

**UNITED STATES OF AMERICA  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

The Secretary, United States	)	
Department of Housing and Urban	)	
Development, on behalf of the Gulf Coast Fair	)	
Housing Center,	)	
	)	
Charging Party,	)	
	)	
v.	)	HUD ALJ No.
	)	FHEO No. 04-08-0810-8
Deanna Lynn Cooley, Michael Law,	)	
Precious Properties, LLC, and Penny Pincher, Inc.,	)	
Respondents.	)	
_____	)	

CHARGE OF DISCRIMINATION

I. JURISDICTION

On January 22, 2009, Complainant Gulf Coast Fair Housing Center (“GCFHC”) filed a verified complaint with the United States Department of Housing and Urban Development (“HUD” or “Charging Party”) alleging that Respondents Deanna Lynn Cooley (“Cooley”) refused to rent and published discriminatory advertisements in violation of subsections 804(a) and 804(c) of the Fair Housing Act (“Act”), 42 U.S.C. § 3604(a),(c). GCFHC amended the complaint on March 17, 2009 to add Penny Pincher, Inc. (“Penny Pincher”) as a respondent, on December 10, 2009 to add Precious Properties, LLC (“Precious Properties”) as a respondent, and on June 28, 2010 to add Michael Law (“Law”) as a respondent.

The Act authorizes the issuance of a Charge of Discrimination on behalf of an aggrieved person following an investigation and a determination that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur. 42 U.S.C. § 3610(g)(1)-(2). The Secretary of HUD has delegated to the Assistant Secretary for Fair Housing and Equal Opportunity the authority to make such a determination and to the General Counsel the authority to issue a Charge of Discrimination. 74 Fed. Reg. 62801, 62802 (Dec. 1, 2009). The General Counsel has redelegated that authority to the Associate General Counsel for Fair Housing. 74 Fed. Reg. 62803, 62804 (Dec. 1, 2009).

The Director of the Office of Fair Housing and Equal Opportunity for Region IV, on behalf of the Assistant Secretary for Fair Housing and Equal Opportunity, has determined that reasonable cause exists to believe that a discriminatory housing practice occurred in this case and has authorized the issuance of this Charge of Discrimination.

## II. THE LEGAL AND FACTUAL BASIS FOR THIS CHARGE

Based on HUD's investigation of the allegations contained in the aforementioned complaint and the Determination of Reasonable Cause, Respondents are charged with violating 42 U.S.C. § 3604(a) and 42 U.S.C. § 3604(c) as follows:

### A. LEGAL AUTHORITY

1. It is unlawful to refuse to rent a dwelling to a person who has made a bona fide offer, or to refuse to negotiate with a person for the rental of a dwelling, or otherwise make housing unavailable because of familial status. 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 rental of a dwelling that indicates any preference, limitation, or discrimination based on familial status, or an intention to make any such preference, limitation, or discrimination. 42 U.S.C. § 3604(c); 24 C.F.R. § 100.75(a)-(c).
3. "Familial status" is defined to include one or more individuals under the age of eighteen years being domiciled with a parent or person having legal custody of such individual(s). 42 U.S.C. § 3602(k); 24 C.F.R. § 100.20.

### B. PARTIES AND SUBJECT PROPERTY

4. Complainant Gulf Coast Fair Housing Center, located at 2218 24th Avenue, Gulfport, Mississippi, is a non-profit organization that strives to promote fair housing along the Mississippi Gulf Coast. Complainant is dedicated to eliminating housing discrimination by furthering equal housing opportunities through education, outreach, advocacy, and enforcement of fair housing laws. Complainant is an "aggrieved person" within the meaning of the Act. 42 U.S.C. § 3602(i).
5. Respondent Precious Properties is a limited liability partnership.
6. At all times relevant to this Charge, Respondent Precious Properties owned the single family dwelling located at 6810 Mescalero Road, Biloxi, Mississippi 39532 ("subject property"). Pursuant to subsection 803(b)(1)(A)-(B) of the Act, Respondent Precious Properties is not exempt from liability under subsection 804(a) because it used Respondent Cooley as its agent and published an advertisement in violation of subsection 804(c).
7. Respondent Deanna Lynn Cooley serves as an agent and officer of Respondent Precious Properties.

