

Subject: ADA/FHA Accommodation Request for Kathryn Copeland, Apt. #2145
Date: Thursday, August 14, 2025 at 7:19:29 PM Central Daylight Time
From: Copeland, Katie
To: The Bowery - Kodi Walker, Angela Hazelwood, Matthew Shaia, Pamela Quinn
CC: Amye.Brochstein@phly.com

Dear Weinstein Properties,

As a disabled tenant at The Bowery at Southside (405 Crawford St., Apt. #2145, Fort Worth, TX 76104) with MCAS, hEDS, POTS, vestibular schwannoma, and long COVID, I request the following reasonable accommodations under the ADA (42 U.S.C. § 12132) and FHA (42 U.S.C. § 3604(f)), supported by BioTex (June 18, 2025), Dr. Alfred Johnson, Dr. Michael Conte, Dr. Karen Huang, and Dr. Joseph Tran. Weinstein's pattern of ignoring mold, as seen in BBB complaints and the Megan White case currently pending in federal court underscores the urgency:

1. **Extend Hotel:** My current reservation ends tomorrow, though your insurer advised the 18th - assuming the remediation would be done by then. I have yet to even see approval from TDLR of the remediation plan, so it seems a longer extension will be necessary.
2. **Relocation to ADA-Compliant Lodging of My Choosing** – Relocate me to an ADA-compliant hotel or Airbnb *I select* that has a bathtub, adjustable bed, kitchen, and in-unit laundry. This is necessary to ensure safety given my complex disabilities and environmental sensitivities. Ideally, secure 1–2 years of prepaid rent in a permanent, mold-free location I can move into soon to ensure stability during recovery.
3. **Licensed Remediation:** Produce a plan approved by TDLR for mold remediation by a TDLR-licensed provider (Tex. Occ. Code § 1958.101) for the three types of toxic mold in my unit.
4. **Service Animal Boarding:** Provide mold-free, accessible boarding for my two service animals at Doggie Digs until I am relocated to a place with a yard.
5. **Housing Stability:** Guarantee no lease termination or eviction (e.g., August 6 Notice, which is considered another act of retaliation under the law) until remediation and relocation are complete.
6. **Interactive Process:** Engage in a documented interactive process within 48 hours.

Failure to comply or retaliation will be reported to HUD (903, June 30, 2025), DOJ (#631436-JLQ), TDLR, the Fort Worth Human Relations Commission and Mayor's Committee on Persons with Disabilities whom I presented to this morning at their meeting. There is clearly an ongoing pattern of harmful and illegal conduct on Weinstein's part.

Required Clarifications

- Has the remediation plan been approved by the licensed assessor and/or TDLR?

What is the full scope and timeline?

- Will you proceed with eviction while refusing relocation assistance?
- Do you claim rent is owed for a unit lawfully deemed unsafe?
- Which claims are you acknowledging or denying coverage for? Please identify any limits on the insurer's role so I can contact other responsible parties.

Spoliation Notice

You must also preserve, from today onward, any new or additional documents, communications, or electronically stored information (ESI) that relate to:

- Complaints, inspection requests, and relocation discussions regarding Unit #2145
- Remediation planning or execution
- Hotel extensions and billing or communications to that effect
- Regulatory communications with City of Fort Worth Code Compliance, TDLR, HUD, DOJ, and any other housing/disability enforcement agencies
- Internal risk assessments or directives referencing mold, eviction, or disability accommodations
- All communications, protocols, reports, and lab results from BioTex, EMSL Analytical, or other contractors including future testing
- Any additional communications, records, and documentation pertaining to the Megan White case
- **All communications, reports, notices, or complaints** between any representative of Weinstein Properties (including Bowery at Southside management, legal counsel, or insurance agents) and any **local, state, or federal agency** regarding:
 - Code enforcement or habitability concerns
 - Tenant health/safety complaints
 - Requests for remediation or inspection
 - Disability accommodations or ADA/FHA concerns
 - Legal inquiries or complaints involving Katie Copeland or other residents
- This includes, but is not limited to, communications with:
 - **City of Fort Worth Code Compliance,**
 - **Texas Department of Licensing & Regulation (TDLR),**
 - **U.S. Department of Housing and Urban Development (HUD),**

- **U.S. Department of Justice (DOJ),**
- **and any city, county, state, or federal agency involved in tenant rights, housing, or disability enforcement.**
- Internal risk assessments or directives referencing mold, eviction, or disability accommodation
- Emails, texts, voicemails, and other ESI involving the above issues
- Photos, videos, testing data, service tickets, contractor logs, invoices
- Internal messaging regarding this incident
- Any public statements, media contacts, or communications made to the press or others regarding this incident or related matters.
- **No remediation or disturbance of mold may occur before independent documentation is complete.** Any violation will be treated as intentional spoliation with all remedies pursued, including sanctions and adverse inference instructions.
- This spoliation notice includes all **past, present, and future** communications and records. Any failure to preserve these materials, especially in light of pending litigation, may constitute evidence tampering and expose all responsible parties to sanctions, adverse inference instructions, and additional liability under Texas law and applicable federal rules.

Punitive Damages and Pattern of Misconduct

I am aware of the pending litigation involving Megan White and have reason to believe the facts of my case—combined with Weinstein Properties’ continued failure to act in good faith—substantially increase your exposure to punitive damages. Any retaliation, including misinformation, delay, or coercive tactics (e.g., inconsistent hotel arrangements or pressure to re-enter the unit) only compounds your liability. This confirms that you had **prior notice of dangerous conditions** and your failure to prevent further harm may rise to the level of gross negligence. I expect full preservation of all communications and evidence related to that case as well.

DTPA 60-day window to reach settlement before exposure to treble damages closes soon (August 26, 2025)

On June 27, 2025, I issued formal notice of my claims under the Texas Deceptive Trade Practices Act (DTPA), supported by the BioTex inspection declaring my unit unfit for human occupancy and documented evidence of mold contamination, disability impacts, and violations of the Texas Property Code and ADA/Fair Housing Act.

Since that notice, I have made repeated requests for:

- Relocation to ADA-compliant, mold-free housing.
- A licensed mold remediation plan as required by Texas law.
- Protection of my belongings during remediation.
- Reimbursement for rent paid for uninhabitable conditions, as well as medical, relocation, and other expenses caused by displacement and mold exposure.

You have not provided the required remediation protocol, relocation accommodations, or financial relief, despite full knowledge of my disability status and the serious health risks. This inaction compounds your liability under the DTPA, ADA, and FHA.

The DTPA provides a 60-day window to reach settlement before exposure to treble damages. That clock is running, and this letter serves as a reminder that each day without resolution increases your legal and financial risk.

Resolution

I remain open to early resolution, including reimbursement for paid rent, relocation, storage, and treatment expenses, in order to avoid further escalation.

Please confirm receipt of this email and advise whether you intend to comply with the above requests.

Sincerely,

Katie Copeland

(817) 789-8498

K.M.Copeland@tcu.edu