

**UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF HEARINGS AND APPEALS**

The Secretary, United States)	
Department of Housing and Urban)	
Development, on behalf of Complainant)	
Metropolitan St. Louis Equal Housing and)	
Opportunity Council,)	
)	
<i>Charging Party,</i>)	
)	
v.)	HUD OHA No: _____
)	FHEO No: 07-17-6826-8
LJLD, LLC, d/b/a Debrecht Properties)	
or Debrecht Property;)	
Westminster Properties, LLC; and)	
Bridgewater Apartments V, LLC,)	
f/k/a Fordyce Manor, LLC,)	
)	
<i>Respondents.</i>)	
)	

CHARGE OF DISCRIMINATION

I. JURISDICTION

On June 19, 2017, the Metropolitan St. Louis Equal Housing and Opportunity Council (“EHOC”) filed a timely complaint with the U.S. Department of Housing and Urban Development (“Department” or “HUD”), alleging that Respondent LJLD, LLC, d/b/a Debrecht Properties or Debrecht Property (“LJLD”), violated the Fair Housing Act, as amended, 42 U.S.C. § 3601 *et seq.* (“Act”) by discriminating because of disability.¹ Specifically, Complainant alleged that Respondent failed to design and construct covered multifamily dwellings in accordance with the Act. The original complaint was later amended to add Westminster Properties, LLC (“Westminster”), which co-owned the property along with LJLD, and current owner, Bridgewater Apartments V, LLC, f/k/a Fordyce Manor, LLC (“Bridgewater”), as Respondents. Bridgewater was added as a Respondent as a necessary party for relief.

The Act authorizes the Secretary of HUD to issue a Charge of Discrimination (“Charge”) on behalf of aggrieved persons following an investigation and a determination that reasonable cause exists to believe that a discriminatory housing practice has occurred. *See* 42 U.S.C. § 3610(g)(1)-(2); 24 C.F.R. § 103.400(a). The Secretary has delegated that authority to

¹ The term “disability” is used herein in place of, and has the same meaning as, the term “handicap” in the Act and its implementing regulations.

the General Counsel, 24 C.F.R. §§ 103.400, 103.405, who has re-delegated that authority to the Associate General Counsel for Fair Housing and the Assistant General Counsel for Fair Housing Enforcement. 76 Fed. Reg. 42,462, 42,465 (July 18, 2011).

The Director of the Office of Fair Housing and Equal Opportunity (“FHEO”) for Region VII, on behalf of the Assistant Secretary for Fair Housing and Equal Opportunity, has determined that reasonable cause exists to believe that discriminatory housing practices have occurred in this case and has authorized and directed the issuance of this Charge. *See* 42 U.S.C. § 3610(g)(1) and (2)(A); 24 C.F.R. § 103.400(a).

II. LEGAL AUTHORITY AND FACTUAL BASIS FOR THIS CHARGE

Based on the Department’s investigation of the allegations contained in the aforementioned complaints, and the Determination of Reasonable Cause, Respondents LJLD and Westminster are charged with violating the Act as follows:

A. Legal Authority

1. It is unlawful to discriminate in the sale or rental, or to otherwise make unavailable or deny; a dwelling to a person because of a disability of (1) that buyer or renter, (2) a person residing in or intending to reside in that dwelling after it is sold, rented, or made available, or (3) any person associated with that buyer or renter. 42 U.S.C. § 3604(f)(1); 24 C.F.R. § 100.202(a).
2. It is unlawful to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of facilities in connection with such a dwelling, because of a disability of (1) that person, (2) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available, or (3) any person associated with that person. 42 U.S.C. § 3604(f)(2); 24 C.F.R. § 100.202(b).
3. For the purposes of 42 U.S.C. § 3604(f)(1) and (2), unlawful discrimination includes a failure to design and construct covered multifamily dwellings for first occupancy after March 13, 1991, in such a manner that:
 - i. the public use and common use portions of such dwellings are readily accessible to and usable by persons with disabilities;
 - ii. all doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by persons with disabilities using wheelchairs;
 - iii. all premises within such dwellings contain the following features of adaptive design:
 - I. an accessible route into and through the dwelling;
 - II. light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
 - III. reinforcements in bathroom walls to allow later installation of grab bars; and

IV. usable kitchens and bathrooms such that an individual using a wheelchair can maneuver about the space.

42 U.S.C. § 3604(f)(3)(C); 24 C.F.R. § 100.205.

4. As used in 42 U.S.C. § 3604(f)(3)(C), “covered multifamily dwellings” includes all ground-floor dwelling units in buildings that consist of four or more dwelling units and that do not have elevators. 42 U.S.C. § 3604(f)(7)(B); 24 C.F.R. § 100.201.
5. The Fair Housing Accessibility Guidelines (“Guidelines”) specify a safe harbor for compliance with the Act’s design and construction requirements. 24 C.F.R. § 100.205; *see also* HUD, *Fair Housing Accessibility Guidelines: Design Guidelines for Accessible/Adaptable Dwellings* (Mar. 6, 1991), 56 Fed. Reg. 9472-9515.

