

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

**PENNSYLVANIA HUMAN RELATIONS COMMISSION**

**M I N U T E S**

TIME: 3:10 P.M.

Held at  
Heritage Rooms  
333 Market Street  
Harrisburg, PA 17101

March 27, 2023

Pennsylvania Human Relations Commission  
March 27, 2023

COMMISSIONERS:

Joel Bolstein, Esquire, Chair  
Dr. Raquel O. Yiengst, Vice Chair  
Mayur Patel, Esquire, Secretary (via telephone)  
Dr. Rad Agrawal (via telephone)  
Michael Hardiman, Esquire - Excused  
Curtis Jones (via telephone)  
Aleena Sorathia (via telephone)

EXECUTIVE DIRECTOR

Chad Dion Lassiter, MSW

INTERIM CHIEF COUNSEL

Martin Cunningham, Esquire - Excused  
Morgan Williams, Esquire, Deputy Chief Counsel

COMMISSION COUNSEL

Damian DeStefano, Esquire - Excused

STAFF

Amanda Brothman, Director of Communications  
Desiree Chang, Director of Education - Excused  
Adrian Garcia, Director of Fair Housing and Commercial  
Property  
Darlene Hemerka, Esquire, Hearing Examiner  
Kurt Jung, Esquire, Director of Enforcement - Excused  
Robert Lindsey, Regional Office Director, Philadelphia  
Zulay Rojas, Special Assistant to Executive Director  
Heather Roth, Regional Office Director, Harrisburg -  
Excused  
Tamara Shehadeh-Cope, Esquire, Hearing Examiner  
Debbie Walters, Administrative Officer  
Lyle Wood, Regional Office Director, Pittsburgh  
Christopher Young, Mediation Coordinator

1  
2

\*\*\*

3  
4  
5

Pennsylvania Human Relations Commission

March 27, 2023

\*\*\*

6

MEETING CALL TO ORDER AND OPENING STATEMENT

7  
8

[Joel Bolstein, Esquire, Chair, called the meeting to order at 3:10 p.m.

9

Pursuant to Section 711 (a) of the Sunshine Act, this Commission meeting may be recorded by attendees.

11  
12

Voluntary participation in the meeting constitutes consent to be recorded. This meeting had been

13  
14

advertised in accordance with the provisions of the Sunshine Act. Prior to the meeting and in keeping

15  
16

with the confidentiality requirements of the Sunshine Act, there was a closed session to discuss compliance

17  
18

matters, management updates and adjudicative case deliberations.

19  
20

I note we have the presence of a quorum and I call the monthly meeting of the PHRC to order.]

21

\*\*\*

22

ADOPTION OF AGENDA

23

CHAIR BOLSTEIN:

1 First item is a motion to approve  
2 the agenda. Is there a motion?

3 COMMISSIONER YIENGST:

4 So moved.

5 CHAIR BOLSTEIN:

6 Is there a second?

7 COMMISSIONER SORATHIA:

8 Second.

9 CHAIR BOLSTEIN:

10 So moved and seconded that we adopt  
11 the agenda. All those in favor  
12 please say aye. Any opposed?

13 [The motion passed unanimously.]

14 \*\*\*

15 APPROVAL OF PUBLIC MEETING MINUTES - Minutes of June  
16 27, 2022; July 25, 2022; August 22, 2022.

17 CHAIR BOLSTEIN:

18 We have Minutes that were  
19 distributed from June, July and  
20 August of 2022. Is there a motion  
21 to approve those Minutes?

22 COMMISSIONER YIENGST:

1 So moved.

2 CHAIR BOLSTEIN:

3 Is there a second?

4 COMMISSIONER PATEL:

5 Second.

6 CHAIR BOLSTEIN:

7 It's been moved and seconded. Are  
8 there any comments on those Minutes?

9 Not hearing any, all those in  
10 favor of adopting those Minutes  
11 please say aye? Any opposed?

12 [The motion passed unanimously.]

