

COMPLAINT

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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STEVEN J. DONAHUE, Secretary of the
Central Park Tower Resident Council,
on behalf of the Board and residents of
Central Park Tower, 1511 Farnam Street,
and Burt Street Apartments,
3021/3031 Burt Street, Omaha, NE 68131,
Plaintiff,

Case No. _____

v.

CPT BURT APARTMENTS 23 LLC,
c/o CSC-Lawyers Incorporating
Service Company,
233 South 13th Street, Suite 1900,
Lincoln, NE 68508,
Defendant.

COMPLAINT (Temporary Restraining Order and Injunctive Relief)

COMES NOW Plaintiff Steven J. Donahue, appearing pro se, and for his Complaint states:

Parties, venue, and authority

1. Plaintiff is Secretary of the Central Park Tower Resident Council (the "Council"), resides in Apt. 110, 1511 Farnam Street, Omaha, Douglas County, Nebraska, and is designated by the Board to bring this action. Board Resolution and Designation dated August 28, 2026, attached as Exhibit E to the accompanying Affidavit.
2. The Council is a legitimate tenant organization of the Covered Project under 24 C.F.R. § 245.110 and HUD RAD Notice H-2019-09 / PIH-2019-23 (Rev. 4). It represents Central Park Tower (64 units) and Burt Street Apartments (approximately 38 units), 102 units in all. Danny Lukat, Apt. 202, is President.
3. Defendant CPT Burt Apartments 23 LLC is a Nebraska limited liability company, SOS Account No. 2209184806. Its registered agent is CSC-Lawyers Incorporating Service Company, 233 South 13th Street, Suite 1900, Lincoln, Nebraska 68508. Defendant owns the property at 1511 Farnam Street.
4. Venue is proper in this Court because the property and the wrongs are in Douglas County. Neb. Rev. Stat. § 25-403.01.

Facts

5. For approximately three years Defendant and its agents have refused to recognize the Council, refused a meeting place, and retaliated by removing Council property and official signage. Neb. Rev. Stat. § 76-1439; 24 C.F.R. §§ 245.105, 245.115.

6. The basement Community Room at 1511 Farnam Street is the Council's meeting place and the building's designated tornado shelter. Before it was closed it had chairs, tables, a working kitchenette, a fitness center, Gardyn accouterments, and storm / tornado shelter signage. Defendant locked the room, stripped those furnishings and signs, and shuttered the shelter.
7. A tenant-wide meeting and election is noticed for September 4, 2026, at 12:00 p.m. in that room (notice dated July 30, 2026). On July 29, 2026, the Council demanded restoration under 24 C.F.R. § 245.120. On August 3, 2026, Plaintiff hand-delivered written notice of Council rights and retaliation concerns to on-site management. On August 28, 2026, Plaintiff appeared for a scheduled meeting to obtain access. No one was in the office. The room remains locked.
8. 24 C.F.R. § 245.120 requires Defendant to reasonably make the community room available for tenant-organization meetings. Without that room the September 4 meeting cannot be held as noticed and residents have no designated on-site tornado shelter. That harm cannot be repaired with money.

Claim

9. Plaintiff seeks a temporary restraining order, temporary injunction, and permanent injunction under Neb. Rev. Stat. §§ 25-1062 to 25-1064, and a declaration that the Council is the legitimate tenant organization of the Covered Project. The accompanying Affidavit of Steven J. Donahue and Exhibits A-F are incorporated.

WHEREFORE, Plaintiff requests that the Court:

- (a) Issue forthwith a temporary restraining order unlocking and restoring the Community Room / designated tornado shelter at 1511 Farnam Street to functioning condition as before it was closed—including chairs, tables, a functioning kitchenette, the fitness center, the Gardyn accouterments, and storm / tornado shelter signage—in time for the September 4, 2026 meeting;
- (b) Set a hearing on the temporary injunction at the Court's first available date and keep the restraining order in force through that hearing and the September 4 meeting;
- (c) After hearing, enter a temporary and then a permanent injunction requiring Defendant to keep that room available for legitimate Council and tenant meetings, to recognize the Council, and to refrain from retaliation;
- (d) Award costs; and
- (e) Grant such other relief as the Court deems just.

Dated this _____ day of August, 2026.

Steven J. Donahue, Secretary
Central Park Tower Resident Council
1511 Farnam Street, Apt. 110
Omaha, NE 68102
(402) 889-9047
cptresidentcouncil@gmail.com
<https://centralparktower.org/>

MOTION

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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STEVEN J. DONAHUE, Secretary of the
Central Park Tower Resident Council,
on behalf of the Board and residents of
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CPT BURT APARTMENTS 23 LLC,
c/o CSC-Lawyers Incorporating
Service Company,
233 South 13th Street, Suite 1900,
Lincoln, NE 68508,
Defendant.

**MOTION FOR TEMPORARY RESTRAINING ORDER,
TEMPORARY INJUNCTION, AND EXPEDITED HEARING**

COMES NOW Plaintiff Steven J. Donahue, Secretary of the Central Park Tower Resident Council (the "Council"), appearing pro se and as the person designated by the Board to commence this action, and moves the Court under Neb. Rev. Stat. §§ 25-1062 to 25-1064 for a temporary restraining order and temporary injunction, and for an expedited hearing before September 4, 2026. In support, Plaintiff states:

1. By Board Resolution and Designation dated August 28, 2026, the officers of the Council authorized Plaintiff to file this action in the name of the Council and as a tenant and officer. Affidavit of Steven J. Donahue ("Aff.") and Exhibit E thereto.
2. The Council is a legitimate tenant organization of the Covered Project under 24 C.F.R. § 245.110 and HUD RAD Notice H-2019-09 / PIH-2019-23 (Rev. 4). It represents Central Park Tower (64 units) and Burt Street Apartments (approximately 38 units), a combined total of 102 units. After RAD conversion there is one legitimate resident organization for the Covered Project. Aff. ¶¶ 1-3.
3. Danny Lukat, Apt. 202, is President. Plaintiff is Secretary, Apt. 110. Election results of July 19-21, 2025, remain in effect. Aff. ¶ 3; Ex. B.
4. The record owner is Defendant CPT Burt Apartments 23 LLC, SOS Account No. 2209184806, registered agent CSC-Lawyers Incorporating Service Company, 233 South 13th Street, Suite 1900, Lincoln, Nebraska 68508. Aff. ¶ 4.
5. For approximately three years Defendant and its managing agents have refused to acknowledge the Council, refused a meeting place, and attempted to quash the Board by retaliation, including removal of Council property and official signage. Aff. ¶ 5.

