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NYC RENTAL CASE ALLEGING RACE DISCRIMINATION SETTLED FOR \$341,000 AND INJUNCTIVE RELIEF

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Today, the Fair Housing Justice Center (FHJC) announced that a settlement was reached in a fair housing case which alleged racial discrimination. The lawsuit was filed in January 2010 by the FHJC and four African American testers against the owners and managers of a 72-unit apartment building in Astoria, Queens. The complaint was based on testing, conducted in 2009, and alleged that four matched pairs of African American and white testers visited the apartment building. According to the complaint, the African American testers were allegedly told no apartments were available while their white counterparts were told about and, in most cases, shown available apartments. The federal lawsuit alleged that the building owner, Broadway Crescent Realty, Inc. (BCR), building management company, M & N Management Corp. (M & N), and their agents were discriminating against prospective renters based on race.

On November 7, 2011, Judge Colleen M. McMahon signed a settlement agreement and order in which the defendants agreed to pay a total of \$341,000 to the plaintiffs for damages to the four African American testers and the FHJC, attorneys' fees, and costs. The four-year settlement requires defendants BCR and M & N to:

- Provide fair housing training for employees
- Adopt a written non-discrimination policy in English and Spanish to be signed by all employees
- Advertise all available rentals and include "Equal Housing Opportunity" in all rental advertisements
- Place the HUD fair housing poster in its office and all rental buildings
- Comply with local, state, and federal fair housing laws.

The injunctive relief applies to all buildings managed by the defendants. In addition, the same defendants will maintain Broadway Crescent rental applications and waiting lists, as well as rental advertisements for all M & N buildings.

Finally, the defendants, BCR and M & N will pay \$335,000 and the building superintendent and his wife will pay \$6,000 to the plaintiffs. The monetary recovery includes damages for four African American testers and the FHJC, attorneys' fees, and costs. The plaintiffs were represented by Diane L. Houk and Eisha Jain with the law firm of Emery, Celli, Brinckerhoff & Abady, LLP.

FHJC Board President Bernhard Blythe hailed the settlement as a positive outcome and stated, "We are pleased that the injunctive relief applies to approximately 30 rental buildings in the New York City area." Blythe added, "This settlement demonstrates that fair housing policies and practices can be achieved when the laws are vigorously enforced. The FHJC will continue to do its part to remove discriminatory barriers to housing and work with other New Yorkers to create a region of open and inclusive communities."

Plaintiffs' lawyer Diane L. Houk, of Emery, Celli, Brinckerhoff & Abady, stated, "While it is deplorable that racial discrimination in housing persists, strong advocacy for fair housing makes it possible to change this reality so that we need not accept it as a permanent or irreparable condition."

The FHJC is a New York City-based non-profit organization dedicated to eliminating housing discrimination, promoting open and inclusive communities, and strengthening fair housing enforcement. Individuals who encounter illegal housing discrimination are encouraged to call the FHJC for assistance at 212-400-8201.