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WILLIAM T. WALSH, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
) Civil Action No.
) 97-5923 (AJL)
)
LEXINGTON VILLAGE ASSOCIATES;)
DAVID CELLER; ROSE CELLER;)
LANCE GLECO; LEE LENCH; EDITH)
RIEDER; EDITH J. RIEDER; ELIZABETH)
RIEDER; HARRY RIEDER; SOLOMON)
RIEDER; IVY PARK MANAGEMENT)
COMPANY; MICHAEL RIEDER; PAMELA)
HALPERT; KAREN KATZ; and ESTATE)
OF AL RIEDER,)
)
Defendants.)

AMENDED COMPLAINT

The United States of America alleges:

1. This action is brought by the United States to enforce the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601, et seq.

2. This Court has jurisdiction over this action under 28 U.S.C. § 1345 and 42 U.S.C. § 3614.

3. Lexington Village is an apartment complex located at Lexington Drive, Clark, New Jersey, in the District of New Jersey.

4. Defendants Lexington Village Associates and Ivy Park Management Company are New Jersey General Partnerships that own Lexington Village. Defendants Solomon Rieder, Edith J. Rieder, David Celler, Edith Rieder, Harry Rieder, Elizabeth Rieder, Rose Celler, Estate of Al Rieder, and Lee Lench are the partners of Lexington Village Associates. Defendants Solomon Rieder, Edith Rieder, David Celler, Rose Celler, Michael Rieder, Pamela Halpert, and Karen Katz are the partners of Ivy Park Management Company.

5. Defendant Lance Gleco is the rental agent of Lexington Village.

6. The apartments at Lexington Village are dwellings within the meaning of the Fair Housing Act, 42 U.S.C. § 3602(b).

7. The United States Department of Justice conducted an investigation to determine defendants' compliance with the Fair Housing Act. As part of its investigation, the Department of Justice, with the assistance of the Fair Housing Council of Northern New Jersey, conducted a series of tests to evaluate the defendants' compliance with the Fair Housing Act.

8. The investigation revealed that the defendants are engaged in housing practices that discriminate on the basis of race or color at Lexington Village Apartments, including:

a. ~~Failing to provide to black persons information~~
about apartment availabilities at Lexington Village
Apartments that is as full and complete as the information
they provide about apartment availabilities to white
persons;

b. Discouraging black persons from renting apartments
while, at the same time, encouraging white persons to rent
apartments;

c. Representing to black persons that apartments are
not available for rent while, at the same time, representing
to white persons that apartments are so available; and

d. Denying the availability of apartments to black
persons while, at the same time, offering white persons
available apartments.

9. The conduct of the defendants described in the previous
numbered paragraph constitutes:

a. A refusal to rent, a refusal to negotiate for the
rental of, or otherwise making unavailable or denying
dwellings to persons because of race or color, in violation
of 42 U.S.C. § 3604(a); and

b. A representation to persons because of race or
color that dwellings are not available for rental when such
dwellings are in fact so available, in violation of 42
U.S.C. § 3604(d).

10. The conduct of the defendants described above
constitutes:

a. ~~A pattern or practice of resistance to the full~~
enjoyment of rights granted by the Fair Housing Act,
42 U.S.C. §§ 3601, et seq.; and

b. A denial to a group of persons of rights granted
by the Fair Housing Act, 42 U.S.C. §§ 3601, et seq., which
denial raises an issue of general public importance.

11. Bona fide apartment seekers who have been the victims
of the defendants' discriminatory housing practices would be
aggrieved persons as defined in 42 U.S.C. § 3602(i), and may have
been injured by the defendants' conduct described above.

12. The defendants' conduct described above was
intentional, willful, and taken in disregard for the rights of
others.

WHEREFORE, the United States prays that the Court enter an
order that:

1. Declares that the defendants' policies and practices,
as alleged herein, violate the Fair Housing Act;

2. Enjoins the defendants, their officers, employees, and
agents, and all other persons in active concert or participation
with any of them, from:

a. Discriminating against any person on the basis of
race or color in any aspect of the rental of a dwelling;

b. Failing or refusing to notify the public that
dwellings owned or operated by the defendants are available
to all persons on a nondiscriminatory basis; and

~~c. Failing or refusing to take such affirmative steps~~
as may be necessary to restore, as nearly as practicable,
the victims of the defendants' unlawful practices to the
position they would have been in but for the discriminatory
conduct;

3. Awards such damages as would fully compensate each
person aggrieved by the defendants' discriminatory housing
practices for injuries caused by the defendants' pattern or
practice of discriminatory conduct, pursuant to 42 U.S.C.
§ 3614(d)(1)(B);

4. Awards each person aggrieved by defendants' pattern or
practice of discrimination punitive damages because of the
intentional and willful nature of the defendants' conduct,
pursuant to 42 U.S.C. § 3614(d)(1)(B); and

5. Assesses a civil penalty against the defendants in the
amount authorized by 42 U.S.C. § 3614(d)(1)(C), in order to
vindicate the public interest.

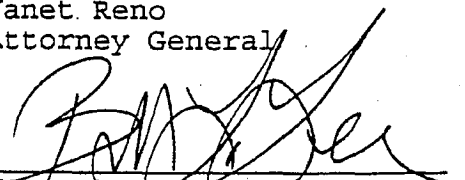
The United States further prays for such additional relief
as the interests of justice may require.

Faith S. Hochberg
United States Attorney

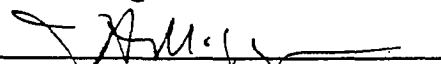
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