B. Parties and Subject Property

6. Complainant EHOC is a nonprofit, housing advocacy corporation, organized under the laws of Missouri. EHOC works to fight illegal housing discrimination through education, outreach, counseling, investigation, and enforcement.
7. Complainant EHOC is an “aggrieved person” as defined by subsection 802(i) of the Act. 42 U.S.C. § 3602(i); 24 C.F.R. § 100.20.
8. Respondent LJLD is incorporated in Missouri and operates under the trade name, “Debrecht Properties” or “Debrecht Property.” LJLD owned, developed, and constructed the Subject Property.
9. Respondent Westminster is incorporated in Missouri. Westminster co-owned portions of the Subject Property, along with LJLD, during its development and construction.
10. Respondent Bridgewater is incorporated in Missouri. Bridgewater purchased the Subject Property from LJLD and Westminster on or around May 25, 2017, after construction had been completed. Bridgewater is a necessary party for relief.
11. The Subject Property is a three-building, three-story, multifamily apartment complex consisting of 84 two-bedroom, two-bathroom dwelling units located at 19, 21, and 23 Kassebaum Lane, St. Louis, Missouri 63129. The buildings do not have elevators. The Subject Property contains 28 ground-floor, covered dwelling units, as defined by the Act.

C. Factual Allegations

12. LJLD completed construction of the Subject Property in or around 2016, when it was co-owned by LJLD and Westminster. On July 11, 2016, the St. Louis Department of Public Works issued a Commercial Certificate of Final Inspection for the Subject

Property to LJLD.

13. On October 29, 2016, Complainant EHOC conducted an accessibility test of the Subject Property, after seeing it advertised as a “brand new apartment complex” that was “all brand new construction.” The advertisement noted that one apartment had accessible features, including: “no-step or ramped entry,” “accessible bathroom vanities,” “accessible kitchen counters,” and “clear floor area in front of sink and range.” The advertisement advised those seeking more information to “contact LJLD LLC.”
14. Complainant EHOC’s tester observed the common areas and the leasing office. The EHOC tester inspected the Subject Property, taking measurements and photographs.
15. On September 6, 2017, HUD conducted an on-site inspection of the Subject Property, including the common areas and leasing office in Building 19, taking measurements and photographs.
16. On May 17, 2019, a HUD-retained consultant conducted another on-site inspection of the Subject Property, taking measurements and photographs. The consultant also reviewed the Subject Property’s construction plans, which along with his on-site observations, he used to produce a Report of Inspection. He inspected the common areas; a dwelling unit, unit A in Building 19, identified by Respondent as the accessible unit; and unit N/Z in Building 19, the ground-floor dwelling unit being used as the leasing office.

Requirement 1: Accessible Building Entrances on an Accessible Route.

17. Requirement 1 of the Guidelines specifies that all buildings containing covered dwelling units must have at least one accessible building entrance on an accessible route. 56 Fed. Reg. 9503. A route that complies with the requirements of the 1986 edition of ANSI A117.1-1986, the American National Standards Institute’s *American National Standard for Buildings and Facilities: Providing Accessibility and Usability [for Persons with Disabilities]* (“ANSI A117.1-1986” or hereinafter, “ANSI”), Section 4.3, is an “accessible route.” See Guidelines, Requirement 1, 56 Fed. Reg. 9504.
18. Buildings containing covered dwelling units at the Subject Property lack accessible building entrances on an accessible route. For example:
 - i. There are no continuous accessible pedestrian routes, such as sidewalks, between arrival points at the parking area and the public street, Kassebaum Lane, and the Subject Property’s covered dwelling unit entrances. Routes between these points necessitate travel along a vehicular route. See Guidelines Requirement 1, 56 Fed. Reg. 9503-04.
 - ii. Routes from Kassebaum Lane to covered dwelling units are inaccessible because