6. The basement Community Room at 1511 Farnam Street is the Council's meeting place, the place noticed for inspection of election records, and the building's designated tornado shelter. Before it was closed it had chairs, tables, a working kitchenette, a fitness center, Gardyn garden equipment and accouterments, and posted storm / tornado shelter signage. Defendant locked the room, removed or disabled those furnishings, equipment, and signs, and shuttered the shelter. Aff. ¶ 6.
7. A tenant-wide meeting and election is set for September 4, 2026, at 12:00 p.m. in that room. Notice dated July 30, 2026, signed by President Daniel Lukat, was posted and delivered to residents and to the owner and management. Aff. ¶ 7; Ex. C.
8. On July 29, 2026, the Council demanded of the HUD Omaha Field Office, copied to the owner and management, that the room and shelter be restored under 24 C.F.R. § 245.120. Aff. ¶ 8; Ex. D.
9. On August 3, 2026, Plaintiff hand-delivered to on-site management a letter citing Neb. Rev. Stat. § 76-1439 and 24 C.F.R. Part 245 and objecting to retaliation and decreasing services. The room was not restored. Aff.; Ex. F.
10. On the morning of August 28, 2026, Plaintiff had a scheduled meeting with management to obtain access. No one was in the office. The room remains locked. Aff. ¶ 10.
11. 24 C.F.R. § 245.105 requires Defendant to recognize the Council and give reasonable consideration to its concerns. 24 C.F.R. § 245.120 requires Defendant to reasonably make the community room available. 24 C.F.R. § 245.115 protects organizing from owner interference.
12. Plaintiff and the 102 units the Council represents will suffer immediate and irreparable harm if the September 4 meeting cannot be held as noticed and if residents have no designated on-site tornado shelter. Money will not restore a missed election date or a shelter during a storm. Aff. ¶ 11.
13. The September 4, 2026 meeting is only a few business days after filing. A full hearing before that date may not be possible. Immediate irreparable harm will occur if the room stays locked through September 4. Plaintiff therefore asks for a temporary restraining order forthwith so the noticed meeting can be held, with the hearing on the temporary injunction set at the Court's first available date. Plaintiff will serve this Motion, the Affidavit, and any order on Defendant's registered agent at the Lincoln address by certified mail, return receipt requested, the same day this paper is filed.

WHEREFORE, Plaintiff requests that the Court:

- (a) Issue forthwith a temporary restraining order, without awaiting a full hearing if the Court cannot hear the matter before September 4, 2026, requiring Defendant to unlock and restore the Community Room / designated tornado shelter at 1511 Farnam Street to functioning condition as it existed before it was closed, including chairs, tables, a functioning kitchenette, the fitness center, the Gardyn accouterments, and signage indicating a storm / tornado shelter, in time for resident use at the September 4, 2026 meeting;
- (b) Set the hearing on the temporary injunction at the Court's first available date, whether before or after September 4, 2026, and keep the restraining order in force through that hearing and the September 4 meeting;
- (c) After hearing, enter a temporary injunction requiring Defendant to keep that room available for legitimate future Council and tenant meetings;
- (d) Require Defendant to recognize the Council as the legitimate tenant organization of the Covered Project;
- (e) Enjoin retaliation against the Council and its officers;

(f) Grant such other relief as the Court deems just.

Dated this _____ day of August, 2026.

Steven J. Donahue, Secretary
Central Park Tower Resident Council
1511 Farnam Street, Apt. 110
Omaha, NE 68102
(402) 889-9047
cptresidentcouncil@gmail.com
<https://centralparktower.org/>

AFFADAVIT

AFFADAVIT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STEVEN J. DONAHUE, Secretary of the
Central Park Tower Resident Council,
on behalf of the Board and residents of
Central Park Tower, 1511 Farnam Street,
and Burt Street Apartments,
3021/3031 Burt Street, Omaha, NE 68131,
Plaintiff,

Case No. _____

v.

CPT BURT APARTMENTS 23 LLC,
c/o CSC-Lawyers Incorporating
Service Company,
233 South 13th Street, Suite 1900,
Lincoln, NE 68508,
Defendant.

