

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
COURT FILE NO. 09-CV-_____

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	COMPLAINT OF PLAINTIFF
v.)	UNITED STATES OF AMERICA
)	
PEARL BECK and)	JURY DEMAND
GREGORY BECK,)	
)	
Defendants.)	

INTRODUCTION

1. This is a civil action brought by the United States of America (“United States”) to enforce Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601-3619 (The “Fair Housing Act”). This action is brought by the United States on behalf of Ranesha Halliburton, pursuant to Section 812(o) of the Fair Housing Act, as amended, 42 U.S.C. § 3612(o).

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1345 and 42 U.S.C. § 3612(o).
3. Venue is proper under 28 U.S.C. § 1391(b) because the actions giving rise to the United States’ allegations occurred in the District of Minnesota and the subject property is located in the District of Minnesota.

PARTIES AND PROPERTY

4. Ranesha Halliburton is African-American and is a resident of the District of Minnesota.
5. The subject property is located at 710-712 West Lake Drive, Detroit Lakes, Minnesota. The subject property is a dwelling as defined in Section 802(b) of the Fair Housing Act, 42 U.S.C. § 3602(b).
6. Defendant Pearl Beck is white and is a resident of the District of Minnesota. At all times relevant to this action, Defendant Pearl Beck owned the subject property at 710-712 West Lake Drive in Detroit Lakes, Minnesota, as well as other rental properties at 708 West Lake Drive and 1103 Roosevelt Avenue in Detroit Lakes, Minnesota.
7. Defendant Gregory Beck is white and is the son of Defendant Pearl Beck. He is a resident of the District of Minnesota. At all time relevant to this action, Defendant Gregory Beck owned the subject property at 710-712 West Lake Drive in Detroit Lakes, Minnesota with his mother and acted as a manger of his mother's rental business in Detroit Lakes, Minnesota.

FACTUAL ALLEGATIONS

8. On or about July 10, 2007, Ranesha Halliburton called Defendant Pearl Beck to inquire about a unit being advertised for rent in Detroit Lakes by Ms. Beck. Ms. Halliburton spoke to Ms. Beck, who informed her that the unit was a one-bedroom duplex renting for \$400 a month. Ms. Halliburton explained that she would be renting the unit under the Section 8 voucher program and that her boyfriend, Ronald

Lawrence, Jr., would be renting the unit with her once he obtained a Section 8 voucher. Ms. Beck said that the unit was available to rent and that she accepted Section 8 tenants.

9. Ms. Halliburton scheduled an appointment with Ms. Beck to see the rental unit on July 10, 2007.
10. On July 10, 2007, Ms. Halliburton, her boyfriend, Ronald Lawrence, Jr., and Mr. Lawrence's father, Ronald Lawrence, Sr., arrived at 710-712 West Lake Drive in Detroit Lakes, Minnesota, to view the rental unit. Ronald Lawrence, Jr. and Ronald Lawrence, Sr. are African American.
11. On July 10, 2007, Defendants Pearl Beck and Gregory Beck arrived to show the rental unit to Ms. Halliburton. Mr. Beck greeted Ms. Halliburton and Mr. Lawrence, Jr. near the porch of the rental unit. At that moment, Ms. Beck saw Ms. Halliburton and Mr. Lawrence, Jr. and stated to her son: "No way. No way. It's not for rent. I can't do this. I'm not renting to these kinds of people," or words to that effect. Mr. Beck then returned to the car and the Becks drove off.
12. Defendants Pearl Beck and Gregory Beck did not show the rental unit to Ms. Halliburton on July 10, 2007. Ms. Halliburton, Mr. Lawrence, Jr. and Mr. Lawrence, Sr. returned to Mr. Lawrence, Sr.'s home without being allowed to see the unit advertised for rent by Defendants.
13. On or about July 12, 2007, Ms. Halliburton contacted Legal Services of Northwest Minnesota ("LSNM") in Moorhead, Minnesota. Ms. Halliburton told an attorney at

LSNM that she wanted to rent the unit from Ms. Beck. The attorney agreed to call Ms. Beck to ask her to show the unit to Ms. Halliburton.