13 \*\*\*

14 ADJUDICATIONS-RECOMMENDATIONS AND PROPOSED FINAL  
15 ORDERS

16 [The Commission is scheduled to vote on the  
17 disposition of a complaint for which public hearing  
18 was held. In such cases, PHRA requires the  
19 Commission to review the recommended findings,  
20 conclusions and orders made by the permanent Hearing  
21 Examiner or hearing panel and to approve or reverse  
22 the findings, conclusions and order before service of

1 such order on the parties to the complaint.

2 Each commissioner voting signifies by his or her  
3 vote that he or she reviewed the entire record in the  
4 matter to determine whether the recommended findings  
5 are supported by substantial evidence.

6 Furthermore, because it is for the Commission as  
7 the adjudicated body to determine whether the  
8 Respondent has engaged in or is engaging in an  
9 unlawful discriminatory practice as defined by the  
10 PHRA, any findings, conclusions and order approved  
11 are so approved only after the Commission itself has  
12 determined that the evidence upon which it is based  
13 has been resolved correctly and the credibility  
14 determinations had been decided correctly.]

15 \*\*\*

16 CHAIR BOLSTEIN:

17 We have one adjudication matter  
18 before us today which is the case of  
19 Allison Dennis vs. Avantura at  
20 Prospects, LLC., Prospect Park, LLC,  
21 CP Senior Holdings, LLC, PHRC Case  
22 No. 201703347, EEOC Case No. 17-F-

1 201-960-752.

2 \*\*\*

3 RECOMMENDATION

4 [Hearing Examiner Shehadeh-Cope noted this case came  
5 to the Commission on or about July 2019 where  
6 Complainant filed a complaint against Respondent  
7 alleging discrimination based on national origin as  
8 well as a discriminatory retaliation. And an amended  
9 complaint was filed July of 2022.

10 On January 27, 2023, PHRC Prosecuting Attorney  
11 Brubaker petitioned for a Rule to Show Cause  
12 indicating that Respondents had not filed an Answer  
13 to the Complaint or the Amended Complaint which were  
14 served on them on July 21, 2022, along with a Notice  
15 to Defend.

16 On February 1, 2023, a Rule to Show Cause was  
17 issued directing Respondents to respond on or before  
18 February 21, 2023. To this date our office has not  
19 received or the Commission has not received any  
20 Answer from the Respondent.

21 Therefore, it is recommended that the PHRC find  
22 probable cause and enter judgment of liability

1 regarding the allegations of the claim. And it is  
2 further recommended that the Commission direct  
3 conciliation efforts to be attempted by the parties.  
4 Should conciliation efforts fail, it is recommended  
5 that the parties be informed that a public hearing  
6 may be held on the issue of damages.]

7 \*\*\*

8 CHAIR BOLSTEIN:

9 So what we have in front of us is  
10 the recommendation of the Hearing  
11 Examiner on the Rule to Show Cause.

12 Is there a motion to adopt the  
13 recommendation of the Hearing  
14 Examiner? Any of the Commissioners?

15 COMMISSIONER YIENGST:

16 I will.

17 CHAIR BOLSTEIN:

18 Commissioner Yiengst makes a motion.  
19 Is there a second?

20 COMMISSIONER PATEL:

21 Second.

22 CHAIR BOLSTEIN:

1           It's been moved and seconded. Are  
2           there any questions for the Hearing  
3           Examiner or any comments on the  
4           proposed recommendation?

5                   Not hearing any, all those in  
6           favor of approving the  
7           recommendation of the Hearing  
8           Examiner please say aye? Any  
9           opposed? Commissioner Yiengst?

10 COMMISSIONER YIENGST:

11                   Aye.

12 CHAIR BOLSTEIN:

13                   It's 4/0.

14 [The motion to approve the recommendation of the  
15 Hearing Examiner is approved. The motion passed  
16 unanimously.]

17   \*\*\*

18 CONCILIATION AGREEMENT/CONSENT ORDERS

19 CHAIR BOLSTEIN:

20                   We have a Conciliation Agreement or  
21           Consent Order for approval at Case  
22           No. 201903451, Item 4 on the agenda.

