

Housing Discrimination Complaint

U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity

OMB Approval No. 2529-0011
(exp. 7/31/2001)

Please type or print this form

Public Reporting Burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Read this entire form and all the instructions carefully before completing. All questions should be answered. However, if you do not know the answer or if a question is not applicable, leave the question unanswered and fill out as much of the form as you can. Your complaint should be signed and dated. Where more than one individual or organization is filing the same complaint, and all information is the same, each additional individual or organization should complete boxes 1 and 7 of a separate complaint form and attach it to the original form. Complaints may be presented in person or mailed to the HUD State Office covering the State where the complaint arose (see list on back of form), or any local HUD Office, or to the Office of Fair Housing and Equal Opportunity, U.S. Department of HUD, Washington, D.C. 20410.

This section is for HUD use only.

Number	(Check the applicable box) <input type="checkbox"/> Referral & Agency (specify) <input type="checkbox"/> Systemic <input type="checkbox"/> Military Referral	Jurisdiction <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Additional Info	Signature of HUD personnel who established Jurisdiction
Filing Date			

1. Name of Aggrieved Person or Organization (last name, first name, middle initial) (Mr., Mrs., Miss, Ms.) Fair Housing Justice Center, Inc. (FHJC)	Home Phone	Business Phone 212-400-8201
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Street Address (city, county, State & zip code)
5 Hanover Sq., 17th Floor, New York, NY 10004

2. Against Whom is this complaint being filed? (last name, first name, middle initial) BQE Media LLC and others named in attached document	Phone Number 718-639-7000 (phone numbers for others in attached document)
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Street Address (city, county, State & zip code)
BQE Media LLC: 4214 Third Avenue, Brooklyn, NY 11232 (addresses for others in attached document)

Check the applicable box or boxes that describe(s) the party named above:

Builder Owner Broker Salesperson Supt. Or Mgr. Bank or Other Lender Other (newspaper)

If you named an individual above who appeared to be acting for a company in this case, check this box and write the name and address of the company below:

Name:	Address:
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Name and identify others (if any) you believe violated the law in this case:

3. What did the person you are complaining against do? Check all that apply and give the most recent date these act(s) occurred in block No. 6a below.

Refuse to rent, sell, or deal with you Falsely deny housing was available Engage in blockbusting Discriminate in broker's services
 Discriminate in the conditions or in terms of sale, rental occupancy, or in services or facilities Advertise in a discriminatory way Discriminate in financing Intimidated, interfered, or coerced you to keep you from the full benefit of the Federal Fair Housing Law
 Other (explain)

4. Do you believe that you were discriminated against because of your race, color, religion, sex, handicap, the presence of children under 18, or a pregnant female in the family or your national origin? Check all that apply.

<input type="checkbox"/> Race or Color <input type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Other	<input type="checkbox"/> Religion (specify)	<input checked="" type="checkbox"/> Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Handicap <input type="checkbox"/> Physical <input type="checkbox"/> Mental	<input checked="" type="checkbox"/> Family Status <input checked="" type="checkbox"/> Presence of children under 18 in the family <input type="checkbox"/> Pregnant female	<input type="checkbox"/> National Original <input type="checkbox"/> Hispanic <input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Other (specify)
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5. What kind of house or property was involved? <input type="checkbox"/> Single-family house <input checked="" type="checkbox"/> A house or building for 2, 3 or 4 families <input checked="" type="checkbox"/> A building for 5 families or more <input type="checkbox"/> Other, including vacant land held for residential use (explain)	Did the owner live there? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	Is the house or property <input type="checkbox"/> Being sold? <input checked="" type="checkbox"/> Being rented?	What is the address of the house or property? (Street, City, County, State & zip code) Queens, NY
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6. Summarize in your own words what happened. Use this space for a brief and concise statement of the facts. Additional details may be submitted on an attachment. Note: HUD will furnish a copy of the complaint to the person or organization against whom the complaint is made. (Please see attached document)	6a. When did the act(s) checked in Item 3 occur? (Include the most recent date if several dates are involved) (August 2009 to February 2011) (please see attached document)
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7. I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.	Signature & Date Sig. M. Ke; April 4, 2010 (ink)
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Previous editions are obsolete.

Form HUD-903 (7/01)
ref. Handbook 8024.1

SUPPLEMENT TO HOUSING DISCRIMINATION COMPLAINT

HUD-903

BOX 2. Respondents

- a) BQE Media LLC, 4214 Third Avenue, Brooklyn, NY 11232; (718) 639-7000;
Newspaper publisher
- b) Imperato Agency, 66-66 Grand Avenue, Queens, NY 11378; (718) 672-2500;
Real estate company
- c) John and Paula McFadden, 60-33 75th Street, Middle Village, NY 11373;
(718) 672-6727; Owners

BOX 5 Address of Properties in Question

Specific addresses for the properties in question were not provided in the advertisements. Imperato Agency advertisements described the availability as being in "Maspeth", a neighborhood in Queens, New York. John and Paula McFadden stated in their advertisements that the availability was in "Middle Village", another neighborhood in Queens, New York.

