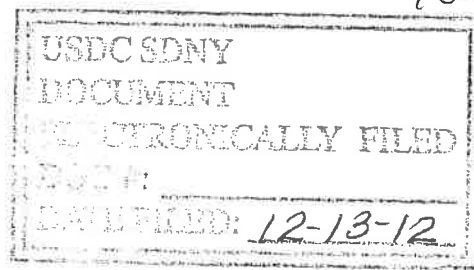


(UNTS)



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
KEITH SHORT and FAIR HOUSING JUSTICE
CENTER, INC.,

Plaintiffs,

11 CIVIL 5989 (SC)

-against-

JUDGMENT

MANHATTAN APARTMENTS, INC. and
ABBA REALTY ASSOCIATES, INC.,
Defendants.

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Whereas the Court having held a four-day bench trial from October 15 through October 18, 2012, and the matter having come before the Honorable Samuel Conti, United States District Judge, Sitting by Designation, and the Court, on December 3, 2012, having rendered its Memorandum of Decision, Findings of Fact, and Conclusions of Law finding for Defendants Manhattan Apartment, Inc. and Abba Realty Associates, Inc. on each and every one of Plaintiffs' claims under the FHA, finding for Defendants MA and Abba on Plaintiffs' claims for disability discrimination under the NYCHRL, finding for Plaintiffs Keith Short and Fair Housing Justice Center and against Defendants MA and Abba on Plaintiffs' claims for source-of-income discrimination under the NYCHRL, awarding Plaintiff Keith Short \$20,000 in compensatory damages, \$10,000 from Defendant MA and \$10,000 from Defendant Abba, awarding Plaintiff FHJC \$5,000 in compensatory damages, \$2,500 from Defendant MA and \$2,500 from Defendant Abba, and entering the following injunction against Defendants MA and Abba:

GENERAL INJUNCTION

Defendants and their agents, employees, and successors, and all other persons in active concert or participation with Defendants are hereby enjoined from discriminating against any person on the basis of lawful source of income, including government housing subsidies, in violation of the New York City Human Rights Law, New York Administrative Code, § 8-107 et seq., in any manner, including, without limitation:

1. Denying or withholding rental apartments, or otherwise making rental apartments unavailable on the basis of lawful source of income, including by refusing to provide rental brokerage services to individuals on the basis of lawful source of income;
2. Representing to any person that an apartment is not available for inspection or rental because of lawful source of income when such apartment is in fact so available, including maintaining separate lists, inventories, databases or other separate collections of information on the basis of lawful source of income regarding the availability of housing;
3. Discriminating in the terms or conditions of rental because of lawful source of income, including imposing more onerous conditions on persons who have a housing subsidy in any stage of the process of providing rental brokerage services (including, but not limited to, before informing clients of available apartments, before showing such apartments, etc.);
4. Making any record or inquiry in connection with the prospective rental of housing that expresses, directly or indirectly, any limitation, specification or discrimination as to lawful source of income;
5. Making, printing, or publishing any statement with respect to the rental of a dwelling that indicates any preference, limitation, or discrimination on the basis of lawful source of income.

NON-DISCRIMINATION POLICY

The following provisions shall go into effect within thirty (30) days of the date of this Order:

1. Defendants shall each adopt a written nondiscrimination policy that prohibits discrimination in housing in violation of the New York City Human Rights Law, New York Administrative Code, § 8-107 et seq. by their agents and employees and that includes a list of all of the specific protected characteristics covered by these laws, including disability and lawful source of income.
2. Defendants shall provide Plaintiff FHJC with a copy of the non-discrimination policy within ten (10) days of its adoption.
3. Each Defendant shall post its non-discrimination policy on any website it maintains and distribute the policy to all employees and agents by e-mail.