**AFFIDAVIT OF STEVEN J. DONAHUE
IN SUPPORT OF MOTION FOR TEMPORARY
RESTRAINING ORDER AND TEMPORARY INJUNCTION**

STATE OF NEBRASKA
COUNTY OF DOUGLAS

I, Steven J. Donahue, being first duly sworn, state as follows:

1. I am the Secretary of the Central Park Tower Resident Council (the "Council") and reside in Apartment 110 at 1511 Farnam Street, Omaha, Nebraska 68102. I make this affidavit on personal knowledge in support of the Motion for Temporary Restraining Order and Temporary Injunction. By Board Resolution and Designation dated August 28, 2026, the officers of the Council designated me to commence and prosecute this action. A copy of that Resolution is attached as Exhibit E.
2. The Council is a legitimate tenant organization of the Covered Project under 24 C.F.R. § 245.110 and HUD RAD Notice H-2019-09 / PIH-2019-23 (Rev. 4), Resident Participation. It was established by residents, meets regularly, operates independently of the owner and management, and represents the residents of Central Park Tower (64 units) and Burt Street Apartments (approximately 38 units), a combined total of 102 units. After RAD conversion there is one legitimate resident organization for the Covered Project. HUD RAD Resident Fact Sheet No. 8; 24 C.F.R. §§ 245.105, 245.110, 245.115, 245.120.
3. The Council was first elected on August 19, 2024 (Exhibit A). On July 19–21, 2025, following the death of founding president Ray "Maurice" Layton, the Council held an election. Danny Lukat, Apt. 202, was elected President. I was elected Secretary. The results were published July 21, 2025, and remain in effect (Exhibit B).
4. The record owner is CPT Burt Apartments 23 LLC, Nebraska SOS Account No. 2209184806, registered agent CSC-Lawyers Incorporating Service Company, 233 South 13th Street, Suite 1900, Lincoln, Nebraska 68508.

5. For approximately three years the owner and successive managing agents have refused to acknowledge the Council as a legitimate tenant organization, have refused to provide a meeting place, and have attempted to quash the Board by retaliation, including removal of Council property and official signage.
6. The basement Community Room at 1511 Farnam Street is the Council's designated meeting place, the location identified for public inspection of election records under 24 C.F.R. Part 245, and the building's designated tornado shelter. Before it was closed, the room was a functioning common space with chairs, tables, a working kitchenette, a fitness center, Gardyn garden equipment and related accouterments, and posted signage identifying it as a storm / tornado shelter. The owner has locked the room, removed or disabled those furnishings, equipment, and shelter signage, and shuttered the designated tornado shelter.
7. A tenant-wide meeting and election has been scheduled for September 4, 2026, at 12:00 p.m. in that Community Room. Formal notice dated July 30, 2026, signed by President Daniel Lukat, was posted and delivered to residents of the 64 units at Central Park Tower and to Burt Street Apartments, and to the owner and management (Exhibit C).
8. On July 29, 2026, the Council submitted a written complaint and demand to the HUD Omaha Field Office, copied to the owner and management, demanding that the Community Room / tornado shelter be unlocked and restored under 24 C.F.R. § 245.120 (Exhibit D).
9. On August 3, 2026, I delivered in person to Richard Bruno / Premier Management, together with my August rent, a written letter stating that I am Secretary of the Council; citing Neb. Rev. Stat. § 76-1439 and 24 C.F.R. Part 245; objecting to retaliation and to decreasing services; and documenting management's pattern of posting service notices and then failing to appear. A true copy is attached as Exhibit F. Management did not restore the Community Room after that letter.
10. On the morning of August 28, 2026, I had a scheduled meeting with on-site management to obtain access to the Community Room. No one was in the office. The room remains locked. That no-show is consistent with the false service notices described in Exhibit F.
11. Approximately three years ago a tenant meeting was held in the same Community Room and was attended by management. The room has since been taken from the residents.
12. Without access to the Community Room, the September 4, 2026 meeting and election cannot be held as noticed. Residents also have no designated on-site tornado shelter. That is immediate and irreparable harm to the Council and to the 102 units it represents. Money will not restore a missed election date or a shelter during a storm.
13. I ask the Court to order the owner, through its registered agent, to unlock and restore the Community Room / designated tornado shelter at 1511 Farnam Street to functioning condition as it existed before it was closed, including chairs, tables, a functioning kitchenette, the fitness center, the Gardyn accouterments, and signage indicating a storm / tornado shelter, and to make that space available for resident use, including the September 4, 2026 meeting; to recognize the Council as the legitimate tenant organization of the Covered Project; and to stop retaliation against the Council and its officers.

Further Affiant sayeth naught.

Steven J. Donahue
Secretary, Apt. 110

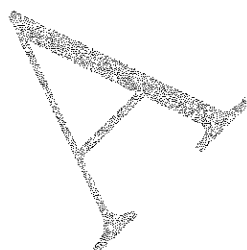
Subscribed and sworn to before me this _____ day of August, 2026.

Notary Public

My Commission Expires: _____

Exhibits: A — August 19, 2024 election; B — July 21, 2025 election announcement; C — July 30, 2026 meeting notice; D — July 29, 2026 HUD demand; E — August 28, 2026 Board Resolution and Designation; F — August 3, 2026 letter to Richard Bruno / Premier Management.

Exhibit A: August 30, 2024: Newsletter Announcing CPT Election Results.



The History Central Park Tower (Part I)

Our building at 1511 Farnam has quite a history. In the 1890's it was known as the McTague Hotel. In those days it was a three story Victorian that James Hugh McTague (1858-1926) opened as a hotel which featured a grill room and an oyster bar. Reportedly Buffalo Bill Cody and perhaps Wild Bill Hickok were guests. In fact, Buffalo Bill's wild west show was part of Omaha's 1898 Trans-Mississippi Exposition (Omaha's World Fair).

Joseph Henshaw purchased the property and upgraded it as "Henshaw's European Hotel" in 1896. By 1898 it boasted of a ground floor cafe and grill room. In addition, it had a Ladies Cafe

open from 6 am until 2 am which was very popular. Rooms started at one dollar per day.

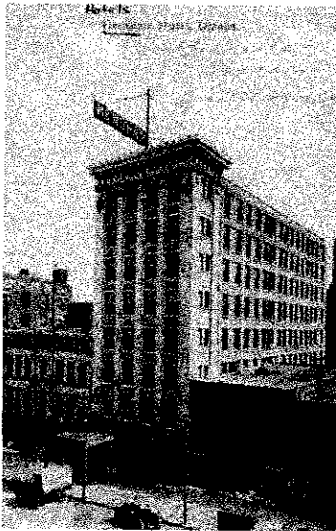
The basic building that we are living in was eight floors built of re-inforced concrete completed in 1908. It provided 160 rooms featuring telephones and private baths. For decades, the Henshaw Hotel was ground zero for social networking in Omaha. The hotel had a major fire in 1940 and began to lose favor.

