

**DANIEL LUKAT**

President, Central Park Tower Resident Council  
1511 Farnam Street, Apt. 202, Omaha, Nebraska 68102  
cptresidentcouncil@gmail.com

October 1, 2026

Registered Agent, CSC-Lawyers Incorporating Service Company  
233 South 13th Street, Suite 1900, Lincoln, Nebraska 68508

*For service upon: CPT Burt Apartments 23 LLC, Nebraska SOS No. 2209184806*

**Re:** Notice of Protected Resident Organizing and Anti-Retaliation

**Property:** Central Park Tower, 1511 Farnam Street, Omaha, Nebraska 68102

**Program:** HUD RAD Project-Based Rental Assistance

To the Registered Agent:

Please accept this letter for CPT Burt Apartments 23 LLC. I am a tenant of Central Park Tower and elected President of the Central Park Tower Resident Council. This letter is sent for the Board. This is formal notice that the Council and its officers are engaged in protected activity, and that ownership and management may not retaliate for that activity, including by parking restrictions or by interference with preserved historic rights of the building and its residents.

On or about September 18, 2026, after an ad hominem attack on the Secretary received from management, the Board voted 4–0 to retain Steven J. Donahue as Secretary. He did not vote. That vote rejected the attack and the unfounded assertions in it. The Secretary prepares minutes and notices as directed by the Board and does not set Council policy. The Council has requested restoration and reopening of the Community Room and confirmation of tornado-shelter access. After the September 24, 2026 dismissal without prejudice in Douglas County CI 26-7666, the Council gave ownership through October 24, 2026 to restore and reopen the Community Room. An all-resident meeting is set for October 30, 2026. Organizing, requesting common-area access, and communicating with ownership are protected.

**Nebraska Revised Statute § 76-1439** prohibits a landlord from retaliating by increasing rent, decreasing services, or bringing or threatening an action for possession after a tenant has complained to a government agency charged with housing-code enforcement, or after a tenant has organized or become a member of a tenants' union or similar organization. The Resident Council is such an organization. A violation of § 76-1439 is a defense to possession and supports the remedies of the Uniform Residential Landlord and Tenant Act. Because this is a RAD PBRA property, HUD holds the HAP contract and HUD's Office of Housing enforces it.

**Parking.** Controlled parking for ten slots was affirmed in writing, with placards, for 2023–2024. Neither the owner nor management has given written notice of any change. Resident parking, assigned spaces, guest parking, and any parking that is part of the rent, the lease, the house rules, or long-standing practice is a service. Cutting it, reassigning it, raising the charge, towing, booting, or threatening to do so, without written notice, and especially because a tenant organized, joined the Council, requested the Community Room, or made a code or HUD complaint, is a decrease in services and retaliatory conduct under § 76-1439. Parking may not be used as leverage against Council officers or members. Omaha Municipal Code § 55-738 and Table 55-738 require accessible spaces in off-street parking facilities (one accessible space where the facility provides up to 25 spaces), designed and reserved under § 55-740, independent of the Americans with Disabilities Act. Those set-asides may not be eliminated, reassigned, or withheld, and may not be used as retaliation for Council activity.

**Preserved historic rights.** Central Park Tower is a 1955 masonry high-rise. Residents have a protected interest in its preserved historic character and in the common spaces that belong to that character, including the Community Room. Ownership may not strip, lock, alter, or withhold those spaces, or punish residents who insist on their preservation and continued use, because the Council organized, sued, or demanded restoration. Interference after the protected activity above will be treated as retaliation and as a reduction of services.

**Request.** Ownership and management are requested to:

1. Restore and reopen the Community Room for resident and Council use on or before October 24, 2026, and confirm in writing the process for reserving it.
2. Confirm in writing that tornado-shelter access remains available to residents.
3. Confirm in writing that resident parking will not be reduced, reassigned, repriced, or enforced selectively because of Council activity.
4. Refrain from any alteration or withholding of preserved historic common areas as punishment for organizing or for the Community Room demand.
5. Refrain from any increase in rent or charges, reduction of services, selective enforcement, interference with Council notices or meetings, or threat of possession action directed at Council officers or members because of the activity described above.
6. Direct written responses to the President at cptresidentcouncil@gmail.com, and to the Secretary at 1511 Farnam Street, Apt. 110.

This letter is not a waiver of any claim, deadline, or remedy. It is notice so that any later adverse action, including as to parking or preserved historic rights, can be measured against the statute and the HAP contract. Please confirm receipt and the October 24 restoration date in writing.

Respectfully submitted,

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Daniel Lukat

Tenant, Apt. 202

President, Central Park Tower Resident Council

cc: Steven J. Donahue, Secretary, Apt. 110; Property Management, Central Park Tower, 1511 Farnam Street (PHMD / Premier); HUD Office of Housing (upon non-response); Resident Council officers