- they require crossing curbs with changes in level greater than 0.5 inches, and curb ramps are not provided. *See* Guidelines, Requirement 1, 56 Fed. Reg. 9504; ANSI 4.3.8.
- iii. A route from Kassebaum Lane to the covered dwelling units in Buildings 19 and 21 has a slope of 8.9%, which exceeds the 8.33% maximum slope for an accessible route. *See* Guidelines, Requirement 1, 56 Fed. Reg. 9504.
 - iv. A route from the parking area to the center breezeway at Building 19 has a slope of 11.2%, which exceeds the 8.33% maximum permissible slope for an accessible route. *See* Guidelines, Requirement 1, 56 Fed. Reg. 9504.
 - v. A route from the parking area to the east breezeway at Building 19, which provides access to the leasing office and covered dwelling units, is inaccessible, with a 7-inch step at its entry point. *See* Guidelines, Requirement 1, 56 Fed. Reg. 9504; ANSI 4.3.8.
 - vi. A route between the parking area and the west breezeway at Building 19 is inaccessible because it has a slope of 9.1%, which exceeds the 8.33% maximum permissible slope for an accessible route. *See* Guidelines, Requirement 1, 56 Fed. Reg. 9504.
 - vii. A route from Kassebaum Lane to the covered dwelling units in Building 23 is inaccessible, because it contains stairs. *See* Guidelines, Requirement 1, 56 Fed. Reg. 9504; ANSI 4.3.8.
 - viii. A route between the parking area and the east breezeway at Building 23 is inaccessible, because it has a slope of 12.6%, which exceeds the 8.33% maximum permissible slope for an accessible route. *See* Guidelines, Requirement 1, 56 Fed. Reg. 9504.

Requirement 2: Accessible and Usable Public and Common Use Areas.

- 19. Requirement 2 of the Guidelines specifies that public and common use areas must be readily accessible to and usable by persons with disabilities. 56 Fed. Reg. 9504. Common use spaces and facilities that meet the requirements of the American National Standards Institute's *American National Standard for Buildings and Facilities: Providing Accessibility and Usability [for Persons with Disabilities]* ("ANSI A117.1-1986" or hereinafter, "ANSI") 4.1 through 4.30 are accessible under the Guidelines. *See* Guidelines, Requirement 2, 56 Fed. Reg. 9505.
- 20. The Subject Property's public and common use areas are not readily accessible to and usable by persons with disabilities. For example:
 - i. Open stairways in the first-floor breezeways of all three buildings at the Subject

Property lack the minimum 80 inches headroom and guardrails or other barriers to warn persons with visual impairments, as required for an accessible route by Guidelines Requirement 2. *See* Guidelines, 56 Fed. Reg. 9505; ANSI 4.4.2.

- ii. A route from the parking area to the west breezeway at Building 19 includes a ramp that fails to meet the requirements for an accessible route at Guidelines Requirement 2. For example, it lacks proper edge protection (*see* Guidelines, 56 Fed. Reg. 9505; ANSI 4.8.7); its handrails lack gripping surfaces that are uninterrupted (*see* Guidelines, 56 Fed. Reg. 9505; ANSI 4.8.5, 4.9.4); and it lacks a 60-inch clear level landing at its top and bottom (*see* Guidelines, 56 Fed. Reg. 9505; ANSI 4.8.4).
- iii. Routes to the breezeways at Building 19 are inaccessible because, among other problems, curb ramps lack detectable warning textures, as required by Guidelines Requirement 2. *See* Guidelines, 56 Fed. Reg. 9505; ANSI 4.7.7.
- iv. A route between the parking area and the west breezeway to Building 19 is inaccessible, because the curb ramp: can be obstructed by a parked vehicle; lacks required flared sides; has a slope of 11.7%, which exceeds the 8.33% maximum permissible slope for an accessible route; and has a cross slope of 11.6%, which exceeds the 2% maximum permissible cross slope for an accessible route, as required for an accessible route by Guidelines Requirement 2. *See* Guidelines, 56 Fed. Reg. 9504-05; ANSI 4.7.5, 4.7.8.
- v. A curb ramp between the parking area and the west breezeway at Building 19 lacks a detectable warning texture, as required by Guidelines Requirement 2. *See* Guidelines, 56 Fed. Reg. 9505; ANSI 4.7.7.
- vi. A curb ramp between the parking area and the east breezeway at Building 23 is inaccessible because it has flared side slopes of 12.3% and 14.8%, which exceed the 10% maximum permissible flare slope, and it lacks a detectable warning texture, all required by Guidelines Requirement 2. *See* Guidelines, 56 Fed. Reg. 9504-05; ANSI 4.7.5, 4.7.7
- vii. Routes between covered dwelling units and public and common use areas or facilities, including the leasing office, the mailbox kiosk, the trash dumpster area, and the dog park, are inaccessible, because they require travel on a vehicular drive. *See* Guidelines, Requirement 2, 56 Fed. Reg. 9505; *see also* Guidelines, Requirement 1, 56 Fed. Reg. 9503-04.
- viii. The sidewalk area south of the mailbox kiosk is inaccessible, because it measures 54 inches in diameter and does not provide the minimum clear turning space of 60 inches diameter, or a T-shaped space with a minimum clear space width of 36 inches on each arm of the T-shaped space, for a wheelchair to make a 180-degree turn, as required by Guidelines, Requirement 2. *See* 56 Fed. Reg. 9505; ANSI 4.2.3.