By 1962, the building had been completely refurbished and opened as the Diplomat and advertised itself as "Omaha's only new downtown motor hotel". The old building was clad in the steel sheets we now see. It had 150 air-conditioned

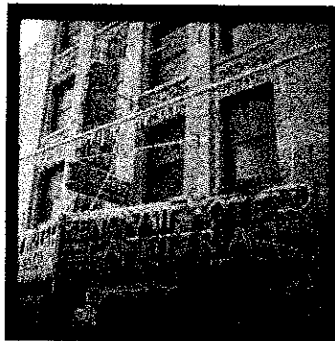
guest rooms with free TV and radio. It also had lounges and dining rooms capable of seating 450 people. By 1963, the property was sold again and re-branded as the Prom-Diplomat.

The Prom-Diplomat remained in use through the 1970s. However, by 1976, the City Directory listed it as "vacant." In 1980 it was listed as multi-tenant residential property with no name. In 1985 the property was known as the Central Park Towers and later as the Central Park Tower Apartments. In 1999 there was a major renovation.

To Be Continued ...



1908 Henshaw Hotel

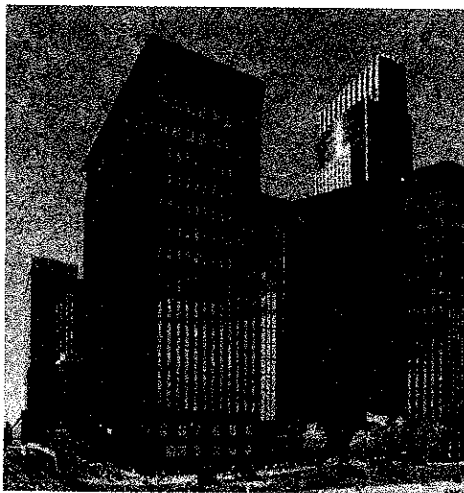


1940 Fire Damage



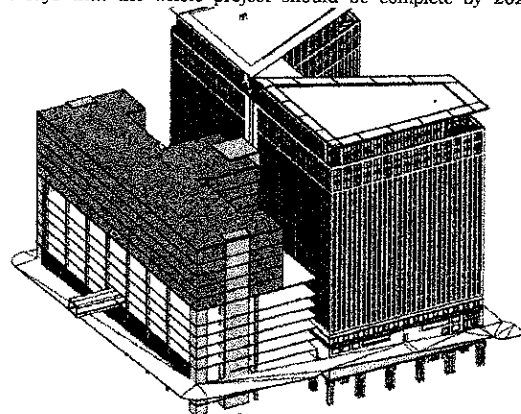
1960 Diplomat Hotel

The Duo



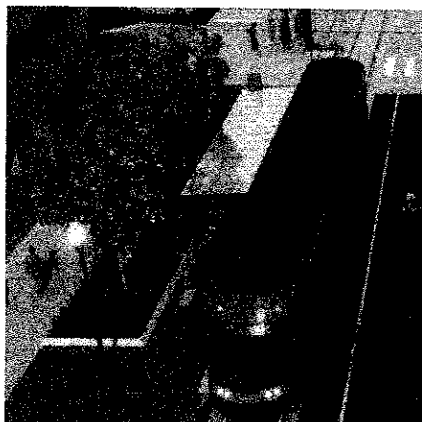
Across the street on the north side, the twin towers of Central Park Towers (now called "The Duo") is being transformed into about 700+ apartments mixed between 1,2, and 3 bedrooms. Rents are said to range from

975 up to 1600 dollars per month for one bedrooms. Sullivans Restaurant will remain where it is and other retailers will follow. The plan will have another 150 apartments on the North side of Farnam Street and West side of 16th Street. Almost every day, Central Park Tower residents witness the razing of the old Parkfair Mall across the street. It will be replaced with a new parking garage with apartments and a swimming pool above. The Duo will also be adding a 17th floor and a sky bridge. NuStyle Development says that the whole project should be complete by 2027.



The Streetcar

The Streetcar is eventually coming and will be free to ride. Right now, Central Park Residents can see the crews begin to work between 14th and 15th Streets on Farnam Street with the lane restrictions. We will witness over several years Omaha Public Power District, Metropolitan Utilities District, Omaha Public Works, and many other utilities relocate services including power, fiber, cable, water, gas, and sewer to prepare for Streetcar construction. Eventually, you will be able to ride West to 42nd and Farnam Street (Nebraska Medicine) or East to 10th Street.



Survey for Community Room Use

Would you like low-stakes or gift based BINGO in the Community Room?

☐ Yes ☐ No ☐ Don't Know

Would you like CHURCH SERVICES available in the Community Room?

☐ Yes ☐ No ☐ Don't Know

Would you like SEASONAL PARTIES (Summer, Christmas, etc.) available in the Community Room?

☐ Yes ☐ No ☐ Don't Know

Would you like COOKING CLASSES available in the Community Room?

☐ Yes ☐ No ☐ Don't Know

Would you like ALCOHOLIC/NARCOTICS ANONYMOUS meetings available in the Community Room?

☐ Yes ☐ No ☐ Don't Know

Would you like to upgrade our EXERCISE/PHYSICAL THERAPY equipment in the

Community Room?

☐ Yes ☐ No ☐ Don't Know

Would you like to invite various SPEAKERS (Veterans, Crime Stoppers, etc.) to the Community Room?

☐ Yes ☐ No ☐ Don't Know

WHAT ELSE WOULD YOU LIKE TO SEE in the Community Room?