8. Respondent Michael Law serves as an agent of Respondent Precious Properties.
9. Respondent Penny Pincher, located at 15029 Dedrux Road, Gulfport, Mississippi, is a newspaper corporation which produces a free weekly newspaper that distributes over 40,000 copies in several counties along the Mississippi Gulf Coast.

C. FACTUAL ALLEGATIONS

10. On or about January 25, 2008, GCFHC became aware of a discriminatory advertisement placed in Respondent Penny Pincher's newspaper that stated the following: "FOR RENT: D'Iberville, 2 bedroom, great neighborhood, no children, \$850 deposit, \$850 rent, 228-217-5210."
11. Respondents Cooley and Law served as Respondent Precious Properties' agent to secure tenants for the subject property.
12. Respondent Cooley admits to submitting the advertisement to Respondent Penny Pincher for publication in its newspaper.
13. In response to the advertisement, GCFHC coordinated testing of the subject property for discrimination on the basis of familial status. On January 31, 2008, a female tester employed by GCFHC called the telephone number listed in the advertisement. Respondent Law answered the call and provided the tester with the subject property's address, information about the property, and set up a time when the tester could view the property.
14. On or about 12:40 p.m. on January 31, 2008, the tester met Respondents Cooley and Law at the subject property. The tester had the following conversation, in relevant part, with Respondents Law and Cooley:

Respondent Law: "Is [the rental] just [for] you or do you have a boyfriend or husband?"

Tester: "It's me and my husband."

Respondent Law: "Ok. You know, we have pools, that's the reason we've asked for no kids."

Tester: "Oh, ok."

Respondent Law: "We've turned a lot of people down but you know...it's just such a liability."

Respondent Cooley: "And with the porch, that could be dangerous to kids too."

Respondent Cooley: "We're getting a new pool liner too, so if ya'll don't have kids you're welcome to it."

Respondents Law and Cooley proceeded to explain the terms of the rental, its availability, and provided the tester with a rental application.

15. By refusing to rent the subject property to families with children, Respondents Cooley and Law violated 42 U.S.C. § 3604(a). Respondent Precious Properties is vicariously liable for the discriminatory acts of Respondents Cooley and Law.
16. By stating to Complainant GCFHC's tester that the subject property was not suitable for children, Respondents Cooley and Law stated a discriminatory limitation based on familial status in violation of 42 U.S.C. § 3604(c). Respondent Precious Properties is vicariously liable for the discriminatory acts of Respondents Cooley and Law.
17. By submitting the advertisement be published, Respondent Cooley made, published, or caused to be published a discriminatory advertisement based on familial status in violation of 42 U.S.C. § 3604(c). Respondent Precious Properties is vicariously liable for the discriminatory acts of Respondent Cooley.
18. By publishing the advertisement, which indicated "no children," Respondent Penny Pincher published a discriminatory advertisement based on familial status in violation of 42 U.S.C. § 3604(c).
19. Respondents Cooley, Law, Precious Properties, and Penny Pincher's actions injured Complainant by frustrating Complainant's mission to ensure equal access to housing and housing services free from discrimination. Due to the Respondents' discriminatory actions, the Complainant has had to divert resources away from its other services, including but not limited to education, outreach, and referrals.

### III. CONCLUSION

WHEREFORE, the Secretary of the U.S. Department of Housing and Urban Development, through the Office of General Counsel, and pursuant to 42 U.S.C. § 3610(g)(2)(A) of the Act, hereby charges Respondents Deanna Lynn Cooley, Michael Law, and Precious Properties, LLC with engaging in discriminatory housing practices in violation of 42 U.S.C. § 3604(a) and Respondents Deanna Lynn Cooley, Michael Law, Precious Properties, LLC, and Penny Pincher, Inc. with engaging in discriminatory housing practices in violation of 42 U.S.C. § 3604(c), and prays that an order be issued that:

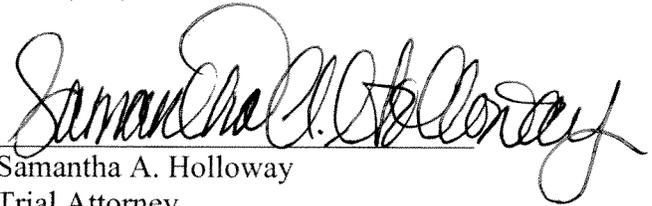
1. Declares that the discriminatory housing practices of Respondents, as set forth above, violate the Act;