- ix. The route between the parking area and the mailbox kiosk is inaccessible, because it contains a 6-inch curb, which exceeds the maximum change in level of 0.5 inches permitted by Guidelines Requirement 2. *See* 56 Fed. Reg. 9505; ANSI 4.3.8.
- x. Some mailboxes for covered dwelling units are inaccessible, because they are higher than 54 inches for a parallel reach and 48 inches for forward reach, as required by Guidelines Requirement 2. *See* 56 Fed. Reg. 9505; ANSI 4.2.5, 4.2.6.
- xi. The mailbox kiosk area is inaccessible, because it lacks the minimum 80 inches headroom and guardrails or other barriers to warn persons with visual impairments of protruding objects, as required by Guidelines Requirement 2. *See* 56 Fed. Reg. 9505; ANSI 4.4.1, 4.4.2.
- xii. The route between the covered dwelling units and the entrance to the enclosed trash dumpster area is inaccessible, because it requires travel along a vehicular drive, and the entrance contains a curb that is greater than the maximum 0.5 inches, which are prohibited by Guidelines Requirement 2. *See* 56 Fed. Reg. 9505; *see also* Guidelines, Requirement 1, 56 Fed. Reg. 9504; ANSI 4.3.2, 4.3.8.
- xiii. The trash dumpster area is inaccessible because the entrance is only 30 inches in width, less than the minimum clear width of 36 inches; and it does not provide the minimum wheelchair turning space of 60 inches in diameter or a T-shaped space with a minimum clear space width of 36 inches on each arm of the T-shaped space, as specified by Guidelines Requirement 2. *See* 56 Fed. Reg. 9505; ANSI 4.2.3, 4.3.3.
- xiv. The trash dumpsters are inaccessible, because their openings are too high to be accessed by a person using a wheelchair. *See* Guidelines Requirement 2, 56 Fed. Reg. 9504.
- xv. The dog park entrance is inaccessible, because it has a change in level greater than 0.5 inches, lacks accessible curb ramps, and does not provide the required minimum wheelchair turning space of 60 inches in diameter or a T-shaped space with a minimum clear space width of 36 inches on each arm of the T-shaped space, as required by Guidelines Requirement 2. *See* 56 Fed. Reg. 9505; ANSI 4.2.3, 4.3.8.
- xvi. The leasing office is inaccessible because, for example: it lacks a bathroom meeting the requirements for public and common use bathrooms, including a clear turning radius of 60 inches, grab bars around toilets, accessible shower stall curbs, and counters and a toilet at an accessible height and with accessible clearances; there is no accessible van space; the interior routes, including doorways, provide less than 36 inches clear width; all doors have knob hardware, rather than

accessible hardware; and the exterior light fixture is mounted at 67 inches above the ground, less than the required 80 inches, creating a protruding object, with no guardrails or other barriers to warn persons with visual impairments; all are required by Guidelines Requirement 2. *See* 56 Fed. Reg. 9505; ANSI 4.2, 4.3, 4.4, 4.6, 4.13, 4.16, 4.19, 4.21, 4.22.

Requirement 3: Usable Doors.

