

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

Secretary, United States Department of )  
Housing and Urban Development, on behalf of )  
Complainant **NAME REDACTED** and her minor )  
children and on behalf of Complainant )  
Metropolitan St. Louis Equal Housing and )  
Opportunity Council, )  
 )  
Charging Party, )  
 )  
v. ) OHA No. \_\_\_\_\_  
 ) FHEO Nos. 07-19-2061-8; 07-19-2060-8  
Nedzad Ukejnovic, )  
 )  
Respondent. )  
\_\_\_\_\_ )

**CHARGE OF DISCRIMINATION**

**I. JURISDICTION**

On or about June 13, 2019, Complainant **NAME REDACTED** filed a timely complaint with the U.S. Department of Housing and Urban Development (HUD), amended on September 21, 2021, alleging that Respondent Nedzad Ukejnovic discriminated against her because of sex by sexually harassing her in violation of Subsections 804(a), 804(b), 804(c) and Section 818 of the Fair Housing Act (“the Act”), as amended, 42 U.S.C. §§ 3601-19 (2021).<sup>1</sup>

On or about June 13, 2019, Complainant Metropolitan St. Louis Equal Housing Opportunity Council (EHOC) also filed a timely complaint with HUD, amended on October 21, 2021, alleging it was harmed when Respondent Ukejnovic subjected Complainant **NAME REDACTED** and other female residents to sexual harassment in violation of Subsections 804(a), 804(b), 804(c) and Section 818 of the Act.

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

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<sup>1</sup> The Determination of Reasonable Cause and No Reasonable Cause concluded there was no reasonable cause to believe Respondent violated Section 818 of the Act by retaliating against Complainant by shutting off her water service.

and 103.405 (2021), who has redelegated the authority to the Regional Counsel. 76 Fed. Reg. 42463, 42465 (July 18, 2011).

By Determination of Reasonable Cause dated March 18, 2022, the Fair Housing and Equal Opportunity (“FHEO”) Director for Region VII, on behalf of the Assistant Secretary for FHEO, has determined that reasonable cause exists to believe that discriminatory housing practices have occurred and has authorized and directed the issuance of this Charge of Discrimination. 42 U.S.C. § 3610(g)(2).

## **II. SUMMARY OF THE ALLEGATIONS IN SUPPORT OF THIS CHARGE**

Based on HUD’s investigation of the allegations contained in the above-referenced complaints and the Determination of Reasonable Cause dated March 18, 2022, Respondent is hereby charged with violating the Act as follows:

### **A. Statutory and Regulatory Provisions**

1. It is unlawful to make unavailable or deny a dwelling to any person because of sex. 42 U.S.C. § 3604(a); 24 C.F.R. §§ 100.50(b)(3), 100.60(b)(6) and (7), 100.70(b), and 100.600.
2. It is unlawful to discriminate against any person in the terms, conditions, or privileges of rental of a dwelling, or in the provision of services or facilities in connection therewith, because of sex. 42 U.S.C. § 3604(b); 24 C.F.R. §§ 100.50(b)(2), 100.65(a), (b)(6) and (7), 100.70(b), and 100.600.
3. It is unlawful to make any statement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on sex, or an intention to make any such preference, limitation, or discrimination. 42 U.S.C. § 3604(c); 24 C.F.R. §§ 100.50(b)(4) and 100.75(a), (b), and (c)(2).
4. It is unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, any right granted or protected by section 804 of the Act. 42 U.S.C. § 3617; 24 C.F.R. §§ 100.50(b)(3), 100.60(b)(6) and (7), 100.65(b)(6) and (7), 100.70(b), 100.400(b) and (c)(2), and 100.600.

### **B. Parties and Subject Property**

5. The subject property is a single-family house located at **ADDRESS REDACTED**, St. Louis, Missouri, 63118.
6. At all times relevant to the allegations, Respondent owned and managed the subject property and at least 13 other residential rental properties in the St. Louis metropolitan area.

7. Complainant and her three minor children resided in the subject property from on or around March 1, 2015, until approximately October 3, 2018. The subject property is a dwelling as defined by the Act. 42 U.S.C. § 3602(b).
8. Complainant **NAME REDACTED** and her minor children are aggrieved persons as defined by the Act. 42 U.S.C. § 3602(i).
9. Complainant EHOC, a private, not-for-profit organization whose mission is to promote equal access to housing in the Saint Louis metropolitan area, is an aggrieved person as defined by the Act. 42 U.S.C. §3602(i).

**C. Factual Allegations**

10. Complainant **NAME REDACTED** moved into the subject property along with her husband and three children in March 2015.
11. At all times relevant to the allegations, the monthly rent was \$800.
12. After learning that Complainant **NAME REDACTED**'s husband moved out in early 2018, Respondent began complimenting Complainant **NAME REDACTED** and commenting on her physical appearance.
13. In July 2018, Complainant **NAME REDACTED** was only able to make a partial rent payment by the due date.
14. Within a week of Complainant **NAME REDACTED** being delinquent on the rent, and throughout the month of July 2018, Respondent asked her to provide sexual favors or sexually explicit pictures in exchange for reduced rent and/or allowing her to pay the rent late.
15. Complainant **NAME REDACTED** did not comply with Respondent's requests at that time.
16. In August 2018, Complainant **NAME REDACTED** paid her full rent for the month, but still owed a partial payment for July 2018 and unspecified late fees.
17. On or about August 3, 2018, Respondent went to Complainant's home, asked for rent money, and threatened to evict her.
18. Complainant **NAME REDACTED** asked what Respondent wanted her to do and he responded, "You know what you can do." Complainant shut the door in Respondent's face after his comment.
19. On or about August 5, 2018, Respondent called Complainant and told her that to forgive the rent she owed, he either wanted to have sex in her basement, explicit pictures from her, or some "head," or he would evict her.