News From Management



Our New Management

Resident Council Board Members

President
Ray Layton Apt. 504

Vice President
Danny Lukat Apt. 104

Second Vice President
Deborah Lenhoff Apt. 101

Treasurer
Kathy Whitbeck Apt. 306

Secretary
Steven Donahue Apt. 110

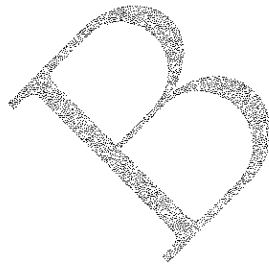
Second Secretary
Theresa Brogdensen Apt. 801

Newsletter Executive
Robert Shaw Apt. 603

cptresidentcouncil@gmail.com

News Tips Please provide us with tips, comments, news, or complaints

Exhibit B: July 21, 2025: Election Results Announcement.



CPT STEERING COMMITTEE

Election Results Announcement

On July 19–21, 2025, the Central Park Tower Resident Council held an election to replace our honored deceased founding president, Ray “Maurice” Layton. We are pleased to announce that Danny Lukat was unanimously elected as President of the Central Park Tower Resident Council, effective immediately.

Steering Committee Members

1. President: Danny Lukat	202
2. Second Vice President: Deborah Lenhoff	101
3. Treasurer: Kathy Whitbeck	306
4. Secretary: Steven Donahue	110
5. Second Secretary: Theresa Brogdensen	801
6. Newsletter Executive: Robert Shaw	603

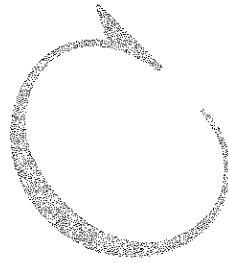
Tenant Information

In accordance with 24 CFR Part 245, tenants may review election-related documents, including ballots and meeting minutes, at the Resident Council Office, located in the Community Room, by appointment (Monday–Friday, 9:00 AM–5:00 PM). For further inquiries, please contact Steven Donahue, Secretary, at (402) 889-9047 or resident-council@cpt.org or our website <https://centralparktower.org/>

Signature

Secretary Signature: _____
Date: 2025-07-21

Exhibit C: July 30, 2026: Notice of Meeting and Election.



NOTICE OF MEETING AND ELECTION

The Central Park Tower Resident Council Board

invites all residents of
Central Park Tower
and
Burt Street Apartments

to a special meeting on
Friday, September 4, 2026
12:00 PM

Basement Community Room 1511 Farnam Street

Purpose of the Meeting

Discuss Resident Council business and
elect any interested residents
to the Resident Council Board.

Refreshments and Snacks will be served.

- Community Room Closed and Property Removed.
- The building's designated tornado shelter in the basement has been closed.
- **OFFICIAL SIGNAGE HAS BEEN REMOVED.**
- Our building has become a homeless shelter for people coming in off the street.
- People use stairwells and elevators as bathrooms.
- Security cameras not working or recording.
- Rainwater and Sewage Leaks.
- Fake Eviction notices that are not true.
- All-night Disco at 1517 Farnam Street.
- No Office Hours.
- Notices are posted for air conditioners, pest control, inspection, etc.
- **BUT MANAGEMENT DOES NOT SHOW UP!**
- Broken Windows; No Lighting in Stairwells.
- Unauthorized sublets and permanent guests.

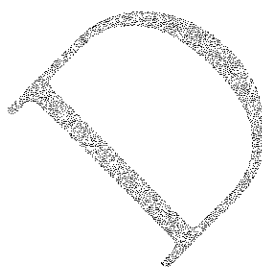
CPT President
Daniel Lukat

July 30, 2026

For further information: <https://centralparktower.org/>

**PLEASE GIVE US YOUR COMMENTS
ADVISE AND COMPLAINTS AS SOON AS POSSIBLE!**

Exhibit D: July 12, 2026: Letter to HUD cc'd to Owner and Management.



Daniel Lukat, President

Central Park Tower Resident Council

centralparktower.org

1511 Farnam Street, Apt. 202

Omaha, NE 68102

Phone: (402) 203-4636

Email: 1991DogCat@gmail.com

U.S. Department of Housing and Urban Development

Office of Inspector General

451 7th Street SW

Washington, DC 20410

Date: July 12, 2026

RE: HUD Financial Fraud in Omaha

Dear HUD Office of Inspector General,

1. I am the president of the Central Park Tower Resident Council established in 2023.
2. CPT Burt Apartments 23 LLC (a Nebraska limited liability company) owns both Central Park Tower at 1511 Farnam St., Omaha, NE 68102 and the Burt Apartments (also referred to as Burt Street Apartments) at 3011, 3021, and 3031 Burt St., Omaha, NE 68131. Our board represents both properties.
3. The project involved tax-exempt bond financing through the Omaha Housing Authority and investor participation (e.g., National Equity Fund / NEF as a limited partner/investor in the LIHTC structure).
4. No public "placed-in-service" (PIS) has been located, but given the 2023 financing timeline and current operations (2025–2026), it is in the stabilized/post-rehab compliance phase of both the LIHTC and HUD PBRA programs.
5. Management has transitioned (previously Cohen-Esrey/Seldin; and since April 2026 by Premier Housing Management & Development / PHMD). Premier Housing Management, LLC; Address: 755 Selby Avenue, Suite A, Saint Paul, MN 55104; Phone: (651) 815-0665.
6. Both properties are showing waitlist status rather than immediate vacancies.
7. As the Resident Council, we do not have access to the HUD TRACS system to verify residents. However, we have two points to make to the OIG: 1) At CPT we note that we are at 10% vacant apartments (management has indicated to the Board that they do not have funds available to vacate or bring apartments up to rentable status); 2) Burt Street has had numerous ICE interventions in the past year with subsequent "vacancies."

