



## II. SUMMARY OF ALLEGATIONS IN SUPPORT OF THIS CHARGE

Based on HUD's investigation of the allegations contained in the aforementioned Complaint and Determination of Reasonable Cause, Respondent Doris Rofrano is charged with discriminating against Complainants Carol Collins and Troy Collins, aggrieved persons, on the basis of race in violation of 42 U.S.C. §§ 3604(a) and (c):

1. It is unlawful to refuse to sell or rent after the making of a *bona fide* offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race. 42 U.S.C. § 3604(a); 24 C.F.R. §100.60(a).
2. It is unlawful to make, print or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, or an intention to make any such preference, limitation, or discrimination. 42 U.S.C. §3604(c); 24 C.F.R. §100.75.
3. Complainant Carol Collins is an African-American female. Complainant Troy Collins, her adult son, is also African-American.
4. Respondent Doris Rofrano owns and manages the townhouse located at 3615 Kennedy Drive, East Moline, Illinois (the "subject property"). The subject property is one of five attached townhomes ("the subject complex") owned and managed by the Respondent.
5. From August 20, 2004 to August 26, 2004, Respondent advertised the subject property for rent in the *Argus Dispatch* newspaper.
6. In or around late August 2004, Complainant Troy Collins, who was residing in Wisconsin, was seeking to rent a dwelling in East Moline, Illinois in order to start a new job in the East Moline area on September 1, 2004. His mother, Complainant Carol Collins, who lives in East Moline, assisted him with his search for housing. She found rental advertisements for several units, among them an advertisement for the subject property, in the *Argus Dispatch*.
7. On or about August 25, 2004, Complainant Troy Collins telephoned (309) 797-7015, the telephone number listed in the advertisement for the subject property, and spoke with a woman, later identified as Respondent. In response to her inquiries, Complainant Troy Collins told her his age, where he worked and that he was seeking a rental for himself and his girlfriend. Respondent agreed that he could see the subject property, but said she did not have anyone to show it to him at that time. (Respondent Rofrano is a disabled wheelchair user and unable to show the subject property on her own.)

8. Subsequently, Complainant Carol Collins called Respondent Rofrano and explained that her son, Troy Collins, would only be in town for a short time and asked if there was any way he could see the subject property, stating that he needed to see it immediately or not at all. Respondent took Complainant Carol Collins' phone number and agreed to call her back. A short while later, Respondent called Complainant Carol Collins and stated that since there was no one to show her the subject property, she would give Complainant Carol Collins the key to the subject property, so that Complainants could look at the unit on their own.
9. On or about August 25, 2004, Complainants Carol and Troy Collins, along with Carol's daughter, Nicole Collins, and Nicole's young son, drove to Respondent's house, located at 1855 41<sup>st</sup> Street in Moline, Illinois, to retrieve the keys to the subject property. When Complainant Carol Collins went to the door to get the keys, Respondent Rofrano opened the door and asked her what she wanted. Complainant Carol Collins explained that she was the person who had called earlier and she was there to get the key to see the subject property. Respondent seemed surprised and replied, "I do not rent to colored people." Thinking quickly, Complainant Carol Collins told Respondent that her husband was white and would be very disappointed. In reality, Complainant Carol Collins' husband is also African-American. In response to the news that Complainant Carol Collins' husband was white, Respondent gave her the key and allowed her to inspect the subject property unescorted.
10. Complainants inspected the subject property and Complainant Troy Collins decided that he wanted to rent it. They returned to Respondent's house to pay the deposit and sign a lease.
11. Complainant Carol Collins told Respondent that although she liked the unit, it was too small for her and her "husband," but that it was perfect for her son, Complainant Troy Collins. Respondent told Complainant Carol Collins that she would not rent to young people or children. After unsuccessfully trying to explain that her son was 27 years old and did not have children, Complainant Carol Collins relented and told Respondent that she and her "husband" would rent the unit for themselves, after all. In response to Respondent's inquiries, Complainant Carol Collins explained that her "husband" was out-of-town until the following day and said that her son would not be living with her. Complainant Carol Collins also commented that the subject property needed painting and that there was water damage that needed fixing. Respondent told her it would be taken care of within a month.
12. Complainant Carol Collins told Respondent that she was prepared to pay the deposit and sign a lease immediately. Respondent hesitated and then said that she did not have any blank leases, but her personal assistant would be there the next day and would make copies of the lease form. At her request, Respondent showed Complainant Carol Collins a copy of the lease of one of Respondent's other tenants. Complainant Carol Collins recalls that the lease was for a woman, her daughter and her granddaughter. They agreed Complainant Carol Collins could return on August