1                   Is there a motion to approve  
2                   that Conciliation Agreement or  
3                   Consent Order?

4 COMMISSIONER YIENGST:

5                   So moved.

6 CHAIR BOLSTEIN:

7                   Is there a second?

8 COMMISSIONER SORATHIA:

9                   Second.

10 CHAIR BOLSTEIN:

11                   It's been moved and seconded that we  
12                   approve the Conciliation Agreement  
13                   or Consent Order. Any discussion?  
14                   All those in favor of the motion  
15                   please say aye. Any opposed?

16 {The motion passed unanimously.]

17                   \*\*\*

18 REQUESTS FOR PRELIMINARY HEARINGS

19 CHAIR BOLSTEIN:

20                   We have three requests for  
21                   preliminary hearings, Items 5, 6 and  
22                   7 on the agenda, Case Nos.

1 201904008, 202100504, 202100505.

2 This would be a motion to deny  
3 the Request for Preliminary Hearing.

4 Is there a motion?

5 COMMISSIONER YIENGST:

6 I move that we deny the requests.

7 CHAIR BOLSTEIN:

8 Is there a second?

9 COMMISSIONER PATEL:

10 Second.

11 CHAIR BOLSTEIN:

12 It's been moved and seconded. Any  
13 discussion?

14 So the motion is to deny the  
15 request for preliminary hearing for  
16 Item Nos. 5, 6 and 7 on the agenda.

17 All those in favor of the  
18 motion please say aye.

19 [The motion passed unanimously.]

20 \*\*\*

21 MOTIONS AND OTHER ACTIONS - None

22 \*\*\*

1 APPROVED FOR PUBLIC HEARING DOCKET

2 CHAIR BOLSTEIN:

3                   The Commission has been advised the  
4                   following case was approved for the  
5                   public hearing docket, Case  
6                   202101192.

7   \*\*\*

8 PENNSYLVANIA LEGISLATIVE UPDATE - None

9   \*\*\*

10 MANAGEMENT REPORTS - None

11   \*\*\*

12 OLD BUSINESS - None

13   \*\*\*

14 NEW BUSINESS - None

15   \*\*\*

16 PUBLIC COMMENT - None

17   \*\*\*

18 ADJOURNMENT

19 CHAIR BOLSTEIN:

20                   I need a motion to adjourn.

21 COMMISSIONER YIENGST:

22                   So moved.

1

2 COMMISSIONER PATEL:

3

Second.

4 CHAIR BOLSTEIN:

5

It's been moved and seconded.

6

So the motion is to adjourn the

7

March meeting.

8

All those in favor of the

9

motion please say aye.

10 [The motion passed unanimously.]

11

\*\*\*

12 [The meeting adjourned at 3:19 p.m.]

13

\*\*\*

14 [Next meeting date: April 24, 2023

15

\*\*\*

16

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

## CERTIFICATE

I hereby certify that the foregoing summary minutes of the Pennsylvania Human Relations Commission, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the Pennsylvania Human Relations Commission meeting.



Erica Correia,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

PENNSYLVANIA HUMAN RELATIONS COMMISSION  
REFERENCE INDEX  
March 27, 2023

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

TIME	AGENDA
3:10	Meeting Call to Order/Opening Statement
3:10	Adoption of Agenda
3:12	Approval of Public Meeting Minutes
3:13	Adjudications-Recommendations and Proposed Final Orders
3:15	Conciliation Agreement/Consent Orders
3:17	Requests for Preliminary Hearings
3:18	Approved for Public Hearing Docket
3:19	Adjournment

1 **APPROVAL OF MINUTES**

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

**MOTION:** At the June 26, 2023, Public Meeting, Commissioner Yiengst made a motion, seconded by Commissioner Agrawal to approve the minutes of the March 27, 2023, Public Meeting. With all in favor, motion carried.



M. Joel Bolstein, Chairman



on behalf of Commissioner Mayur Patel

Mayur Patel, Secretary