14. On or about July 13, 2007, the attorney at LSNM contacted Ms. Beck and asked if the unit at 710-712 West Lake Drive was still available. Ms. Beck said that it was. The LSNM lawyer then informed Ms. Beck that the lawyer had received a call from Ms. Halliburton and asked Ms. Beck what had happened. Ms. Beck told the LSNM attorney that the next door neighbors told her that if she rented to “black people,” they would move out and she did not want to lose them as tenants. The LSNM attorney explained to Ms. Beck that it is illegal to refuse to rent to someone because of his or her race.
15. After the LSNM attorney told Ms. Beck that it was illegal to refuse to rent to someone because of his or her race, Ms. Beck told the attorney that Ms. Halliburton had dogs, so that is why she could not rent to her. The LSNM attorney asked Ms. Beck to show the unit to Ms. Halliburton and allow her to live there if she qualified. Ms. Beck responded that she was going to leave the apartment empty. The LSNM attorney explained that it was too late for her to decide to leave the unit unoccupied and she reminded Ms. Beck that she had told her the unit was still available for rent. Ms. Beck then told the LSNM attorney that she would move into the unit herself.
16. The LSNM attorney once again requested that Ms. Beck show the unit to Ms. Halliburton. Ms. Beck responded that the unit was small. The LSNM attorney told Ms. Beck that the size of the unit was irrelevant.

17. The LSNM attorney repeated her request that Ms. Beck show the unit to Ms. Halliburton. Ms. Beck finally indicated that she would show the unit to Ms. Halliburton. The LSNM attorney stated that she would have Ms. Halliburton call Ms. Beck to make an appointment to show the unit.
18. Ultimately, Ms. Halliburton decided not to pursue the rental because of the Defendants' actions.
19. In August 2007, Defendants rented the subject property to a white male.

HUD ADMINISTRATIVE PROCESS

20. On or about July 27, 2007, Ranessa Halliburton filed a timely complaint of discrimination with the Secretary of the Department of Housing and Urban Development (“the Secretary”), alleging that Defendant Pearl Beck had engaged in housing discrimination on the basis of race in violation of the Fair Housing Act. On or about March 9, 2009, Ms. Halliburton amended her complaint to add Defendant Gregory Beck, alleging that Mr. Beck also engaged in housing discrimination on the basis of race in violation of the Fair Housing Act.
21. Pursuant to the requirements of Sections 810(a) and (b) of the Fair Housing Act, 42 U.S.C. § 3610(a) and (b), the Secretary conducted an investigation of the complaint, attempted conciliation without success, and prepared a final investigative report.
22. Based on the information gathered in that investigation, the Secretary, pursuant to 42 U.S.C. § 3610(g)(1), determined that reasonable cause existed to believe that a discriminatory housing practice had occurred. On April 6, 2009, the Secretary issued

a Charge of Discrimination pursuant to Section 810(g)(2)(A) of the Fair Housing Act, 42 U.S.C. § 3610(g)(2)(A), charging Defendants Pearl Beck and Gregory Beck with engaging in discriminatory housing practices, based on race, in violation of the Fair Housing Act.

23. On or about April 15, 2009, Defendants timely elected to have the charge resolved in a federal civil action pursuant to Section 812(a) of the Fair Housing Act, 42 U.S.C. § 3612(a).
24. On or about April 22, 2009, the Secretary authorized the Attorney General to commence a civil action on behalf of Ranesha Halliburton pursuant to Section 812(o) of the Fair Housing Act, 42 U.S.C. § 3612(o).

FAIR HOUSING ACT CLAIMS

25. By the facts and conduct alleged above, Defendants Pearl Beck and Gregory Beck have:
 - A. refused to negotiate for the rental of, or otherwise made unavailable or denied, a dwelling to a person because of race, 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 indicating a preference, limitation, or discrimination based on race, 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).

26. As a result of Defendants' conduct, Ranesha Halliburton is an aggrieved person as defined in Section 802(i) of the Fair Housing Act, 42 U.S.C. § 3602(i), and has suffered injury.
27. Defendants' conduct described herein was intentional, willful, and taken in disregard for the rights of Ranesha Halliburton.

PRAYER FOR RELIEF

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

(i) declares that Defendants' conduct as alleged herein violates the Fair Housing Act, as amended, 42 U.S.C. § 3601, *et seq.*

(ii) enjoins Defendants, their agents, employees, and successors, and all other persons in active concert or participation with them from discriminating on the basis of race against any person in any aspect of the rental of a dwelling, pursuant to 42 U.S.C. §§ 3612(o)(3) and 3613(c)(1);

(iii) awards monetary damages to Ranesha Halliburton pursuant to 42 U.S.C. §§ 3612(o)(3) and 3613(c)(1); and

(iv) awards such additional relief as the interests of justice may require.

Respectfully submitted,

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