



Opening Acts

Monday, November 7, 2011

A Publication of the Fair Housing Justice Center Inc.

Rental Case Alleging Racial Discrimination Settled for \$341,000 and Injunctive Relief

On November 7, 2011, the Fair Housing Justice Center (FHJC) announced that federal Judge Colleen M. McMahon approved the settlement of a case involving alleged race discrimination at a 72-unit apartment building in Astoria, Queens. The four-year settlement agreement includes injunctive relief and a monetary recovery of \$341,000 for damages and attorneys' fees.

The lawsuit, filed in January 2010 by the FHJC and four African American testers, alleged that the owners and managers of Broadway Crescent Apartments were discriminating on the basis of race. The complaint was based on testing conducted by the FHJC in 2009 in which four teams of African American and white testers, matched on personal and home-seeking characteristics, visited Broadway Crescent Apartments to inquire about renting apartments. According to the complaint, African American testers were not told about available apartments while their white counterparts were told about and, in most cases, shown available apartments. The defendants named in the complaint were owner Broadway Crescent Realty, Inc. (BCR), M & N Management Corp. (M & N), along with the building superintendent, Louie Dodaj and his wife, Pranvera Celaj.

The settlement requires the 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 in 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."