FAIR HOUSING TRAINING

1. Within ninety (90) days of the date of this Order, each Defendant shall contract with a third party to provide the following three (3) hour fair housing training programs to be conducted by a third-party, not the Defendants, acceptable to the Plaintiffs. The training shall include informing individuals of their duties and obligations under a) this Order, b) the Defendants' non-discrimination policy; and c) the New York City Human Rights Law, New York Administrative Code, § 8-107 et seq.
2. The persons required to attend the training described above shall include the owners of the Defendant corporations, Defendants' employees whose job duties relate to the rental of apartments, including obtaining and disseminating information about rental listings, and Defendants' associate brokers and sales persons.
3. Each person who attends the training described above shall sign a certification indicating that he or she has received, read, and understood Defendants' non-discrimination policy and has attended the training.
4. The training shall be conducted at Defendants' expense. Defendants shall retain all training verifications signed by trainees for the length of this Order.
5. Within thirty (30) days of commencing employment with Defendants, each new employee with job duties related to the rental of apartments, and associate brokers and sales persons, shall be given a copy of Defendants' non-discrimination policy and be required to sign a certification indicating that he or she has received, read, and understood the policy.

Defendants MA and Abba shall be bound by the terms of this injunction for a period of three years, and it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum of Decision, Findings of Fact, and Conclusions of Law dated December 3, 2012, the Court finds for Defendants Manhattan Apartment, Inc. and Abba Realty Associates, Inc. on each and every one of Plaintiffs' claims under the FHA; the Court finds for Defendants MA and Abba on Plaintiffs' claims for disability discrimination under the NYCHRL; the Court finds for Plaintiffs Keith Short and Fair Housing Justice Center and against Defendants MA and Abba on Plaintiffs' claims for

source-of-income discrimination under the NYCHRL; the Court awards Plaintiff Keith Short \$20,000 in compensatory damages, \$10,000 from Defendant MA and \$10,000 from Defendant Abba; the Court awards Plaintiff FHJC \$5,000 in compensatory damages, \$2,500 from Defendant MA and \$2,500 from Defendant Abba; and the Court enters the following injunction against Defendants MA and Abba:

GENERAL INJUNCTION

Defendants and their agents, employees, and successors, and all other persons in active concert or participation with Defendants are hereby enjoined from discriminating against any person on the basis of lawful source of income, including government housing subsidies, in violation of the New York City Human Rights Law, New York Administrative Code, § 8-107 et seq., in any manner, including, without limitation:

1. Denying or withholding rental apartments, or otherwise making rental apartments unavailable on the basis of lawful source of income, including by refusing to provide rental brokerage services to individuals on the basis of lawful source of income;
2. Representing to any person that an apartment is not available for inspection or rental because of lawful source of income when such apartment is in fact so available, including maintaining separate lists, inventories, databases or other separate collections of information on the basis of lawful source of income regarding the availability of housing;
3. Discriminating in the terms or conditions of rental because of lawful source of income, including imposing more onerous conditions on persons who have a housing subsidy in any stage of the process of providing rental brokerage services (including, but not limited to, before informing clients of available apartments, before showing such apartments, etc.);
4. Making any record or inquiry in connection with the prospective rental of housing that expresses, directly or indirectly, any limitation, specification or discrimination as to lawful source of income;
5. Making, printing, or publishing any statement with respect to the rental of a dwelling that indicates any preference, limitation, or discrimination on the basis of lawful source of income.

NON-DISCRIMINATION POLICY

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1. Defendants shall each adopt a written nondiscrimination policy that prohibits discrimination in housing in violation of the New York City Human Rights Law, New York Administrative Code, § 8-107 et seq. by their agents and employees and that includes a list of all of the specific protected characteristics covered by these laws, including disability and lawful source of income.
2. Defendants shall provide Plaintiff FHJC with a copy of the non-discrimination policy within ten (10) days of its adoption.
3. Each Defendant shall post its non-discrimination policy on any website it maintains and distribute the policy to all employees and agents by e-mail.

FAIR HOUSING TRAINING

1. Within ninety (90) days of the date of this Order, each Defendant shall contract with a third party to provide the following three (3) hour fair housing training programs to be conducted by a third-party, not the Defendants, acceptable to the Plaintiffs. The training shall include informing individuals of their duties and obligations under a) this Order, b) the Defendants' non-discrimination policy; and c) the New York City Human Rights Law, New York Administrative Code, § 8-107 et seq.
2. The persons required to attend the training described above shall include the owners of the Defendant corporations, Defendants' employees whose job duties relate to the rental of apartments, including obtaining and disseminating information about rental listings, and Defendants' associate brokers and sales persons.
3. Each person who attends the training described above shall sign a certification indicating that he or she has received, read, and understood Defendants' non-discrimination policy and has attended the training.
4. The training shall be conducted at Defendants' expense. Defendants shall retain all training verifications signed by trainees for the length of this Order.
5. Within thirty (30) days of commencing employment with Defendants, each new employee with job duties related to the rental of apartments, and associate brokers and sales persons, shall be given a copy of Defendants' non-discrimination policy and be required to sign a

certification indicating that he or she has received, read, and understood the policy.