8. Past and present management has made it impossible for the Board to meet and have denied a meeting space in the community space, denied funding commensurate with rules of a HUD board, and frustrated all efforts to make the owner and management adhere to their responsibilities under LIHTC and HUD PBRA programs. We have and will detail these infractions in further detail at a later date.
9. We have been informed through various sources that management/owner continue to receive HUD/Government and other funding based upon fraudulent "ghost" residents and residents who are not natives or legal residents of the United States of America.
10. Therefore, we are respectively demanding a financial audit of the management and ownership of these aforementioned properties. This is necessary in order to assure the safety and quality of life of the residents.

Sincerely,

Daniel Lukat

President, Central Park Tower Resident Council

CC:

CPT Burt Apartments 23 LLC

Premier Housing Management, LLC

HUD Omaha

CMS, Washington State

Hon. Senator Fischer

Hon. Senator Ricketts

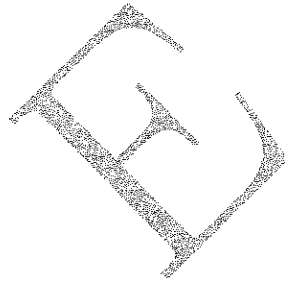
Omaha Mayor

ICE

Cohen-Esery

Seldin Corp.

Exhibit E: August 28, 2026: Board Resolutions and Designation.



CENTRAL PARK TOWER RESIDENT COUNCIL

1511 Farnam Street, Omaha, Nebraska 68102 · (402) 889-9047

<https://centralparktower.org>

E

BOARD RESOLUTION AND DESIGNATION

Authorized Representative to Commence Suit

TO THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA, AND TO WHOM IT MAY CONCERN:

The undersigned officers of the Central Park Tower Resident Council (the "Council"), a legitimate tenant organization of Central Park Tower, 1511 Farnam Street, Omaha, Nebraska, and Burt Street Apartments, representing a combined total of 102 units, acting independently of the owner and management as required by 24 C.F.R. § 245.110, adopt this Resolution and Designation.

RECITALS

- A. The Council was established by tenants for the purposes stated in 24 C.F.R. § 245.100. On July 19–21, 2025, the Council held an election following the death of founding president Ray "Maurice" Layton. Danny Lukat was elected President. Steven J. Donahue, Apt. 110, was elected Secretary. The election results were published July 21, 2025, and remain in effect. A copy is attached as Exhibit A.
- B. The record owner of the property is CPT Burt Apartments 23 LLC, Nebraska SOS Account No. 2209184806, principal office 2345 E. 3rd Avenue, Suite 220, Denver, Colorado 80202, with registered agent CSC-Lawyers Incorporating Service Company, 233 South 13th Street, Suite 1900, Lincoln, Nebraska 68508.
- C. After RAD conversion, resident participation is governed by 24 C.F.R. Part 245 and HUD RAD Notice H-2019-09 / PIH-2019-23 (Rev. 4), Resident Participation. The owner must recognize a legitimate resident organization established by the residents of the Covered Project, that meets regularly, operates democratically, is representative of all residents in the project, and is completely independent of the owner and management. HUD RAD Resident Fact Sheet No. 8. There is one such organization for the Covered Project. 24 C.F.R. § 245.105 requires recognition and reasonable consideration of its concerns. 24 C.F.R. § 245.120 requires the owner to make the community room or other appropriate on-site space available for its meetings. 24 C.F.R. § 245.115 protects organizing, meeting, and related activity from owner interference. The owner must provide \$25 per occupied unit per year for resident participation, of which at least \$15 per occupied unit goes to the legitimate tenant organization.
- D. For approximately three years the owner and successive managing agents have refused to acknowledge the Council as a legitimate tenant organization, have refused to provide a meeting place, and have treated Council activity as unauthorized.
- E. The basement Community Room at 1511 Farnam Street is the Council's designated meeting place, the location identified in the Council's election notice for public inspection of election records under 24 C.F.R. Part 245, and the building's designated tornado shelter. The owner has closed that room, removed Council property and official signage, and shuttered the designated tornado shelter.
- F. A meeting with management to restore access was scheduled. No one appeared at the office. The Council has called a special meeting of residents for September 4, 2026, at 12:00 p.m. in the basement Community Room. A copy of the July 30, 2026 notice signed by President Daniel Lukat is attached as Exhibit B.
- G. The owner's refusal of recognition, denial of meeting space, closure of the tornado shelter, and related retaliation make it necessary that the Council designate one officer to commence and prosecute injunctive proceedings without delay, including a temporary restraining order and temporary injunction under Neb. Rev. Stat. §§ 25-1062 to 25-1064.

RESOLUTIONS

- 1. The Council finds that the facts in Recitals D through G constitute refusal of recognition, denial of meeting space, shuttering of the designated tornado shelter, and an attempt to quash the Council by retaliation, and that immediate court relief is required.
- 2. The Council designates and authorizes **Steven J. Donahue, Secretary, Apt. 110, 1511 Farnam Street, Omaha, Nebraska 68102, telephone (402) 889-9047**, as the Council's authorized representative to:
 - (a) prepare, verify, sign, and file a civil action in the District Court of Douglas County, Nebraska, in the name of the Central Park Tower Resident Council and, as necessary, in his own name as a tenant and officer;
 - (b) name as defendant CPT Burt Apartments 23 LLC and such other owner-side parties as counsel or the Court may require, and to serve process on the registered agent at the Lincoln, Nebraska address stated above;
 - (c) apply for a temporary restraining order, temporary injunction, and related relief restoring access to the Community Room / designated tornado shelter, requiring recognition of the Council, and enjoining retaliation against the Council and its officers;
 - (d) file affidavits, praecipes, proposed orders, and other papers; appear at hearings; accept service of later papers; and take all steps reasonably necessary to prosecute the action through judgment or settlement; and
 - (e) communicate with the Court, the Sheriff, and the defendant's registered agent on behalf of the Council.