2. Enjoins Respondents, their agents, employees and successors, and all other persons in active concert or participation with them from discriminating against any person because of race, color, sex, national origin, familial status, religion, and disability in any aspect of the rental, sale, occupancy, use or enjoyment of a dwelling;
3. Awards such monetary damages as will fully compensate Complainant Gulf Coast Fair Housing Center for its economic loss due to its diversion of resources and frustration of its mission caused by Respondents' discriminatory conduct in violation of the Act;
4. Assess a civil penalty against each Respondent for each violation of the Act pursuant to 42 U.S.C. § 3612 (g)(3) and 24 C.F.R. § 180.671(a)(1); and
5. Awards any additional relief as may be appropriate under 42 U.S.C. § 3612 (g)(3).

Respectfully submitted,



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Dated: October 6, 2010

**UNITED STATES OF AMERICA  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

The Secretary, United States	)	
Department of Housing and Urban	)	
Development, on behalf of the Gulf Coast	)	
Fair Housing Center,	)	
	)	
Charging Party,	)	
	)	
v.	)	HUD ALJ No.
	)	FHEO No. 04-09-0814-8
Penny Pincher, Inc., and Willie Kay Yates,	)	
	)	
Respondents.	)	
<hr/>		

CHARGE OF DISCRIMINATION

I. JURISDICTION

On January 22, 2009, Complainant Gulf Coast Fair Housing Center (“GCFHC”) filed a verified complaint with the United States Department of Housing and Urban Development (“HUD” or “Charging Party”) alleging that Respondent Penny Pincher, Inc. (“Penny Pincher”) published discriminatory advertisements in violation of subsection 804(c) of the Fair Housing Act (“Act”), 42 U.S.C. § 3604(c). The complaint was amended on May 15, 2009 to add Respondent Willie Kay Yates (“Yates”).

The Act authorizes the issuance of a Charge of Discrimination on behalf of an aggrieved person following an investigation and a determination that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur. 42 U.S.C. § 3610(g)(1)-(2). The Secretary of HUD has delegated to the Assistant Secretary for Fair Housing and Equal Opportunity the authority to make such a determination and to the General Counsel the authority to issue a Charge of Discrimination. 74 Fed. Reg. 62801, 62802 (Dec. 1, 2009). The General Counsel has redelegate that authority to the Associate General Counsel for Fair Housing. 74 Fed. Reg. 62803, 62804 (Dec. 1, 2009).

The Director of the Office of Fair Housing and Equal Opportunity for Region IV, on behalf of the Assistant Secretary for Fair Housing and Equal Opportunity, has determined that reasonable cause exists to believe that a discriminatory housing practice occurred in this case and has authorized the issuance of this Charge of Discrimination. 42 U.S.C. § 3610(g)(2).

## II. THE LEGAL AND FACTUAL BASIS FOR THIS CHARGE

Based on HUD's investigation of the allegations contained in the aforementioned complaint and the Determination of Reasonable Cause, Respondents are charged with violating 42 U.S.C. § 3604(c) as follows:

### A. LEGAL AUTHORITY

1. 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 rental of a dwelling that indicates any preference, limitation, or discrimination based on familial status, or an intention to make any such preference, limitation, or discrimination. 42 U.S.C. § 3604(c); 24 C.F.R. § 100.75(a)-(c)(1).
2. "Familial status" is defined to include one or more individuals under the age of eighteen years being domiciled with a parent or person having legal custody of such individual(s). 42 U.S.C. § 3602(k); 24 C.F.R. § 100.20.

