOUSING CENTER OF THE PALM BEACHES, INC. vs. THE SHUTTERS  
CONDOMINIUM ASSOCIATION; CAROL RAVANTTI-LALLA; and MILDRED MINER (U.S.  
District Court, Southern District of Florida, Ft. Lauderdale Division)

Docket No.: 08-81566-CIV; FJVR Reference No. 09:12-72

Verdict Date: **September** 16, 2009; Publication Date: **December** 2009

**TOPIC:** Defense Verdicts - Discrimination - Fair Housing Act - Internet  
Advertisement

**RESULT:** For Defendant Shutters Condominium Association and Mildred Miner.  
(verdict)

**STATE:** Florida

**COUNTY:** Broward

**JUDGE:** William P. Dimitrouleas

**PLAINTIFF ATTORNEY:** James P. Curry, Jupiter

**DEFENDANT ATTORNEY:** Daniel J. **Santaniello** and Thomas J. Gibbons of **Luks,  
Santaniello**, et al., Ft. Lauderdale, for Shutters Condominium and Ravantti-Lalla;  
Ronald K. Lantz, N. Palm Beach, for Miner

Cause Of Injury: Plaintiff is a non-profit organization that works with various local, state, and federal agencies to curb housing discrimination in the Palm Beach County area.

Plaintiff claimed damages based upon an October 30, 2006, Internet advertisement for the rental of Defendant Mildred Miner's condominium unit at Defendant Shutters Condominium Association (Shutters). Additionally, Plaintiff alleged a continuing harm based on Defendant Shutters' by-laws or Declaration of Condominium, which were enacted in 1974 and not corrected until June 2009.

Plaintiff contends that Defendant Shutters and its former board president, Defendant Carol Ravantti-Lalla, violated the Fair Housing Act-familial status (42 U.S.C. § 3604 (a), (b), and (c) and 42 U.S.C. § 3617) by maintaining and publishing condominium declarations and by-laws that unlawfully restrict occupancy to adult residents only. Plaintiff's further alleged that occupancy restrictions contained within Defendant Shutters' by-laws resulted in Defendant Miner taking out the October 30, 2006, Internet advertisement for the rental of her unit, which stated "no pets; no kids."

Defendants argued that the by-laws were enacted in 1974 and prior to the passage of the Fair Housing Act as to familial status in 1988. Since 1988, Defendant Shutters has always welcomed children residents and has never discriminated or turned away families. Defendant Ravantti-Lalla noted that children were residing at Defendant Shutters at the time of the October 30, 2006, advertisement. Accordingly, Defendants pointed out that a five-minute telephone call to Plaintiff would have

cleared up the issue and confirmed that Defendant Shutters does not enforce its dated by-laws and welcomes children and families.

Defendant Shutters argued that the by-laws contain a savings clause that precludes enforcement of any provision in violation of local, state, or federal law.

Nature Of Injury: Plaintiff sought damages in the amount of \$ 15,000 for the time spent on investigating this matter, which constituted a diversion of resources from other pending matters. Plaintiff also sought punitive damages, attorney's fees, and Court-ordered fair housing training monitored by Plaintiff and funded by Defendants at \$ 5,000 per year for three years.

Editor's Note: Prior to closing arguments and pursuant to Defendant's motion, the Judge entered a directed verdict on behalf of Defendant Ravantti-Lalla. Defendants' offered \$ 10,000; Plaintiff demanded \$ 120,000.