CENTRAL PARK TOWER RESIDENT COUNCIL

1511 Farnam Street, Omaha, Nebraska 68102 • (402) 889-9047

<https://centralparktower.org>

3. This designation is given because the owner has refused for three years to acknowledge the Board; has refused a meeting place and attempted to quash the Board by retaliation; and has shuttered the designated tornado shelter, which is the Community Room.
4. Mr. Donahue shall act without compensation from the Council except reimbursement of actual filing, service, and copying costs if funds exist. He is not required to advance costs beyond his ability.
5. This Resolution remains in effect until revoked in a writing signed by a majority of the then-serving officers and filed in the action. Revocation does not impair papers already filed.
6. The Secretary shall attach this Resolution to the complaint or motion as an exhibit, together with Exhibit A (July 21, 2025 election announcement) and Exhibit B (July 30, 2026 meeting notice).

ADOPTED by the undersigned officers of the Central Park Tower Resident Council on _____, 2026, at Omaha, Douglas County, Nebraska.

OFFICER SIGNATURES

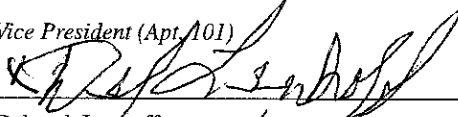
Each officer signs as to Recitals A–G and Resolutions 1–6. One signing officer is sufficient for filing if others are unavailable; additional signatures may be added. Officers sign as principals of the Council, not as witnesses.

President (Apt. 202)

Danny / Daniel Lukat

Date: _____

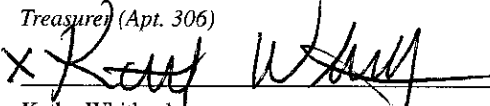
Vice President (Apt. 101)



Deborah Lenhoff

Date: 8/28/26

Treasurer (Apt. 306)



Kathy Whitbeck

Date: 8/28/26

Secretary (Apt. 118) — Designee



Steven J. Donahue

Date: 8/28/26

Second Secretary (Apt. 801)



Theresa Brogderson

Date: 8/28/26

Exhibit F: August 03, 2026: Letter to Management also about Community Meeting Room.

F

Steven J. Donahue
1511 Farnam Street, Apt. 110
Omaha, NE 68102
(402) 889-9047

August 3, 2026

Richard Bruno / Property Manager
Premier Management & Development
Central Park Tower
1511 Farnam Street
Omaha, NE 68102

Dear Mr. Bruno:

I am delivering this letter in person today together with my rent payment for August 2026.

1. August Rent

Enclosed is my rent payment for August 2026. Please provide a written receipt.

2. \$24 Non-Payment / Eviction Notice dated July 14, 2026

On May 20, 2026, I personally handed you Check #1130 in the amount of the then-outstanding balance. Checks written immediately before and after Check #1130 cleared normally. I have retained copies of those cleared checks. At the time, you stated you would look into the matter. You never reported back.

I therefore dispute that any \$24 balance remains properly due. If your records still show an open balance, please locate Check #1130 and credit it immediately. I am prepared to re-issue payment only upon your written confirmation that the original check was lost or not processed. Stopping the check would impose an unnecessary bank fee on me; I will not do so.

3. Notice of Intent to Enter dated July 31, 2026

The notice states you may enter my apartment sometime between August 3 and August 7, 10:00 a.m. to 4:00 p.m. No specific purpose is checked or stated.

Under Neb. Rev. Stat. § 76-1423, a landlord must give at least 24 hours' written notice that includes **the intended purpose** and a **reasonable period** for entry. A multi-day window with no purpose listed does not meet that requirement. I cannot reasonably remain available for four consecutive days in anticipation of a possible entry.

I request that any entry be rescheduled for a specific date and time so that I may be present. I want to be present so I can point out conditions in the unit that require remediation. Please provide a proper written notice stating: (a) the exact date and time window, and (b) the specific purpose of the entry.

Until a compliant notice is provided, I do not consent to entry under the July 31 notice.

4. Repeated No-Show Service Notices

On numerous occasions management has posted notices requiring residents to prepare apartments for pest control, air-conditioner cleaning, or similar services (including moving furniture and cleaning the tops of refrigerators). Residents have complied and waited, only for no one to appear. These repeated false notices waste residents' time and effort. I request that future service notices be issued only when the work is actually scheduled and that management follow through.

5. Request to Be Present

I reiterate that I wish to be present during any inspection or maintenance entry so that I can identify and document conditions that need remediation. Please coordinate a mutually convenient time.

6. Resident Council Role and Retaliation Concerns

I serve as Secretary of the Central Park Tower Resident Council. Under Neb. Rev. Stat. § 76-1439, a landlord may not retaliate by increasing rent, decreasing services, or by bringing or threatening to bring an action for possession after a tenant has organized or become a member of a tenants' union or similar organization, or after a tenant has complained about conditions affecting health and safety. In addition, 24 CFR Part 245 (particularly §§ 245.100, 245.105, and 245.115) establishes the right of tenants in covered multifamily housing to establish and operate a tenant organization, requires owners and agents to recognize legitimate tenant organizations, and protects related organizing activities. I am sensitive to any retaliatory actions directed at me or any other tenant in connection with Resident Council activities or the exercise of rights under Nebraska and federal law. I expect management to comply fully with these state and federal protections.

