

COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE  
PENNSYLVANIA HUMAN RELATIONS COMMISSION

EVA VILLANUEVA,  
Complainant

v.

THE BOROUGH OF BRISTOL,  
Respondent

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:  
:  
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PHRC Case Nos. 200408105 and,  
200505172

STIPULATIONS OF FACT

FINDINGS OF FACT

CONCLUSIONS OF LAW

OPINION

RECOMMENDATION OF PERMANENT HEARING EXAMINER

FINAL ORDER

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA HUMAN RELATIONS COMMISSION

EVA VILLANUEVA, ON BEHALF OF :  
HERSELF AND ALL OTHER :  
SIMILARLY SITUATED PERSONS :  
 :  
Complainant :  
 :  
v. : Docket No.200408105  
 : 200505172  
 :  
THE BOROUGH OF BRISTOL, :  
 :  
 :  
Respondent :

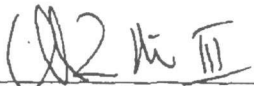
STIPULATIONS OF FACT

The following facts are admitted by all parties to the above-captioned case and no further proof thereof shall be required.

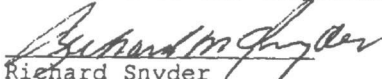
1. The Complainant herein is an adult, female (hereinafter "Complainant").
2. The Respondent herein is The Borough of Bristol (hereinafter "Respondent").
3. The Respondent is a public accommodation within the meaning of the Pennsylvania Human Relations Act (hereinafter "Act").
4. On or about June 10, 2005, the Complainant filed a Complaint against the Respondent with the Pennsylvania

9. Subsequent to the determination of probable cause, Commission staff and the parties attempted to resolve the matter in dispute between the parties by conference, conciliation and persuasion but were unable to do so.

10. In subsequent correspondence, Commission staff notified the Complainant and Respondent that a public hearing had been approved.

  
\_\_\_\_\_  
Charles Nier, III  
Assistant Chief Counsel  
(Counsel for the Commission  
on behalf of the Complainant)

12/20/06  
Date

  
\_\_\_\_\_  
Richard Snyder  
(Counsel for Respondent)

12/20/06  
Date

  
\_\_\_\_\_  
Marc Stolee  
(Counsel for Complainant)

12/20/2006  
Date

### FINDINGS OF FACT \*

1. The Complainant, Eva Villanueva, (hereinafter "Villanueva"), is 72 years old and has resided at 429 Lafayette Street, Bristol, Pa. for 48 years. (N.T. 17, 18, 67).
2. The Respondent, The Borough of Bristol, (hereinafter the "Borough"), has a population of approximately 10,000 individuals. (N.T. 88; SF 3 ).
3. Generally, homes in the Borough are duplex row homes and residents have to park their vehicles mainly on Borough streets. (N.T. 20).
4. In Villanueva's neighborhood very few homes have driveways and street parking is at a premium. (N.T. 97, 106).
5. There are no parking meters on Lafayette Street. (N.T. 98).
6. During weekdays from around 8:00 a.m. to 4:00 p.m., parking is generally available, however, after 4:00 p.m. and on weekends, parking becomes challenging and hard to find. (N.T. 98, 137, 142).
7. Villanueva suffers from a number of medical conditions: Severe receptive airways disease; chronic sinusitis; an element of reactive laryngospasm with possible underlying asthma; arthritis; and disc deterioration in her back. (N.T. 22; S.D. 7, 8, 10).

\* 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  
R.E. Respondent's Exhibit  
S.D. Deposition of Dr. Peter Serpico  
S.F. Stipulations of Fact