### B. PARTIES AND SUBJECT PROPERTY

3. Complainant Gulf Coast Fair Housing Center, located at 2218 24th Avenue, Gulfport, Mississippi, is a non-profit organization that strives to promote fair housing along the Mississippi Gulf Coast. Complainant is dedicated to eliminating housing discrimination by furthering equal housing opportunities through education, outreach, advocacy, and enforcement of fair housing laws. Complainant is an "aggrieved person" within the meaning of the Act. 42 U.S.C. § 3602(i).
4. Respondent Penny Pincher Inc., located at 15029 Dedrux Road, Gulfport, Mississippi, publishes the Penny Pincher newspaper, a free weekly publication. Over 40,000 copies are distributed in several counties along the Mississippi Gulf Coast.
5. At all times relevant to this Charge, Respondent Yates owned a house located at 10517 Huckleberry Cove, Gulfport, Mississippi that contained a separate apartment ("Subject Property").

### C. FACTUAL ALLEGATIONS

6. On or about February 14, 2008, the following advertisement was published in the Penny Pincher newspaper: "QUIET AREA OFF Lorraine Cowan Road, great large 1 bedroom apartment, nicely furnished \$795 monthly, utilities paid, \$400 deposit, references required, no children or pets. 228-363-1601 or 228-831-0365" ("Advertisement # 1").

7. The telephone number listed in Advertisement # 1, 228-363-1601, is assigned to a cell phone owned by Respondent Yates.
8. Respondent Yates submitted Advertisement # 1 for publication in Respondent the Penny Pincher newspaper.
9. On or about March 27, 2008, the following advertisement was published in the Penny Pincher newspaper: "Camper for rent, single or couple, all utilities except propane gas, \$170 weekly. 228-328-4411" ("Advertisement # 2").
10. On or about May 1, 2008, the following advertisement was published in the Penny Pincher newspaper: "FOR RENT, TRAILER, 16 x 80, Highway 49, Saucier. Prefer retired couple or single. 2 bedroom, 2 bath, fully furnished with carport on private lot. \$600 plus deposit. 228-831-1056 or 228-861-7077" ("Advertisement #3").
11. On or about November 6, 2008, the following advertisement was published in the Penny Pincher newspaper: "2 BEDROOM TRAILER, couple only, close to I-10 and 49, \$600. 877-324-0778" ("Advertisement # 4").
12. On or about November 6, 2008, the following advertisement was published in the Penny Pincher newspaper: "2 bedroom house couples only, close to I-10 and 49, \$650 monthly, 877-324-0778" ("Advertisement # 5").
13. On or about November 6, 2008, the following advertisement was published in the Penny Pincher newspaper: "Wiggins Apartment for rent, great for one person, senior citizen, college student, bedroom, bathroom, kitchenette, living area, patio furniture, \$100 deposit, \$285 monthly rent, first paid in advance-some utilities free. After 5 pm 601-528-4219" ("Advertisement # 6").
14. On or about November 27, 2008, the following advertisement was published in the Penny Pincher newspaper: "1 bedroom house close to I-10, Gulfport. Working couple only. 601-427-2710" ("Advertisement # 7").
15. On or about December 11, 2008, the following advertisement was published in the Penny Pincher newspaper: "2 bedroom trailer, working couple only, Gulfport. 601.427.2710" ("Advertisement # 8").
16. By submitting Advertisement # 1 to be published, Respondent Yates made, published, or caused to be published a discriminatory advertisement based on familial status in violation of 42 U.S.C. § 3604(c).
17. By publishing Advertisements #1-8, Respondent Penny Pincher published discriminatory advertisements based on familial status in violation of 42 U.S.C. § 3604(c).

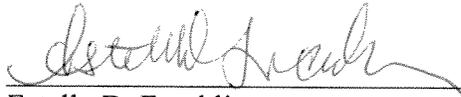
18. Respondents Yates and Penny Pincher's actions injured Complainant by frustrating Complainant's mission to ensure equal availability of housing and housing services. Due to Respondents Yates and Penny Pincher's discriminatory actions, Complainant has had to divert resources and attention away from other services, including but not limited to education, outreach, and referrals.