7. Annual Recertification Notices

On July 31, 2026, I received three separate notices labeled as the First Reminder Notice, Second Reminder Notice, and Third Reminder Notice/Notice of Termination, all dated the same day. Under HUD requirements (HUD Handbook 4350.3, Chapter 7), these notices must be issued progressively and spaced over time: the First Reminder approximately 120 days before the recertification anniversary, the Second Reminder approximately 90 days before, and the Third Reminder/Notice of Termination approximately 60 days before. Issuing all three notices on the same date does not comply with the required HUD timetable and renders the notices defective as written. I will schedule the recertification interview; however, I formally note the procedural defect in the timing and issuance of these notices.

8. Mail Box Lockout and other issues

Despite repeated requests, my mailbox remains without a functioning lock and is now inaccessible. This has blocked delivery of important mail, including materials necessary for voting by mail in Nebraska state and federal elections. In addition, repeated requests to clean the HVAC units—especially under the heavy dust load from ongoing construction—have been ignored. Basic plumbing problems, including a leaking toilet seal and drains, have likewise gone unaddressed. Vandalism in the building is rampant; the utility closet directly across from my apartment has been broken into repeatedly with no effective response from management or the owner. Both the working locks and the tenant directory are the owner/management's responsibility. The tenant is not required to fix the lock or recreate the directory. USPS policy states that for apartment buildings with 15 or more mail receptacles, management must provide a current alphabetical directory of residents. Under United States Postal Service policy, apartment management is required to provide a current alphabetical directory of residents when a building has fifteen (15) or more mail receptacles.

I am available to discuss any of the above matters. Please respond in writing.

Sincerely,

Steven J. Donahue
Apt. 110

Enclosure: August 2026 rent payment
cc: Board Members; HUD

Temp Rest Order

TRO

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STEVEN J. DONAHUE, Secretary of the
Central Park Tower Resident Council,
on behalf of the Board and residents,
Plaintiff,

Case No. _____

v.
CPT BURT APARTMENTS 23 LLC,
Defendant.

**PROPOSED
TEMPORARY RESTRAINING ORDER**

This matter came on the Plaintiff's Motion and sworn Affidavit. The Court finds, on specific facts in that Affidavit:

The basement Community Room at 1511 Farnam Street, Omaha, Nebraska, is locked. It is the noticed meeting place for a tenant-wide meeting on September 4, 2026, at 12:00 p.m., and the building's designated tornado shelter. 24 C.F.R. § 245.120 requires the owner to make that room reasonably available. Immediate and irreparable injury will result if the room stays locked through September 4: the noticed meeting cannot be held, and residents have no on-site storm shelter. Money will not repair that injury. Defendant's registered agent is in Lincoln. Certified mail sent the day of filing cannot be heard in opposition before September 4. A restraining order without a prior full hearing is therefore warranted under Neb. Rev. Stat. § 25-1064.

IT IS ORDERED:

1. Defendant CPT Burt Apartments 23 LLC, and its officers, agents, servants, employees, and attorneys, and all persons in active concert with them who receive actual notice of this Order, shall immediately unlock the basement Community Room / designated tornado shelter at 1511 Farnam Street, Omaha, Nebraska, and restore it to functioning condition for resident use, including chairs, tables, a functioning kitchenette, the fitness equipment that was there, the Gardyn garden equipment and accouterments, and posted signage indicating a storm / tornado shelter.
2. That room shall be available to residents and to the Central Park Tower Resident Council for the meeting on September 4, 2026, at 12:00 p.m., and thereafter until the hearing set below.
3. Defendant shall not retaliate against the Council or its officers for this action or for organizing activity protected by 24 C.F.R. Part 245 and Neb. Rev. Stat. § 76-1439.
4. This Order is issued at _____ o'clock _____m. on _____, 2026. It expires ten (10) days after entry unless extended for good cause or by consent, or replaced by a temporary injunction. Neb. Rev. Stat. § 25-1064(3).
5. A hearing on Plaintiff's motion for temporary injunction is set for _____, 2026, at _____m., District Court of Douglas County, Nebraska.
6. Bond is fixed at \$_____ / waived. This Order is binding upon actual notice by personal service, certified mail, or otherwise. Neb. Rev. Stat. §§ 25-1064.01, 25-1067.
7. Plaintiff shall promptly serve a file-stamped copy of this Order on Defendant's registered agent: CSC-Lawyers Incorporating Service Company, 233 South 13th Street, Suite 1900, Lincoln, NE 68508.

District Judge _____

Prepared by: Steven J. Donahue, Plaintiff pro se, 1511 Farnam St., Apt. 110, Omaha, NE 68102, (402) 889-9047.

CERTIFICATE MAILING

MAIL CERT.

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STEVEN J. DONAHUE, Secretary of the
Central Park Tower Resident Council,
on behalf of the Board and residents,
Plaintiff,

Case No. _____

v.

CPT BURT APARTMENTS 23 LLC,
Defendant.

CERTIFICATE OF MAILING

I, Steven J. Donahue, Plaintiff, certify that on the _____ day of August, 2026, I deposited in the United States Mail at Omaha, Nebraska, a true and correct copy of the following papers, with sufficient postage, by **certified mail, return receipt requested**:

1. Complaint;
2. Motion for Temporary Restraining Order, Temporary Injunction, and Expedited Hearing;
3. Affidavit of Steven J. Donahue, with Exhibits A through F;
4. Proposed Temporary Restraining Order;
5. this Certificate of Mailing.

addressed to Defendant's registered agent:

CSC-Lawyers Incorporating Service Company
Registered Agent for CPT Burt Apartments 23 LLC
233 South 13th Street, Suite 1900
Lincoln, NE 68508

Certified Mail No. _____

A copy of the certified-mail receipt and, when returned, the return receipt (PS Form 3811) will be filed with the Clerk.

I certify under penalty of perjury that the foregoing is true.

Steven J. Donahue
1511 Farnam Street, Apt. 110
Omaha, NE 68102
(402) 889-9047
Dated: _____