21. Requirement 3 of the Guidelines specifies that all doors designed to allow passage into and within covered dwelling units must be sufficiently wide to allow passage by persons with disabilities using wheelchairs. 56 Fed. Reg. 9506. On accessible routes in public and common use areas, and for primary entry doors to covered units, doors that comply with ANSI 4.13 would meet this requirement. *Id.* Interior unit doors must provide a nominal 32 inches clear width. *Id.*
22. Doors at the Subject Property are not usable by persons with disabilities, including persons using wheelchairs. For example:
 - i. Primary entry doors to the covered dwelling units have inaccessible, knob-type hardware. *See* Guidelines, Requirement 3, 56 Fed. Reg. 9506; ANSI 4.13.9.
 - ii. Interior doors at the leasing office, Building 19, and the clubhouse, which are public and common use areas, have inaccessible, knob-type hardware. *See* Guidelines, Requirement 3, 56 Fed. Reg. 9506; ANSI 4.13.9.
 - iii. There is insufficient maneuvering space at the interior of some primary entry doors, because they lack the minimum 18-inch maneuvering clearance specified by Guidelines Requirement 3. *See* 56 Fed. Reg. 9506; ANSI 4.13.6 (Fig. 25).
 - iv. Doors in the covered dwelling units are inaccessible because they have only a 29-inch clear passage width, less than the minimum nominal 32 inches, required by Guidelines Requirement 3. *See* 56 Fed. Reg. 9506; ANSI 4.3.15.
 - v. The threshold at the sliding patio door of the leasing office exceeds the maximum allowable threshold height of 0.75 inches and is not beveled. *See* Guidelines, Requirement 3, 56 Fed. Reg. 9506; ANSI 4.13.8.

Requirement 4: Accessible Route Into and Through the Covered Dwelling Units.

23. Requirement 4 of the Guidelines specifies that there must be an accessible route into and through each covered dwelling unit. 56 Fed. Reg. 9507.

24. The Subject Property lacks accessible routes into and through each covered dwelling unit. For example:
- i. The route from the main entry door to the kitchen in some units is only 33 inches wide, narrower than the minimum 36 inches specified by Guidelines Requirement 4. 56 Fed. Reg. 9507.
 - ii. The thresholds at the sliding patio doors of some units exceed the maximum allowable threshold height of 0.75 inches and are not beveled. *See* Guidelines, Requirement 4, 56 Fed. Reg. 9507.

Requirement 5: Light Switches, Electrical Outlets, Thermostats, and Other Environmental Controls in Accessible Locations.

25. Requirement 5 specifies that thermostats must be in accessible locations, *i.e.*, operable parts of the controls must be located no higher than 48 inches above the floor. 56 Fed. Reg. 9507.
26. The Subject Property lacks thermostats in accessible locations in all covered dwelling units. Thermostat operable parts are located 54 1/4 inches above the floor, above the maximum height of 48 inches above the floor. *See* Guidelines, Requirement 5, 56 Fed. Reg. 9507.

Requirement 6: Reinforced Walls for Grab Bars.

27. Requirement 6 specifies that bathroom walls must be reinforced to allow for later installation of grab bars around toilets and tubs, as well as shower stalls and shower seats, where such facilities are provided. 56 Fed. Reg. 9509. Where a toilet is not placed adjacent to a side wall, the bathroom would comply if provision was made for installation of floor-mounted, foldaway or similar alternative grab bars. *Id.*
28. The Subject Property appears to lack necessary reinforcements for grab bars in all covered dwelling unit bathrooms. For example:
- i. In unit type A, the toilet is not installed adjacent to any wall, and there is no apparent installation of the required reinforcement for future of installation of grab bars around the toilet, as required by Guidelines Requirement 6. *See* 56 Fed. Reg. 9509.

Requirement 7: Usable Kitchens and Bathrooms.

29. Requirement 7 specifies that usable kitchens and bathrooms must be designed and constructed such that an individual using a wheelchair may maneuver about the space. 56 Fed. Reg. 9511.

30. The Subject Property lacks usable kitchens and bathrooms for individuals using wheelchairs. For example:
- i. Some kitchens are not usable because they lack the minimum 30 by 48 inches clear floor space at the refrigerator and sink. *See* Guidelines, Requirement 7, 56 Fed. Reg. 9511.
 - ii. Some bathrooms are not usable because the swing of their doors does not allow sufficient clear maneuvering space of at least 30 by 48 inches, as required by Guidelines Requirement 7. *See* 56 Fed. Reg. 9511.
 - iii. Some bathrooms are not usable because there is insufficient space at the sink for a forward or parallel approach by a person using a wheelchair, and cabinets are not removable, as required by Guidelines Requirement 7. *See* 56 Fed. Reg. 9511.
31. The Subject Property fails to meet the requirements of the Guidelines, which provide a safe harbor for compliance with the accessibility requirements of the Fair Housing Act. *See* 59 Fed. Reg. 9472-9515; 24 C.F.R. § 100.205(e)(2)(i). Respondents have not asserted to HUD that the Subject Property complies with any other HUD-recognized accessibility safe harbor or comparable accessibility standard under the Act.
32. Because of the discriminatory conduct of Respondents LJLD and Westminster in developing and constructing the Subject Property, Complainant EHOC suffered actual damages. Respondents' acts have frustrated EHOC's mission by preventing equal access to housing for people with disabilities. These acts have caused EHOC to divert organizational resources from other fair housing activities to investigate Respondents and work to end illegal housing discrimination because of disability in the metropolitan St. Louis area. This included: conducting a test; making site visits at the Subject Property and researching its development; providing workshops for the public; monitoring the Subject Property; and reviewing fair housing design and construction laws and regulations.
33. In addition, Respondents' discriminatory conduct caused actual damages to residents or potential residents of the Subject Property who may have been denied accessible housing.

