

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

2012 SEP -7 P 2:36

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
)
 v.)
)
 LAWRENCE PROPERTIES, INC.,)
 LAWRENCE AT LAKEWOOD, LLC,)
 MICHAEL LAWRENCE and)
 WILLIAM BOUNDS,)
)
 Defendants.)

CIVIL ACTION NO.:

The United States of America alleges:

1. This action is brought 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 pursuant to 28 U.S.C. §§ 1331 and 1345 and 42 U.S.C. §§ 3612(o) and 3614. Venue is proper under 28 U.S.C. § 1391(b) as the claims alleged herein arose in the Middle District of Alabama.
3. Lawrence at Lakewood, LCC, a Georgia limited liability company with its principal place of business in Carrollton, Georgia, owns Heritage Point, a mobile home park containing approximately 265 lots, located at 1200 West Boulevard, Montgomery, Alabama. Lawrence at Lakewood, LLC offers lots in the mobile home park for rent. These lots are dwellings within the meaning of the Fair Housing Act, 42 U.S.C. § 3602(b).

4. Lawrence Properties, Inc., a Georgia corporation with its principal place of business in Carrollton, Georgia, manages the Heritage Point mobile home park.
5. Defendant Michael Lawrence is the owner and president of both Lawrence at Lakewood, LLC and Lawrence Properties, Inc.
6. In addition to Heritage Point, Lawrence at Lakewood, LLC owns, and Lawrence Properties, Inc. manages, at least eight other mobile home parks throughout Alabama and Georgia. These are: Lakewood Estates Mobile Home Park, located in Montgomery, Alabama; Rambling Oaks Mobile Home Park, located in Huntsville, Alabama; 100 Oaks Mobile Home Park, located in Fultondale, Alabama; Sea Pines Mobile Home Park, located in Mobile, Alabama; Elizabeth Village Mobile Home Park, located in Carrollton, Georgia; Lawrence Mobile Home Park, located in Carrollton, Georgia; Oakwood Mobile Home Park, located in Carrollton, Georgia; and Timber Creek Mobile Home Park, located in Griffin, Georgia.
7. Defendant William Bounds is a District Supervisor for Lawrence Properties, Inc., and is responsible for overseeing the property managers at the mobile home parks owned by Lawrence at Lakewood, LLC in Huntsville, Alabama and Montgomery, Alabama, including Heritage Point.
8. Lawrence Properties, Inc. has the right to direct and control the actions of its agent, William Bounds, as District Supervisor of Heritage Point mobile home park.
9. On or about April 1, 2007, Verdell Green purchased a two- bedroom mobile home located in lot #174 at the Heritage Point mobile home park. Green intended to live there with her two sons, Kennoris and Kenneth Green, her daughter-in-law Erica Guice, and

Kenneth Green and Erica Guice's two minor children. The sellers from whom Green purchased the mobile home informed Green that she needed to contact the management at Heritage Point and apply to rent the space on which the mobile home was located.

10. On or about April 3, 2007, Green and her sons Kennoris Green and Kenneth Green visited the rental office at Heritage Point and filled out an application. Green submitted her application to Heritage Point property manager Nina Davis. Davis informed Green that she would need to undergo a credit history and criminal background check, and that she should receive a response within one week. Defendant William Bounds was also present in the office when Green completed her application and witnessed Green submit the application to Davis.
11. Throughout April 2007, Green telephoned the Heritage Point rental office on multiple occasions to inquire about the status of her application. On one occasion, she was told that her application was incomplete because Heritage Point required additional information from her son. Her son supplied the requested information.
12. Green continued to telephone the rental office throughout April 2007, but was repeatedly told by property manager Nina Davis that there was no new information. On one occasion, Davis suggested that Green contact Defendant Bounds and provided his cell phone number. Green attempted to contact Bounds on numerous occasions and left several voice messages, but Bounds did not return her calls.
13. On or about April 30, 2007, Green reached Bounds. Bounds informed her that her application had been denied because of missed or late rental payments. On or around May 1, 2007, the previous owners of the mobile home contacted Green and informed her

that she must move the mobile home from the space. She paid to have the mobile home moved to a different mobile home park on May 5, 2007.

14. On or about November 27, 2007, Nina Davis, who was by that time no longer employed by Lawrence Properties, Inc., visited Verdell Green. Davis informed Green that her application to rent at Heritage Point had never been processed because Defendant Lawrence did not want to rent to Black people. She stated that Defendant Lawrence preference against renting to Black people had been communicated to her by Defendant Bounds.
15. Nina Davis and two other former employees of Defendant Lawrence Properties, Inc., assert that Defendants' discriminatory policy of excluding African-Americans or limiting the number of African-American residents was applied to each of the mobile home parks owned by Lawrence at Lakewood, LLC. Pauline Wilson, a former assistant in the Lawrence Properties corporate office, alleges that all new property managers hired by Lawrence Properties to manage the mobile homes owned by Lawrence at Lakewood, LLC were instructed that Defendant Lawrence did not wish to rent to African-Americans and instead preferred to rent to Hispanics. Donna Goolsby, a former property manager at Elizabeth Village Mobile Home Park, another property owned by Lawrence at Lakewood, LLC, also states that she was told that Defendant Lawrence preferred to limit the number of African-American residents in the mobile home parks.
16. On or about December 17, 2007, Verdell Green filed a complaint with the United States Department of Housing and Urban Development (HUD) alleging that the Defendants discriminated in violation of the Fair Housing Act on the basis of race.