27 to sign the lease. Complainant Carol Collins offered to pay a deposit to hold the unit, but Respondent declined, stating that she would not accept a deposit until the lease was signed. However, as an assurance that she would not rent the subject property to someone else, Respondent permitted Complainant Carol Collins to keep the key to the subject property.

13. Complainant Troy Collins returned to East Moline from Wisconsin with his girlfriend on August 27, and they went to the subject property so his girlfriend could see it. When he tried to unlock the door of the subject property with the key, however, it did not work. Complainant Troy Collins first called Respondent, who told him that the subject property was off the market and not to call again. He then called Complainant Carol Collins.
14. Complainant Carol Collins called Respondent, who told her to bring the key back because she was not going to rent the subject property. When Complainant Carol Collins objected, Respondent told her that the subject property was being taken off the market for repairs and she should leave the key in the mailbox.
15. The subject property was off the market for many months and was then subsequently rented. The successful renter is not African-American.
16. On October 14, 2004, a HUD investigator interviewed Respondent. When the HUD investigator reviewed Complainants' allegations with her, Respondent became defensive and stated, "I didn't even know that lady was colored. I didn't know that until she came back with her daughter and a baby. The daughter was dark and the baby was real dark. I told them I don't rent to people with children."
17. The investigation revealed that, in fact, Respondent rents to tenants with children at the subject complex.
18. By telling Complainant Carol Collins that she did not rent to "colored people," Respondent made a statement with respect to the rental of a dwelling that indicated a preference, limitation, and discrimination based on race in violation of 42 U.S.C. §3604(c).
19. Respondent refused to rent and otherwise made the unit unavailable to Complainants after the making of a *bona fide* offer on the basis of race in violation of 42 U.S.C. §3604(a).
20. Because of Respondents' discriminatory conduct, Complainants have suffered damages, including humiliation and embarrassment and inconvenience. Complainant Troy Collins, who was domiciled in Wisconsin at the time of the discriminatory act, was severely inconvenienced in his search for housing, denied a legitimate housing opportunity and was forced to rent a smaller and less desirable dwelling because Respondent refused to rent him the subject property, a spacious town home.

21. Complainant Carol Collins was shocked and disillusioned by learning that discrimination exists in her hometown, East Moline, Illinois, where she previously felt that she lived in a community that did not suffer from some of the social injustices found in larger cities. She was frustrated, embarrassed and inconvenienced by Respondent's acts. She states she had flashbacks to other incidents of discrimination she has experienced.

### III. CONCLUSION

WHEREFORE, the Secretary of the U.S. Department of Housing and Urban Development, through the Office of the General Counsel, and pursuant to Section 3610(g)(2)(A) of the Act, hereby charges the Respondent with engaging in discriminatory housing practices in violation of 42 U.S.C. §§ 3604(a) and (c) of the Act, and prays that an order be issued that:

1. Declares that the discriminatory housing practices of the Respondent as set forth above violate the Fair Housing Act, as amended, 42 U.S.C. §§ 3601 *et seq.*;
2. Enjoins Respondent, her agents, employees, and successors, and all other persons in active concert or participation with any of them from discriminating because of race against any person in any aspect of the purchase or rental of a dwelling;
3. Awards such damages as will fully compensate Complainants Carol Collins and Troy Collins, aggrieved persons, for their actual damages caused by Respondent's discriminatory conduct pursuant to 42 U.S.C. §§ 3604(a) and (c); and
4. Awards a civil penalty against Respondent for each violation of the Act committed, pursuant to 42 U.S.C. § 3612(g)(3).

The Secretary of HUD further prays for additional relief as may be appropriate under 42 U.S.C. § 3612(g)(3).

Respectfully submitted,

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