### III. CONCLUSION

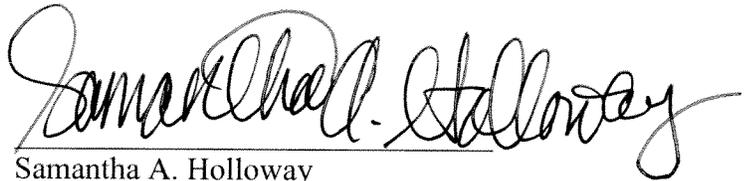
WHEREFORE, the Secretary of the U.S. Department of Housing and Urban Development, through the Office of General Counsel, and pursuant to 42 U.S.C. § 3610(g)(2)(A), hereby charges Respondents Penny Pincher, Inc. and Willie Kay Yates with engaging in discriminatory housing practices in violation of 42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

1. Declares that the discriminatory housing practices of Respondents, as set forth above, violate the Act;
2. Enjoins Respondents, their agents, employees and successors, and all other persons in active concert or participation with them from discriminating against any person because of familial status in any aspect of the rental, sale, occupancy, use, enjoyment, or advertisement of a dwelling;
3. Awards such monetary damages as will fully compensate Complainant Gulf Coast Fair Housing Center for its economic loss due to its diversion of resources and frustration of its mission caused by Respondents' discriminatory conduct in violation of the Act;
4. Assesses a civil penalty against each Respondent for each violation of the Act pursuant to 42 U.S.C. § 3612(g)(3) and 24 C.F.R. § 180.671(a)(1); and
5. Awards any additional relief as may be appropriate under 42 U.S.C. § 3612(g)(3).

Respectfully submitted,



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Dated: October 6, 2010

**UNITED STATES OF AMERICA  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF ADMINSTRATIVE LAW JUDGES**

The Secretary, United States	)	
Department of Housing and Urban	)	
Development, on behalf of Casey Street,	)	
	)	
Charging Party,	)	
	)	
v.	)	HUD ALJ No.
	)	FHEO No. 04-08-0813-8
Deanna Lynn Cooley, Precious Properties, LLC,	)	
and Penny Pincher, Inc.,	)	
Respondents.	)	
_____	)	

CHARGE OF DISCRIMINATION

I. JURISDICTION

On January 22, 2009, Complainant Casey Street (“Street”) filed a verified complaint with the United States Department of Housing and Urban Development (“HUD” or “Charging Party”) alleging that Respondents Deanna Lynn Cooley (“Cooley”) published discriminatory advertisements in violation of subsections 804(a) and 804(c) of the Fair Housing Act (“Act”), 42 U.S.C. § 3604(a),(c). The complaint was amended on March 17, 2009 to add Penny Pincher, Inc. (“Penny Pincher”) as a respondent. The complaint was further amended on May 11, 2009 to add Precious Properties, LLC (“Precious Properties”) as a Respondent.

The Act authorizes the issuance of a Charge of Discrimination on behalf of an aggrieved person following an investigation and a determination that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur. 42 U.S.C. § 3610(g)(1)-(2). The Secretary of HUD has delegated to the Assistant Secretary for Fair Housing and Equal Opportunity the authority to make such a determination and to the General Counsel the authority to issue a Charge of Discrimination. 74 Fed. Reg. 62801, 62802 (Dec. 1, 2009). The General Counsel has redelegate that authority to the Associate General Counsel for Fair Housing. 74 Fed. Reg. 62803, 62804 (Dec. 1, 2009).

The Director of the Office of Fair Housing and Equal Opportunity for Region IV, on behalf of the Assistant Secretary for Fair Housing and Equal Opportunity, has determined that reasonable cause exists to believe that a discriminatory housing practice occurred in this case and has authorized the issuance of this Charge of Discrimination.

## II. THE LEGAL AND FACTUAL BASIS FOR THIS CHARGE

Based on HUD's investigation of the allegations contained in the aforementioned complaint and the Determination of Reasonable Cause, Respondents are charged with violating 42 U.S.C. § 3604(a) and 42 U.S.C. § 3604(c) as follows:

### A. LEGAL AUTHORITY

1. It is unlawful to refuse to rent a dwelling to a person who has made a bona fide offer, or to refuse to negotiate with a person for the rental of a dwelling, or otherwise make housing unavailable because of familial status. 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 rental of a dwelling that indicates any preference, limitation, or discrimination based on familial status, or an intention to make any such preference, limitation, or discrimination. 42 U.S.C. § 3604(c); 24 C.F.R. § 100.75(a)-(c).
3. "Familial status" is defined to include one or more individuals under the age of eighteen years being domiciled with a parent or person having legal custody of such individual(s). 42 U.S.C. § 3602(k); 24 C.F.R. § 100.20.