Defendants MA and Abba shall be bound by the terms of this injunction for a period of three years.

DATED: New York, New York
December , 2012

So Ordered:



U.S.D.J.

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

Date:

In Re:

-v-

Case #:

()

Dear Litigant,

Enclosed is a copy of the judgment entered in your case.

Your attention is directed to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, which requires that if you wish to appeal the judgment in your case, you must file a notice of appeal within 30 days of the date of entry of the judgment (60 days if the United States or an officer or agency of the United States is a party).

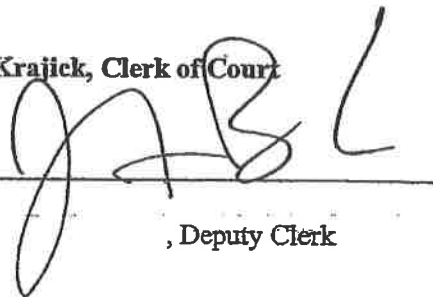
If you wish to appeal the judgment but for any reason you are unable to file your notice of appeal within the required time, you may make a motion for an extension of time in accordance with the provision of Fed. R. App. P. 4(a)(5). That rule requires you to show "excusable neglect" or "good cause" for your failure to file your notice of appeal within the time allowed. Any such motion must first be served upon the other parties and then filed with the Pro Se Office no later than 60 days from the date of entry of the judgment (90 days if the United States or an officer or agency of the United States is a party).

The enclosed Forms 1, 2 and 3 cover some common situations, and you may choose to use one of them if appropriate to your circumstances.

The Filing fee for a notice of appeal is \$5.00 and the appellate docketing fee is \$450.00 payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. No personal checks are accepted.

Ruby J. Krajick, Clerk of Court

by:



, Deputy Clerk

APPEAL FORMS

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

-v-

NOTICE OF APPEAL

civ. ()

Notice is hereby given that _____
(party)
hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment [describe it]

entered in this action on the _____ day of _____, _____
(day) (month) (year)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

() _____
(Telephone Number)

Note: You may use this form to take an appeal provided that it is received by the office of the Clerk of the District Court within 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 1

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

-V-

MOTION FOR EXTENSION OF TIME
TO FILE A NOTICE OF APPEAL

civ. ()

Pursuant to Fed. R. App. P. 4(a)(5), _____ respectfully

(party)

requests leave to file the within notice of appeal out of time.

desires to appeal the judgment in this action entered on _____

(party)

but failed to file a

(day)

notice of appeal within the required number of days because:

[Explain here the "excusable neglect" or "good cause" which led to your failure to file a notice of appeal within the required number of days.]

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

()

(Telephone Number)

Note: You may use this form, together with a copy of Form 1, if you are seeking to appeal a judgment and did not file a copy of Form 1 within the required time. If you follow this procedure, these forms must be received in the office of the Clerk of the District Court no later than 60 days of the date which the judgment was entered (90 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

District Court will receive it within the 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 3

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

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-V-
-----X

AFFIRMATION OF SERVICE

civ. ()

I, _____, declare under penalty of perjury that I have

served a copy of the attached _____

upon _____

whose address is: _____

Date: _____
New York, New York

(Signature)

(Address)

(City, State and Zip Code)

FORM 4

APPEAL FORMS

FORM 2

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

-V-

**NOTICE OF APPEAL
AND
MOTION FOR EXTENSION OF TIME**

civ. ()

1. Notice is hereby given that _____ hereby appeals to
(party)
the United States Court of Appeals for the Second Circuit from the judgment entered on _____.
[Give a description of the judgment]

2. In the event that this form was not received in the Clerk's office within the required time
_____ respectfully requests the court to grant an extension of time in
(party)
accordance with Fed. R. App. P. 4(a)(5).

a. In support of this request, _____ states that
(party)
this Court's judgment was received on _____ and that this form was mailed to the
(date)
court on _____
(date)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

() _____
(Telephone Number)

Note: You may use this form if you are mailing your notice of appeal and are not sure the Clerk of the

APPEAL FORMS