

**EQUAL OPPORTUNITIES COMMISSION
CITY OF MADISON
210 MARTIN LUTHER KING, JR. BOULEVARD
MADISON, WISCONSIN**

Sheila A. Kane
722 West Lakeside Street
Madison, Wisconsin 53715

Complainant

v.

Bradley Wagner
3314 Leyton Lane
Madison, Wisconsin 53713

Respondent

NOTICE OF HEARING

MEOD CASE NO. 2023-0069

Notice is hereby given that a hearing will be held in the above-entitled matter before the Hearing Examiner of the Madison Equal Opportunities Commission on the date and at the location listed below:

Date: January 14, 2025

Time: 9:00 a.m.

Location: Madison Municipal Building
215 Martin Luther King, Jr. Boulevard, Room 206
Madison, Wisconsin 53703

Parties and their attorneys are advised that they and their witnesses be available on the date listed and on the following two days in the event that a second and third day of hearing is necessary. Arrangements to continue a hearing beyond a third day will be made as appropriate.

Issues to be determined at hearing:

1. Did the Respondent discriminate against the Complainant on the basis of her having filed a complaint with the Building Inspector by failing or refusing to renew the Complainant's lease?

2. Did the Respondent discriminate against the Complainant on the basis of her having filed complaint with the Building Inspector and having thereafter participated in the rent abatement process by failing or refusing to renew the Complainant's lease?

3. Did the Respondent discriminate against the Complainant on the basis of her disability by failing or refusing to reasonably accommodate her disability by permitting a service animal (emotional support animal)?

4. Did the Respondent discriminate against the Complainant in retaliation for the Complainant's filing of a complaint of discrimination with the Department of Civil Rights by failing or refusing to permit her use of a service animal (emotional support animal)?

5. If discrimination is demonstrated, to what damages, if any, is the Complainant entitled?

The foregoing is alleged to constitute a violation of Section 39.03(4) and (9) of the Madison General Ordinances.

You are hereby ordered and required to produce at the hearing any papers, records, or communications of any kind which may be relevant to the above-mentioned matter. Necessary witnesses should be informed and arrangements made for their presence. Witnesses may be subpoenaed, if necessary, by contacting our office.

The following procedures will be followed at this hearing:

1. Either party may be represented by counsel.
2. Proceedings are taped.
3. Each party is given an opportunity to make arguments, present evidence, examine witnesses, and cross examine witnesses of the other party.
4. Testimony shall be taken under oath.
5. The Rules of Evidence contained in Wisconsin Statutes, Section 227.45 shall be followed.

Respondent is required by Madison General Ordinances 39.03(10)(C)2.a to answer this Notice setting forth its position and its defenses within ten (10) days.

If the parties are not ready to proceed as of the date of the receipt of this notice, they must notify this office immediately. Postponements will be granted only for good cause. They will not be granted for the convenience of the parties. They will be granted within one week of the date of the hearing only where an emergency exists.

Attorneys should be cognizant of the provisions of Sec. 49.89, Wisconsin Statutes and any obligations they may have thereunder.

The Department of Civil Rights is a public body subject to the provisions of the Wisconsin Public Records Laws, Wis. Stats. §§19.31 through 19.37. In order to reduce the opportunity for theft of personally identifying information, it is recommended that parties redact or remove sensitive and personally identifying information such as Driver's License Numbers, Social Security Numbers and credit references from any submissions to the Department. Should the need arise, it will be the responsibility of the redacting party to provide the redacted or removed information if the Department of Civil Rights requires access to such information.

Signed and dated this 11th day of October 2024.

EQUAL OPPORTUNITIES COMMISSION

A handwritten signature in black ink, appearing to read "Clifford E. Blackwell, III", written over a horizontal line.

Clifford E. Blackwell, III
Hearing Examiner

Cc: Attorney Cynthia Fiene