

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 PINE PROPERTIES, INC.; PINE TREE)
 RENTALS, INC.; MORRIS GARDENS)
 APARTMENTS, INC.; 25 & 33 MORSE)
 STREET, LLC; 391 WALKER STREET,)
 LLC; COURAGE REALTY TRUST, and)
 179 PINE ST. REALTY TRUST,)
)
 Defendants.)
)

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 (“Fair Housing Act”), 42 U.S.C. §§ 3601 *et seq.*
2. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1345 and 42 U.S.C. § 3614(a).
3. Venue is proper under 28 U.S.C. § 1391(b) because the claim alleged herein arose in the District of Massachusetts and concerns or otherwise relates to real property located in the District of Massachusetts.
4. Defendant Pine Properties, Inc. is incorporated under the laws of Massachusetts and has its principal place of business in the District of Massachusetts. Defendant Pine Properties, Inc. manages multifamily dwellings in the District of Massachusetts,

including the following properties located in Lowell, Massachusetts: 277-287 Pine Street; 25 Morse Street; 33 Morse Street; 848 Bridge Street; 399 Walker Street; 824-838 Bridge Street; 173 Nesmith Street; 161 Stevens Street; 43 Nesmith Street; 199 Aiken Avenue; 15 Wannalancit Street; 255 Liberty Street; 36 Powell Street; and 173-183 Pine Street.

5. Defendant Pine Tree Rentals, Inc. is incorporated under the laws of Massachusetts and has its principal place of business in the District of Massachusetts. Defendant Pine Tree Rentals, Inc. owns multifamily dwellings in the District of Massachusetts, including the following properties located in Lowell, Massachusetts: 25 Morse Street; 848 Bridge Street; 824-838 Bridge Street; 173 Nesmith Street; 161 Stevens Street; 43 Nesmith Street; 15 Wannalancit Street; 255 Liberty Street; and 36 Powell Street.
6. Defendant Morris Gardens Apartments, Inc. is incorporated under the laws of Massachusetts and has its principal place of business in the District of Massachusetts. Defendant Morris Gardens Apartments, Inc. owns multifamily dwellings in the District of Massachusetts, including the following properties located in Lowell, Massachusetts: 277-287 Pine Street.
7. Defendant 25 & 33 Morse Street, LLC is a limited liability company under the laws of Massachusetts and has its principal place of business in the District of Massachusetts. Defendant 25 & 33 Morse Street, LLC owns a multifamily dwelling in the District of Massachusetts located at 33 Morse Street, Lowell, Massachusetts.
8. Defendant 391 Walker Street, LLC is a limited liability company under the laws of Massachusetts and has its principal place of business in the District of Massachusetts. Defendant 391 Walker Street, LLC owns a multifamily dwelling in the District of

Massachusetts located at 399 Walker Street, Lowell, Massachusetts.

9. Defendant Courage Realty Trust owns a multifamily dwelling in the District of Massachusetts located at 199 Aiken Avenue, Lowell, Massachusetts.
10. Defendant 179 Pine St. Realty Trust owns a multifamily dwelling in the District of Massachusetts located at 173-183 Pine Street, Lowell, Massachusetts.
11. The United States Department of Justice conducted a series of tests in 2006 to evaluate Defendants' compliance with the Fair Housing Act. Testing is a simulation of a housing transaction that compares responses given by housing providers to different types of home-seekers in order to determine whether or not illegal discrimination is occurring. The testing undertaken by the United States revealed that the Defendants are engaging in housing practices that discriminate on the basis of national origin, including:
 - a. Telling Cambodian-American persons that their employment and/or credit must be verified before they can see available dwellings while at the same time taking white persons to see available dwellings without first verifying their employment or credit; and/or
 - b. Telling Cambodian-American persons that they must have a separate appointment to see available dwellings while at the same time taking white persons to see available dwellings immediately, with no prior appointment.
12. Defendants, through actions including those described above, have:
 - a. Discriminated by refusing to negotiate for the rental of, or by otherwise making unavailable or denying, dwellings to persons because of national origin, in violation of 42 U.S.C. § 3604(a);

- b. Discriminated against persons in the terms, conditions or privileges of rental, or in the provision of services or facilities in connection therewith, because of national origin, in violation of 42 U.S.C. § 3604(b); and
 - c. Discriminated by representing to persons because of national origin that dwellings were not available for inspection when such dwellings were in fact so available, in violation of 42 U.S.C. § 3604(d).
13. 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.
14. There may be persons who have been the victims of discriminatory housing practices by the Defendants. Such persons are aggrieved persons as defined in 42 U.S.C. § 3602(i), and may have suffered injuries as a result of the Defendants' conduct described above.
15. The Defendants' conduct described above was intentional, willful, and taken in disregard of 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, agents, successors and all other persons in active concert or participation with them from discriminating against any person on the basis of national origin in any aspect of the rental of a dwelling;

3. Awards monetary damages to all persons aggrieved by the Defendants' discriminatory practices, pursuant to 42 U.S.C. § 3614(d)(1)(B); and
4. Assesses a civil penalty against the Defendants in the amount authorized by 42 U.S.C. § 3614(d)(1)(C), to vindicate the public interest.

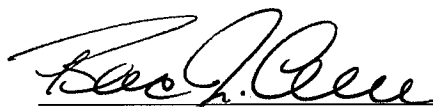
The United States further prays for such additional relief as the interests of justice may require.

Dated: Sept. 26, 2007

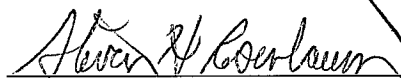
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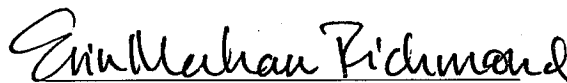
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