

## NEWS RELEASE

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For Immediate Release

Randy G. Massey, Acting United States Attorney for the Southern District of Illinois, and Assistant Attorney General for the Civil Rights Division Wan J. Kim, announced today that an Illinois jury has ordered the former owner and manager of an apartment building in Marion, Illinois, to pay \$15,000 to Deborah Norton Ally who was told she could not rent an apartment there because she used a wheelchair.

According to Acting United States Attorney Randy G. Massey, “This jury verdict serves an important goal of fighting the battle against illegal discrimination. The United States Attorney's Office intends to vigorously enforce the laws of the land related to protecting those with disabilities.”

“No one should be denied an apartment because they use a wheelchair,” said Wan J. Kim, Assistant Attorney General for the Civil Rights Division. “This verdict makes clear that such conduct is wrong and will not be tolerated.”

In February 2005, the Department filed suit against Zellpac, Inc., and Guy Emery, the former owner and manager, respectively, of an apartment building in Marion, Illinois. The complaint alleged that the Zellpac and Emery violated the Fair Housing Act when Emery told Deborah Norton Ally, in the fall of 2001, that he would not rent an available apartment to her because she used a wheelchair. Ms. Norton Ally filed a complaint with the Department of Housing and Urban Development, which investigated the complaint, found reasonable cause to believe that a discriminatory housing practice had occurred, and referred the matter to the United States. Zellpac, Inc. is owned by Randy Patchett and Jim Zeller. Zellpac subsequently sold the property and Emery no longer works there.

Trial was held in Benton, Illinois on June 19-20, 2006. Late in the day on June 20, the jury returned a verdict finding that Zellpac and Emery had violated the Fair Housing Act. The jury awarded \$5,000 in compensatory damages, \$3,000 in punitive damages against Defendant Emery, and \$7,000 in punitive damages against Defendant Zellpac, Inc.

Fighting illegal housing discrimination is a top priority of the Justice Department. In February, Attorney General Alberto R. Gonzales announced Operation Home Sweet Home, a concentrated initiative to expose and eliminate housing discrimination in America. Since January 21, 2001, the Civil Rights Division has filed 196 lawsuits to enforce the Fair Housing Act, 93 of which alleged discrimination on the basis of disability. For more information about Operation Home Sweet Home, please visit our Website, [www.usdoj.gov/fairhousing](http://www.usdoj.gov/fairhousing).

Civil Rights Division Attorney Sara Niles and Assistant United States Attorney Laura J. Jones represented the United States.