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Department of County Administration  
OFFICE OF HUMAN RIGHTS

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*C. Vernon Gray, Administrator*

April 25, 2007

Ms. Kristine Koumentakos  
12704 Chilton Circle  
Silver Spring, Maryland 0904

Re: Koumentakos v. St. Matthews Housing Development, Inc.  
OHR Case Number: 07-02-014

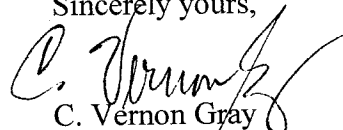
Dear Ms. Koumentakos:

Enclosed is the Office of Human Rights Written Findings concerning the complaint you filed in this Office alleging discrimination against you by St. Matthew Housing Development, Inc., on the basis of retaliation (filing a discrimination complaint against a former employer) as violation of Section 12.200-12.218 of the Howard County Code.

This Office, after investigation, found there was sufficient evidence to support your allegations of discrimination based on retaliation. Therefore, there is reasonable cause to believe discrimination occurred on the foregoing basis. Within 30 days of this Finding of Reasonable Cause efforts toward conciliation will be initiated. You will be advised and consulted in the scheduling of any meetings necessary to achieve a resolution.

If you have any questions, please feel free to contact this office.

Sincerely yours,

  
C. Vernon Gray  
Administrator

Enclosures

cc: Mindy G. Farber, Esquire  
E. Alexander Adams, Esquire

**CERTIFIED MAIL RETURN RECEIPT REQUESTED**  
**"NOTIFICATION OF FINDINGS LETTER" SENT TO CP BY REGULAR MAIL**

**HOWARD COUNTY OFFICE OF HUMAN RIGHTS  
WRITTEN FINDINGS  
OF  
REASONABLE CAUSE**

**IN THE MATTER OF:**

Ms. Kristine Koumentakos  
12704 Chilton Circle  
Silver Spring, Maryland 20904  
**Complainant**

St. Matthew Housing Development, Inc.  
7261 Eden Brook Drive  
Columbia, Maryland 21046  
**Respondent**

OHR Case Number 07-02-014

Mindy G. Farber, Esquire  
Farber Legal, LLC  
One Central Plaza, Suite 808  
11300 Rockville Pike  
Rockville, MD 20852  
**Complainant's Representative**

E. Alexander Adams, Esquire  
Adams & Adams  
5300 Dorsey Hall Drive, Suite 200A  
Ellicott City, Maryland 21042  
**Respondent's Representative**

Date of Filing: February 13, 2007

Date of Authorization: March 1, 2007

Date of Finding: April 25, 2007

**JURISDICTION**

The charge of alleged discrimination, on the basis of retaliation (filing a discrimination complaint against a former employer) by Ms. Kristine Koumentakos (hereinafter Cp) was filed against St. Matthew Housing Development, Inc. (hereinafter Rp), on February 13, 2007 with the Howard County Office of Human Rights (hereinafter OHR). On March 1, 2007, this charge was authorized for investigation. It was investigated by the OHR pursuant to Section 12.200-12.218 of the Howard County Code.

Cp is alleging a violation of Section 12.208 and 12.213 of the Howard County Code. Cp filed the charge within six months of the alleged discrimination as called for in Section 12.212 I (a) of the Howard County Code. Rp is an employer as defined in Section 12.208 I. (d) of the Howard County Code. Rp is in the business of providing low income housing. Rp had the requisite number of employees in Howard County at the time the complaint was filed to satisfy jurisdictional requirements for OHR.

## **I. SUMMARY OF WRITTEN FINDINGS OF INVESTIGATION**

### **Reasonable Cause – Retaliation**

OHR finds reasonable cause to believe that Cp was discriminated against on the basis of retaliation (filing a discrimination complaint against a former employer). The investigation reveals that Cp has been the victim of negative actions by Rp after filing her original complaint (OHR 06-04-023), and that Rp has not denied that these actions were the result of retaliation. In view of the foregoing, in addition to the fact that Cp established an undisputed prima facie case, OHR found reasonable cause to believe that Cp was discriminated against by Rp on the basis of retaliation (filing a discrimination complaint against her former employer).

## **II. COMPLAINANT'S SUMMARIZED ALLEGATIONS**

Cp alleges that she was discriminated against on the basis of retaliation (filing a discrimination complaint against her former employer) when Rp filed a merit-less court action against her, wrote a letter to her parish family, and refused to pay a company related cell phone bill in Cp's name.

## **III. RESPONDENT'S SUMMARIZED REPLY**

Rp has refused to respond to the complaint Cp filed with the Office of Human Rights (OHR), on February 13, 2007. The respondent received notification that this complaint had been authorized for investigation on March 1, 2007. However, to date, Rp has continued to refuse to submit any response to this complaint.

## **IV. THEORIES OF DISCRIMINATION**

### **Retaliation**

- A. Cp alleges she is a member of a protected class, engaged in a protected activity (filing a discrimination complaint).
- B. Cp alleges that as a result of her participation in this protected activity she has been the victim of negative actions by Rp after filing her original complaint (OHR 06-04-23).
- C. Cp alleges that there is a causal connection between her protected activity and the negative actions against her by Rp.

## V. FACTUAL BACKGROUND

- A. On April 5, 2006 Cp filed a discrimination complaint against St. Matthews Housing Development, Inc. (OHR 06-04-023).
- B. On February 9, 2007, Father Raymond Valencia, President of St. Matthews Housing Development, Inc. filed an action in the District Court for Howard County, claiming that Cp threatened his life.
- C. On February 9, 2007, the District Court judge dismissed this act by Father Valencia as being unfounded and unsubstantiated.
- D. On February 13, 2007, Cp filed subject complaint.
- E. On March 1, 2007, this complaint was authorized for investigation.

