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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Civil No. 08-3074-PA

Plaintiff,

v.

COMPLAINT

VIRGINIA RUTH HADLOCK,
Defendant.

1. This action is brought by the United States to enforce the provisions of the Fair Housing Act, as amended, 42 U.S.C. §§ 3601-3631.
2. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1345 and 42 U.S.C. § 3612(o).
3. Venue is proper in the District of Oregon under 28 U.S.C. § 1391(b) and 42 U.S.C. § 3612(o), in that the events or omissions giving rise to this action occurred in this district.
4. At all time relevant to the complaint, Defendant Virginia Ruth Hadlock has been the owner and/or manager of several single-family rental properties in Klamath Falls, Oregon, including the house at 2238 Main Street, Klamath Falls, Oregon.
5. The subject property is a dwelling within the meaning of the Fair Housing Act, 42 U.S.C. § 3602(b).
6. The Fair Housing Council of Oregon (FHCO) is an Oregon non-profit corporation, with its principal place of business at 1020 S.W. Taylor Street, Portland, Oregon.
7. On June 7, 2007, FHCO received a report from a woman asserting that when she inquired about renting one of the Defendant's properties, the Defendant stated she would not rent to anyone with children.
8. As a result of the report, FHCO developed and conducted testing to determine whether the Defendant discriminated against potential renters based on familial status.
9. During a test conducted by FHCO on July 26, 2007, the Defendant made comments to the tester who was posing as a widower with a nine-year old son meant to discourage him from renting her property.

10. During a test conducted by FHCO on July 28, 2007, the Defendant made comments to the tester posing as a mother with an eight-year old daughter meant to discourage her from renting her property.
11. During interviews with Defendant conducted by HUD, Defendant repeated comments expressing a preference against renting to families with children.
12. On or about October 12, 2007, FHCO filed a complaint of discrimination (HUD Form 903) with the Department of Housing and Urban Development (HUD) alleging that the Defendant had discriminated on the basis of familial status in violation of the Fair Housing Act, as amended, 42 U.S.C. §§ 3601 *et seq.*
13. Pursuant to the requirements of 42 U.S.C. §§ 3610(a) and (b), the Secretary of HUD conducted an investigation of the complaint, attempted conciliation without success, and prepared a final investigative report. Based on the information gathered in this investigation, the Secretary, pursuant to 42 U.S.C. § 3610(g)(1), determined that reasonable cause existed to believe that Defendant had committed illegal discriminatory housing practices in connection with the subject property. Therefore, on May 20, 2008, the Secretary issued a Determination of Reasonable Cause and Charge of Discrimination, pursuant to 42 U.S.C. § 3610(g)(2)(A), charging that the Defendant had engaged in discriminatory practices, in violation of the Fair Housing Act.
14. On June 9, 2008 the Defendant timely elected to have the charge resolved in a federal civil action, pursuant to 42 U.S.C. § 3612(a).
15. The Secretary subsequently authorized the Attorney General to file this action on behalf of the complainant, pursuant to 42 U.S.C. 3612(o).

COUNT I

16. Plaintiff, United States of America, realleges and incorporates by reference the allegations set forth in paragraphs 1 through 15 above.
17. By the actions and statements set forth above in paragraphs 9-11, Defendant has:
 - a. Refused to negotiate for the rental of, or otherwise made unavailable or denied a dwelling to a person because of familial status, in violation of Section 804(a) of the Fair Housing Act, 42 U.S.C. § 3604(a); and
 - b. Made statements with respect to the rental of a dwelling that indicate a preference, limitation or discrimination based on familial status, or an intention to make any such preference, limitation or discrimination, in violation of Section 804(c) of the Fair Housing Act, 42 U.S.C. § 3604(c).
18. As a result of the conduct or actions of the Defendant, Complainant FHCO has suffered damages and is an aggrieved person within the meaning of 42 U.S.C. § 3602(i).
19. The Defendant's discriminatory actions and statements as set forth above were intentional, willful, and taken in disregard for the rights of others.

WHEREFORE, the United States prays for relief as follows:

1. A declaration that the conduct of Defendant as set forth above violates the Fair Housing Act, as amended, 42 U.S.C. §§ 3601-3631;

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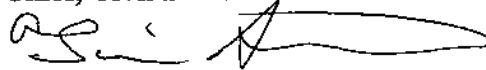
2. An injunction against Defendant, her agents, employees, and successors, and all other persons in active concert or participation with her, from discriminating on the basis of familial status against any person in any aspect of the rental of a dwelling, in violation of the Fair Housing Act, as amended, 42 U.S.C. §§ 3601-3631; and
3. An award of monetary damages to FHCO pursuant to 42 U.S.C. §§ 3612(o)(3) and 3613(c).

The United States further prays for such additional relief as the interests of justice may require.

Dated this 9th day of July, 2008.

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