D. Legal Allegations

34. As described above, Respondents LJLD and Westminster discriminated in the rental of, or otherwise made unavailable or denied, dwellings to persons with disabilities and others by failing to design and construct the Subject Property in accordance with subsection 804(f)(3) of the Act, 42 U.S.C. § 3604(f)(3), in violation of subsection 804(f)(1) of the Act. 42 U.S.C. § 3604(f)(1) and (f)(3); 24 C.F.R. § 100.202(a).

35. As described above, Respondents LJLD and Westminster discriminated in the terms, conditions, or privileges of sale or rental of dwellings, or in the provision of services or facilities in connection with such a dwelling because of disability by failing to design and construct the Subject Properties in accordance with subsection 804(f)(3) of the Act, 42 U.S.C. § 3604(f)(3), in violation of subsection 804(f)(2) of the Act. 42 U.S.C. § 3604(f)(2); 24 C.F.R. § 100.202(b).

III. CONCLUSION

WHEREFORE, the Secretary of the U.S. Department of Housing and Urban Development, through the Office of the General Counsel, and pursuant to section 810(g)(2)(A) of the Act, 42 U.S.C. § 3610, hereby charges Respondents LJLD and Westminster with engaging in discriminatory housing practices in violation of subsections 804(f)(1), (f)(2) and (f)(3)(C), 42 U.S.C. §§ 3604(f)(1)-(3), and requests that an Order be issued that:

1. Declares that the discriminatory housing practices of Respondents as set forth above violate subsections 804(f)(1), (f)(2) and (f)(3)(C) of the Act, 42 U.S.C. §§ 3604(f)(1)-(3);
2. Enjoins Respondents, their agents, employees, and successors, and all other persons in active concert or participation with them, from discriminating because of disability against any person in the sale or rental of a dwelling;
3. Directs Respondents LJLD and Westminster, their agents, employees, and successors, and all other persons in active concert or participation with any of them, to retrofit the covered ground-floor dwelling units and public use and common use areas in the Subject Property to bring them into compliance with 42 U.S.C. § 3604(f)(3)(C), including providing reasonable compensation to the tenants of the Subject Property for inconvenience caused by, and other expenses related to, such retrofitting;
4. Directs Respondent Bridgewater to participate as necessary for relief, including permitting and facilitating retrofitting of the covered ground-floor dwelling units and public use and common-use areas at the Subject Property to bring them into full compliance with 42 U.S.C. § 3604(f)(3)(C);
5. Awards such actual damages as will fully compensate Complainant EHO and any other individuals who resided, or sought to reside, at the Subject Property for any and all injuries caused by Respondents' discriminatory conduct, pursuant to 42 U.S.C. § 3612(g)(3);
6. Assesses the maximum civil penalty against Respondents LJLD and Westminster for each discriminatory housing practice, pursuant to 42 U.S.C. § 3612(g)(3) and 24 C.F.R. § 180.671(a)(1); and

7. Awards such additional relief as may be appropriate under 42 U.S.C. § 3612(g)(3).

Respectfully submitted,

/s/ Jeanine M. Worden
JEANINE M. WORDEN
Associate General Counsel
for Fair Housing

/s/ Kathleen M. Pennington
KATHLEEN M. PENNINGTON
Assistant General Counsel
for Fair Housing Enforcement

/s/ Maggie Donahue
MAGGIE DONAHUE
Trial Attorney



HEATHER E. NODLER
Trial Attorney

U.S. Department of Housing and Urban Development
Office of General Counsel
451 7th Street SW, Room 10249
Washington, DC 20410
Heather.Nodler@hud.gov

Date: _____