BOX 6. Summary of Complaint

The Fair Housing Justice Center, Inc. (FHJC) is a 501(c)(3) non-profit corporation whose mission is to challenge systemic housing discrimination, advocate for and promote public policies and programs that reverse the harm caused by systemic discrimination, reduce inequality, and promote open and inclusive communities, and work to strengthen the enforcement of local, state, and national fair housing laws.

After receiving an anonymous tip, FHJC expended organizational resources to identify discriminatory rental advertisements placed in publications owned by BQE Media LLC (BQE Media). The continued publication of these advertisements frustrates FHJC's mission because the advertisements deter prospective tenants from inquiring about housing opportunities. FHJC conducted a survey of advertisements which ran in the Queens Ledger, a newspaper published by BQE Media. FHJC reviewed advertisements in every edition of the weekly paper from August 2009 through February 2011 and undertook background research on each entity which placed a discriminatory advertisement. FHJC found that a local real estate company, Imperato Agency (Imperato) and landlords John and Paula McFadden (the McFaddens) and others have placed, and BQE Media has published, advertisements which discriminate on the basis of sex and family status. Copies of the advertisements addressed in this complaint are attached.

BQE Media is a limited liability company. It owns and operates eight weekly community newspapers, two borough-wide magazines, eight news websites, and other social networking websites. The same classified rental advertisements appear in all eight weekly community newspapers. Imperato Realty is licensed by the State of New York as a real estate company and has been in business for over 30 years. The McFaddens separately or jointly own and control at least five rental units.

In reviewing advertisements placed in BQE Media publications from August 2009 through February 2011, FHJC found seventy two (72) discriminatory advertisements. A majority of the discriminatory advertisements were placed by the McFaddens or Imperato Agency and discriminated on the basis of sex and/or family status.

Imperato is responsible for repeatedly placing classified advertisements in BQE Media controlled newspapers which read, in relevant part, "couple or single preferred". Imperato published this advertisement for the first time on November 11, 2009. The final publication of this advertisement was on April 8, 2010.

The McFaddens were responsible for placing classified advertisements in BQE Media controlled newspapers which read "mature couple or single woman preferred." The first publication of these advertisements was September 3, 2009. The final publication of these advertisements was September 16, 2010.

BQE Media has continued to publish other discriminatory advertisements, including as recently as February 10, 2011, when the newspaper published an advertisement which read in relevant part "female preferred".

The advertisements paid for by Imperato and published by BQE Media which read "couple or single preferred" violate §3604(c) of the Fair Housing Act (FHA) and discriminates on the basis of familial status. This language suggests to the ordinary reader that families with children are not welcome to apply for the apartment. If the language "couple or single preferred" was intended to denote that all individuals, regardless of familial status, are welcome to apply, then there would be no reason to include the language in the advertisement.

The advertisements paid for by the McFaddens and published by BQE Media which read "mature couple or single woman preferred" discriminate against single men on the basis of sex and against families with children on the basis of familial status. An advertisement which denotes a preference for single women and couples would discourage single men from applying. The advertisements use of the phrase "mature couple" also denotes a preference for couples without children. For both of these reasons, the advertisements are discriminatory and violate the FHA. Please note that the McFaddens do not meet any of the exemptions available under the FHA.

BQE Media's consistent publication of advertisements from Imperato, the McFaddens and others which discriminate on the basis of sex and familial status frustrates the mission of FHJC and makes it more difficult for single men and families with children to find housing. By publishing or placing discriminatory rental advertisements in the various newspapers owned by BQE Media, the Respondents have discriminated on the basis of sex and familial status in violation of Section 3604(c) of the FHA.

BOX 6a. Last Date of Discriminatory Advertisement

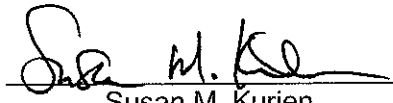
BQE Media has published discriminatory advertisements from August 6, 2009 up to and including the February 10, 2011 editions of its newspapers.

Imperato Agency placed discriminatory advertisements from November 5, 2009 through April 8, 2010.

The McFaddens placed discriminatory advertisements from September 3, 2009 through September 16, 2010.

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Susan M. Kurien, being duly sworn, deposes and says: that she is the complainant herein; that she has read (or had read to her) the foregoing complaint and knows the content thereof; that the same is true of her own knowledge except as to the matters therein stated on information and belief; and that as to those matters, she believes the same to be true.


Susan M. Kurien

April 4, 2011
Date

Subscribed and sworn to
Before me this 4th day
Of April, 2011

ANGELA T. BATISTA
Notary Public, State of New York
No. 01BA6233558
Qualified in Nassau County
Commission Expires December 27, 2014