## VI. COMPLAINANT'S SPECIFIC ALLEGATIONS

**Allegation Number 1** – In April, 2006 I filed a complaint with the Howard County Office of Human Rights against the above named employer alleging that I was discriminated against because of my pregnancy. The Respondent has been uncooperative with the investigation. A court hearing is scheduled on March 2, 2007 to enforce the subpoena which has been defied. I have also filed complaints, including allegations of discrimination, with the Bishop as well as HUD.

**Finding Number 1** – OHR's investigation substantiates this allegation. (See, Summary of Written Findings of Investigation).

**Allegation Number 2** – Father Raymond Valencia (Fr. Ray), President of St. Matthew Housing Development, Inc. (SMHD) has retaliated against me in violation of Section 12.208 of the Howard County Code with respect to a court filing, a letter to my parish family and an unpaid cell phone bill in retaliation for my filing of discrimination complaints.

**Finding Number 2** – OHR's investigation substantiates this allegation. (See, Summary of Written Findings of Investigation, and Finding Number 1). On April 5, 2006 Cp filed a discrimination complaint against St. Matthews Housing Development, Inc. (OHR 06-04-023). On February 9, 2007, Father Raymond Valencia, President of St. Matthews Housing Development, Inc. filed an action in the District Court for Howard County, claiming that Cp threatened his life. On February 9, 2007, the District Court judge dismissed this act by Father

Valencia as being unfounded and unsubstantiated.

Rp has refused to respond to the complaint Cp filed with the Office of Human Rights (OHR), on February 13, 2007. The respondent received notification that this complaint had been authorized for investigation on March 1, 2007. However, to date, Rp has continued to refuse to submit any response to this complaint. The investigation reveals that Cp has been the victim of negative actions by Rp after filing her original complaint (OHR 06-04-023), and that Rp has not denied that these actions were the result of retaliation.

**Allegation Number 3** – While the Bishop's representative was in town beginning the Church's investigation, Fr. Ray filed paperwork in District Court falsely claiming that I threatened his life. I was served with an interim peace order at 3:30 a.m. on February 9, 2007 and had to be in court at 1:15 p.m. that day. Fr. Ray was hostile and angry in court. He violated my pastoral/parishioner confidentiality in open court. Judge Reese saw this and did not grant the temporary peace order. Obviously, I did not make such a threat and I have proof of my whereabouts/phone use at that time. I believe this was a desperate attempt to intimidate me.

**Finding Number 3** – OHR's investigation substantiates this allegation. (See, Summary of Written Findings of Investigation, and Finding Number 1 and 2).

**Allegation Number 4** – Also, in response to my complaint, Fr. Ray wrote a libelous letter on January 13, 2007, on my birthday, as he was well aware, to my former parish family claiming I had been unable to get any "legal traction" since filing my complaints.

**Finding Number 4** – OHR's investigation substantiates this allegation. (See, Summary of Written Findings of Investigation, and Finding Number 1, 2, and 3).

**Allegation Number 5** – In August 2006, six months after my firing and four months after my OHR complaint was made, SMHD stopped paying the staff Verizon wireless cell phone bills. The account had been set up in my name with my social security number as I was an agent of SMHD at that time. However, I was never in actual possession of the cell phones which were used by the staff. Fr. Ray did not respond to my letter requesting he remedy this immediately. The balance due and fees to terminate the contract was \$650, which I ended up having to pay to protect my credit. SMHD has paid \$389, but still owe \$266.

**Finding Number 5** – OHR's investigation substantiates this allegation. (See, Summary of Written Findings of Investigation, and Finding Number 1, 2, 3 and 4).

## **VII. LEGAL SUMMARY**

### **Overt Discrimination: Retaliation**

Cp established a prima facie case of overt discrimination, on the basis of retaliation (filing a discrimination complaint against her former employer) when Rp filed a merit-less court action against her, wrote a letter to her parish family, and refused to pay a company related cell phone bill in Cp's name. Rp has refused to respond to the complaint Cp filed with the Office of Human Rights (OHR), on February 13, 2007. The respondent received notification that this complaint had been authorized for investigation on March 1, 2007. However, to date, Rp has continued to refuse to submit any response to this complaint. The investigation reveals that Cp has been the victim of negative actions by Rp after filing her original complaint (OHR 06-04-023), and that Rp has not denied that these actions were the result of retaliation. In view of the foregoing, in addition to the fact that Cp established an undisputed prima facie case, OHR found reasonable cause to believe that Cp was discriminated against by Rp on the basis of retaliation (filing a discrimination complaint against her former employer). (See Howard County Code 12.213 – Protection of Processes and Witnesses)

## **VIII. DETERMINATION - REASONABLE CAUSE**

### **Reasonable Cause – Retaliation**

Therefore, OHR finds reasonable cause to believe that Cp was discriminated against by Rp on the basis of retaliation (filing a discrimination complaint against her former employer).

## **IX. CONCILIATION OF THE REASONABLE CAUSE FINDING**

Within 30 days of a finding of reasonable cause to believe that a violation of this subtitle may have occurred, the administrator shall attempt to rectify the violation by conference, conciliation and persuasion. Any conciliation agreement for the elimination of the violation shall be reduced to a legally enforceable written instrument signed by the complainant, respondent, and the administrator or their authorized representatives.

Date Submitted: April 25, 2007

Phillip L. Wise  
Phillip Leo Wise, Investigator

Date Approved: April 25, 2007

C. Vernon Gray  
C. Vernon Gray, Administrator