17. As required by the Fair Housing Act, 42 U.S.C. §§ 3610(a) and (b), the Secretary of HUD conducted an investigation of Green's complaint, attempted conciliation without success, and prepared a final investigative report. Based on the information gathered in his investigation, the Secretary, pursuant to 42 U.S.C. § 3610(g), determined that reasonable cause exists to believe that illegal discriminatory housing practices had occurred. Therefore, on or about July 23, 2012, the Secretary issued a Determination of Reasonable Cause and Charge of Discrimination pursuant to 42 U.S.C. § 3610(g), charging the Defendants with discrimination on the basis of race.
18. On August 8, 2012, the Defendants elected to have the claims asserted in HUD's Charge of Discrimination resolved in a federal civil action pursuant to 42 U.S.C. § 3612(a).
19. On or about August 8, 2012, a HUD Administrative Law Judge issued a Notice of Election and terminated the administrative proceedings on the HUD complaint filed by Verdell Green. Following the Notice of Election, the Secretary of HUD authorized the Attorney General to commence a civil action, pursuant to 42 U.S.C. § 3612(o).

COUNT I

20. Plaintiff re-alleges and incorporates by reference the allegations set forth in paragraphs 1-19, above.
21. By the conduct set forth above, Defendants Lawrence Properties, Inc., Lawrence at Lakewood, LLC, Michael Lawrence, and William Bounds:
 - a. Refused to negotiate for the rental of, or otherwise made unavailable or denied a dwelling to a person on the basis of race or color, in violation of Section 804(a) of the Fair Housing Act, 42 U.S.C. § 3604(a);

- b. Discriminated in the terms, conditions, or privileges of, or the provision of services or facilities in connection with the rental of a dwelling because of race or color, in violation of Section 804(b) of the Fair Housing Act, 42 U.S.C. § 3604(b); and
 - c. Made, printed or published one or more notices, statements, or advertisements with respect to the rental of a dwelling that indicated a preference, limitation, or discrimination based on race or color, in violation of 42 U.S.C. § 3604(c).
22. Verdell Green, Kennoris Green, Kenneth Green, Erica Guice, and two minor children have suffered damages as a result of the Defendants' discriminatory conduct.
23. The discriminatory actions of Defendants Lawrence Properties, Inc., Lawrence at Lakewood, LLC, Michael Lawrence, and William Bounds were intentional, willful, and taken in disregard of the requirements of the Fair Housing Act and the rights of Verdell Green, Kennoris Green, Kenneth Green, Erica Guice, and two minor children and others.

COUNT II

24. Plaintiff re-alleges and incorporates by reference the allegations set forth in paragraphs 1-23, above.
25. The conduct of Defendants Lawrence Properties, Inc., Lawrence at Lakewood, LLC, Michael Lawrence and William Bounds set forth 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. §§ 3601-3619; or

b. A denial to a group of persons of rights granted by the Fair Housing Act, 42 U.S.C. §§ 3601-3619, which denial raises an issue of general public importance.

26. In addition to Verdell Green, Kennoris Green, Kenneth Green, Erica Guice, and two minor children, there are other victims of the Defendants' discriminatory housing practices who are "aggrieved persons" as defined in 42 U.S.C. § 3602(i), and who may have suffered injuries as a result of the conduct described above.

WHEREFORE, the United States prays that the court enter an ORDER that:


1. Declares that the conduct of the Defendants, as alleged herein, violates the Fair Housing Act;
2. Enjoins the Defendants and their officers, employees, agents, successors and all other persons in active concert or participation with them, from further:
 - a. Refusing to rent, after the making of a bona fide offer, or refusing to negotiate for the rental of, or otherwise make unavailable or deny, a dwelling to any person because of race or color;
 - b. Discriminating against any person in the terms, conditions, or privileges of the rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race or color;
 - c. Making, printing or publishing one or more notices, statements, or advertisements with respect to the rental of a dwelling that indicate a preference, limitation, or discrimination based on race or color;

- d. Discriminating on the basis of race or color against any person in any aspect of the rental of dwellings, pursuant to 42 U.S.C. § 3614(d)(1)(A);
 - e. Failing or refusing to take such steps that may be necessary to prevent the recurrence of any discriminatory conduct in the future and to eliminate, to the extent practicable, the effects of the Defendants' unlawful housing practices; and
 - f. Failing or refusing to take such steps that may be necessary to restore persons aggrieved by the Defendants' unlawful housing practices to the position they would have been in but for the Defendants' conduct.
3. Awards monetary damages, pursuant to 42 U.S.C. §§ 3612(o)(3), 3613(c)(1), and 3614(d)(1)(B), to all persons harmed by the defendants' discriminatory practices, including Verdell Green, Kennoris Green, Kenneth Green, Erica Guice, and two minor children.
4. Assesses a civil penalty against Defendants Lawrence Properties, Inc., Lawrence at Lakewood, LLC, Michael Lawrence and William Bounds, in an amount authorized by 42 U.S.C. § 3614(d)(1)(C) and 28 C.F.R. § 85.3(b)(3), to vindicate the public interest.

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

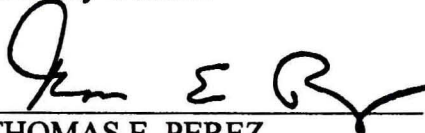
Dated: September 7, 2012

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