### B. PARTIES AND SUBJECT PROPERTY

4. Complainant Casey Street resides in Gulfport, Mississippi with her husband and three minor children, ages 9, 10 and 15. At all times relevant to this Charge, Complainant was searching for rental housing for her family. Complainant is an "aggrieved person" within the meaning of the Act. 42 U.S.C. § 3602(i).
5. Respondent Precious Properties is a limited liability partnership.
6. At all times relevant to this Charge, Respondent Precious Properties owned the single family dwelling located at 6810 Mescalero Road, Biloxi, Mississippi 39532 ("subject property").<sup>1</sup>
7. Respondent Deanna Lynn Cooley serves as an agent and officer of Respondent Precious Properties.
8. Respondent Penny Pincher, located at 15029 Dedrux Road, Gulfport, Mississippi, is a newspaper corporation which produces a free weekly

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<sup>1</sup> Pursuant to subsection 803(b)(1)(A)-(B) of the Act, Respondent Precious Properties is not exempt from liability under subsection 804(a) because it used Respondent Cooley as its agent and published an advertisement in violation of subsection 804(c).

newspaper that distributes over 40,000 copies in several counties along the Mississippi Gulf Coast.

### C. ALLEGATIONS

9. On or about January 25, 2008, Complainant Street viewed a discriminatory advertisement placed in Respondent Penny Pincher's newspaper that stated the following: "FOR RENT: D'Iberville, 2 bedroom, great neighborhood, no children, \$850 deposit, \$850 rent, 228-217-5210."
10. At the time that she viewed the advertisement, Complainant Street was seeking housing and would have been interested in renting the subject property but for the advertisement's "no children" restriction.
11. Respondent Cooley served as Respondent Precious Properties' agent to secure tenants for the subject property.
12. Respondent Cooley admits to submitting the advertisement to Respondent Penny Pincher for publication in its newspaper.
13. By submitting the advertisement to be published, Respondent Cooley made housing unavailable based on familial status in violation of 42 U.S.C. § 3604(a). Respondent Precious Properties is vicariously liable for the discriminatory acts of Respondent Cooley.
14. By submitting the advertisement be published, Respondent Cooley made, published, or caused to be published a discriminatory advertisement based on familial status in violation of 42 U.S.C. § 3604(c). Respondent Precious Properties is vicariously liable for the discriminatory acts of Respondent Cooley.
15. By publishing the advertisement, Respondent Penny Pincher published a discriminatory advertisement based on familial status in violation of 42 U.S.C. § 3604(c).
16. These alleged actions injured Complainant Street by making a housing opportunity unavailable to her because of familial status and causing her emotional distress.

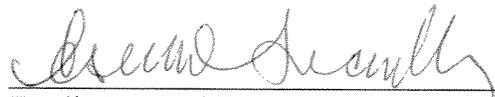
### III. CONCLUSION

WHEREFORE, the Secretary of the U.S. Department of Housing and Urban Development, through the Office of General Counsel, and pursuant to 42 U.S.C. § 3610(g)(2)(A) of the Act, hereby charges Respondents Deanna Lynn Cooley, and Precious Properties, LLC with engaging in discriminatory housing practices in violation of 42 U.S.C. § 3604(a) and 42 U.S.C. § 3604(c), and Penny Pincher, Inc. with engaging

in discriminatory housing practices in violation of 42 U.S.C. § 3604(c) and prays that an order be issued that:

1. Declares that the discriminatory housing practices of Respondents, as set forth above, violate the Act;
2. Enjoins Respondents, their agents, employees and successors, and all other persons in active concert or participation with them from discriminating against any person because of race, color, sex, national origin, familial status, religion, and disability in any aspect of the rental, sale, occupancy, use or enjoyment of a dwelling;
3. Awards such monetary damages as will fully compensate Complainant Casey Street for the harms she suffered;
4. Assess a civil penalty against each Respondent for each violation of the Act pursuant to 42 U.S.C. § 3612(g)(3) and 24 C.F.R. § 180.671(a)(1); and
5. Awards any additional relief as may be appropriate under 42 U.S.C. § 3612 (g)(3).

Respectfully submitted,



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Dated: October 6, 2010