

RETURN DATE: August 11, 2020

KAREN ALPI,	:	SUPERIOR COURT
	:	
Plaintiff,	:	J.D. OF WATERBURY
	:	
v.	:	AT WATERBURY
	:	
NRT NEW ENGLAND LLC,	:	
A/K/A COLDWELL BANKER	:	
	:	
Defendant.	:	July 21, 2020
	:	

COMPLAINT

1. Plaintiff, Karen Alpi, at all times relevant to this Complaint, was a resident of Middlebury, Connecticut.

2. NRT New England LLC, a/k/a Coldwell Banker (hereafter Coldwell Banker) is a real estate franchise, a part of NRT LLC. NRT LLC is the country’s largest residential brokerage company, with approximately 790 offices and 45,000 independent sales associates.

3. Ms. Alpi was a successful real estate agent and relocation counselor for many years, before she began to work for Coldwell Banker. Over the course of her previous employment with Relocation Resources International, she was promoted numerous times and reached the position of Senior Vice President overseeing offices in Connecticut, London, Calgary and South America.

4. In 2003, Weichert Real Estate of New Jersey purchased Relocation Resources International. Ms. Alpi continued in her position and was successful such that Weichert asked her to move to New Jersey to be near their headquarters. For personal and family reasons, Ms. Alpi decided not to move and was awarded a severance package.

5. The President of Coldwell Banker's Connecticut Westchester division recruited Ms. Alpi to run its relocation business in Connecticut. After approximately 18 months, Ms. Alpi was appointed to be a branch manager.

6. Over approximately the next 15 years Ms. Alpi managed offices in White Plains, Woodbridge, Oxford, Newtown and Southbury. She received consistently strong reviews.

7. When the real estate market was at its peak in 2007, Apollo Management purchased NRT. Apollo changed NRT's name to Reology Holding Corp. In 2012 there was an IPO with a share price of \$27, a price that fell substantially to \$5 per share in September 2018 and had not increased above \$10 per share by late 2019.

8. During the time that Ms. Alpi managed the Southbury and Newtown offices she had been reasonably successful with recruiting. Her offices had remained profitable and she had received bonuses for profitability on a consistent basis.

9. In January 2019 NRT's top management initiated a new recruitment program, the Targeted Agent Recruitment Program, or TARP. A significant amount of money was set aside to use to induce high producing agents to come to Coldwell Banker from competitors.

10. Each manager, including Ms. Alpi, received a list of potential agents and managers were instructed to recruit them using significant sign-on bonuses as incentives. No NRT agents could be recruited, even though they were competitors, which eliminated agents from William Pitt Sotheby's, Century 21, Better Homes & Gardens, Sotheby's International Realty and others.

11. Ms. Alpi received a list including many agents outside of her offices' geographical area. However, she contacted every person on her list within her geographical area but could not recruit anyone.

12. On September 17, 2019 management sent her a three-page Accountability Action Plan for Performance. She had to sign it and return it within a week. The document stated, among other things, that she had zero TARP agents which was “well below target” and not acceptable. It stated that failure to meet or exceed expectations of recruitment of TARP agents “will result in disciplinary action, up to and including immediate termination.”

13. Upon information and belief, she was one of 11 of the 55 branch managers in her area who received this Accountability Action Plan.

14. Ms. Alpi’s employment plan had been to work with Coldwell Banker until she turned 70 years old in late July 2022.

15. She did everything possible to recruit a TARP agent, including working with her boss and the President of Coldwell Banker, Joseph Valvano. Their joint effort did not result in success.

16. She had hoped that the TARP recruitment requirement would be reduced or eliminated in 2020. Instead, the 2020 requirement increased to require at least one TARP recruitment per office per quarter.

17. The Accountability Action Plan continue to remain on her record in her personnel file.

18. The job requirement of obtaining TARP recruits in the numbers required for 2020 was impossible. Ms. Alpi’s mental and physical health was deteriorating as a result.

19. Ms. Alpi gave her resignation letter to Coldwell Banker on March 2, 2020.

FIRST COUNT: CONSTRUCTIVE DISCHARGE

20. Paragraphs 1-19 are incorporated by reference the same as if fully pleaded.

21. The TARP recruiting requirement, applied uniformly without regard to differing circumstances in Coldwell Banker offices, made Ms. Alpi's working environment so intolerable that her resignation qualified as a fitting response.

22. Coldwell Banker intentionally created the intolerable work conditions, making those conditions so difficult or unpleasant that Ms. Alpi, as a reasonable person under the circumstances she faced, was compelled to resign.

23. Coldwell Banker constructively discharged Ms. Alpi, causing her past and future economic loss that will continue until July 2022, when she would have retired.

WHEREFORE, the plaintiff claims damages in excess of \$15,000.

**RESPECTFULLY SUBMITTED,
THE PLAINTIFF**

By: /s/ Joseph D. Garrison
Joseph D. Garrison [Juris No. 021832]
GARRISON, LEVIN-EPSTEIN,
FITZGERALD & PIRROTTI, P.C.
405 Orange Street
New Haven, CT 06511
Tel.: (203) 777-4425
Fax: (203) 776-3965
jgarrison@garrisonlaw.com

Please enter my appearance on behalf of the Plaintiff.