



### FINDINGS OF FACT\*

1. On or about December 7, 2005, Complainant, Theresa Smith-Jennings, (hereinafter "Smith-Jennings"), filed a PHRC Complaint against Respondent, Francisco Cordice, (hereinafter "Cordice").
2. Under cover letter dated July 26, 2006, the PHRC's Housing and Commercial Property Division filed a Petition for Rule to Show Cause. (N.T. 5).
3. On July 26, 2006, PHRC Motions Commissioner, Toni M. Gilhooley, issued a Rule to Show Cause which, in effect, notified Cordice that he had until August 28, 2006 to file an answer to the Smith-Jennings complaint. (N.T. 5).
4. Cordice did not file an answer. (N.T. 5).
5. On September 5, 2006, Motions Commissioner Gilhooley recommended to the full PHRC that Cordice be found liable for the Smith-Jennings' allegations. (N.T. 5).
6. By Order dated September 26, 2006, the PHRC found Cordice liable for harassing Smith-Jennings because of her sex female. (N.T. 5-6).
7. A public hearing on the issue of what, if any, damages are appropriate was held on April 13, 2007 in Media, Pennsylvania.

\* To the extent that the Opinion which follows recites facts in addition to those here listed, such facts shall be considered to be additional Findings of Facts. The following abbreviations will be utilized throughout these Findings of Fact for reference purposes:

N.T. Notes of Testimony  
C.E. Complainant's Exhibit

8. The PHRC's September 26, 2006, finding of liability was based on the allegations of the Smith-Jennings' complaint which includes:

[Smith-Jennings has] been living at [954 Church Lane, Yeadon, PA] since October 1984. During June 2003, Mr. Cordice and his family took up residence [at 998 Church Lane]

My protected class is sex, Female.

From October 2003 and continuing to the present, I have been harassed by Mr. Cordice. He has challenged the placement of my fencing that compelled my moving them further inward upon my property.

He was informed that this change was not to be confused with the actual property lines.

He began gradually seizing possession and control of the vacated area by setting a 24-foot garden area, an 8-foot shed, and more fencing against my fence.

During October 2005, I had my property surveyed and civil engineers placed property line markers into the ground.

Mr. Cordice is preventing me from moving my fence to the property line markers. On November 2, 2005, I found an unread certified letter I had sent to the owners of the Cordice House inside one of the postholes I was digging. A warning "Stop" was written across it.

On November 9, 2005, Mr. Cordice began verbally assaulting me in a clearly frenzied state and told me that I was wasting my time and he would tear down everything I built. He then yanked one post out of its hole and slammed it down on the ground. He filled the postholes with dirt and bricks.

Mr. Cordice accused me of being less than a woman and that I needed to change and stop behaving like a man.

The harassment was pervasive and regular because it is ongoing.

I was detrimentally affected because his actions are causing me stress.

I am not being allowed to have the full use of my property land.