20. On August 7, 2018, at 3:07 p.m., and again on August 10, 2018, at 7 p.m., Respondent texted Complainant **NAME REDACTED** "Pics??"
21. After receiving the texts, Complainant **NAME REDACTED** acquiesced to Respondent's repeated requests by texting him three partially nude pictures of herself on August 10, 2018.
22. Complainant **NAME REDACTED** sent the pictures because she was concerned Respondent would evict her and felt she had no choice.
23. After receiving the pictures, Respondent texted Complainant on August 10, 2018 "more pls" and "I jack off."
24. On August 10 and 11, 2018, Respondent texted Complainant again asking, "Do you give me head?" and "When we clean basement?"
25. On August 12, 2018, Complainant **NAME REDACTED** texted Respondent stating "Whatchu (sic) talking about paying and doing so I could know if that's something I'm ok with."
26. Complainant **NAME REDACTED** replied to Respondent's text to protect her housing and avoid eviction but did not engage in sexual activity with Respondent.
27. During August 2018, Respondent made persistent lewd, inappropriate remarks to Complainant such as "I'd like to f\*\*\* you" and "you make my d\*\*\* hard" among others.
28. In August 2018, in the presence of Complainant's nine-year-old son, Respondent grabbed Complainant **NAME REDACTED**'s vagina on the outside of her clothing while at the subject property making a repair. Respondent also asked Complainant **NAME REDACTED** to follow him to the basement to have sex which Complainant rebuffed.
29. Complainant's son saw Respondent touch her.
30. Respondent continued to make repairs in the unit over a two-week period in August 2018, and while there, made frequent attempts to brush his body against Complainant **NAME REDACTED**.
31. On one occasion in approximately August 2018, Respondent asked Complainant **NAME REDACTED** for time to "get together" saying he only needed five or ten minutes.
32. Between August 15, 2018, and September 5, 2018, Respondent texted Complainant **NAME REDACTED** at least six times requesting that she call him.
33. After numerous persistent texts from Respondent, on September 5, 2018, Complainant **NAME REDACTED** sent him the following text after becoming depressed, disappointed in her inability to stop Respondent's unwanted sexual touches and advances, and regretful about sending the three pictures:

I hate that I never (sic) show you my body I also hate that I ever let you touch my body every (sic) since that them days of you doing that I haven't been myself (sic) sometimes I wish you'll just come in this house an[d] I'm dead then you can't have what you want me lifeless why you just eat my p\*\*\*\* all you do now is give me hell cause I'm not willing to perform sexual acts but hopefully one day you'll get it when you find my body dead in here NED

34. After Complainant rejected Respondent's sexual advances, Respondent sent Complainant **NAME REDACTED** a text on September 25, 2018, stating that if she did not pay her balance by the following day, he would start the eviction process.
35. Complainant **NAME REDACTED** moved out of the subject property on or about October 3, 2018, because she could not take the harassment from Respondent anymore and his actions made her fear for her and her children's safety.
36. Respondent made unwelcome sexual advances towards numerous former, current, and prospective female tenants, including forcibly touching, grabbing, or kissing them without their permission; offering to accept sexual favors in lieu of rent; or otherwise behaving in a lewd or inappropriate manner toward them.
37. Prior to the filing of Complainant **NAME REDACTED**'s HUD complaint, Complainant EHOOC investigated Complainant **NAME REDACTED**'s allegations by conducting a door-to-door survey at Respondent's multiple properties and interviewing multiple residents and witnesses. EHOOC assisted Complainant **NAME REDACTED** with the filing of her HUD discrimination complaint and also conducted sexual harassment trainings, contacted nearby organizations that may have received reports of sexual harassment, and distributed information about sexual harassment in the affected community.
38. As a result of Respondent's discriminatory conduct, Complainant and her minor children suffered actual damages, including out of pocket costs, humiliation, anxiety, trauma, and other emotional distress.
39. As a result of Respondent's discriminatory conduct, Complainant EHOOC suffered actual damages, including a frustration of mission and diversion of resources.

#### **D. Fair Housing Act Violations**

40. As described above, Respondent violated Subsection 804(a) of the Act when he made housing unavailable to Complainant **NAME REDACTED** because of sex by engaging in hostile environment harassment, requesting sexual favors for reduced rent, and threatening to evict her after she refused, thereby causing her to move from the property. 42 U.S.C. § 3604(a); 24 C.F.R. §§ 100.50(b)(3), 100.60(b)(6) and (7), 100.70(b), and 100.600.

41. As described above, Respondent violated Subsection 804(b) of the Act when he discriminated against Complainant **NAME REDACTED** in the terms, conditions, or privileges of the rental of a dwelling because of sex by requesting sexual favors in exchange for reduced rent and by subjecting her to severe or pervasive sexual harassment. 42 U.S.C. § 3604(b); 24 C.F.R. §§ 100.50(b)(2), 100.65(a), (b)(6) and (7), 100.70(b), and 100.600.
42. As described above, Respondent violated Subsection 804(c) of the Act when he made numerous statements to Complainant **NAME REDACTED** with respect to the rental of a dwelling that indicated a preference, limitation, or discrimination because of sex, or the intention to make any such preference, limitation, or discrimination, including unwelcome sexual comments and references to exchanging sex for rent. 42 U.S.C. § 3604(c); 24 C.F.R. §§ 100.50(b)(4) and 100.75(a), (b), and (c)(2).
43. As described above, Respondent violated Section 818 of the Act when he subjected Complainant **NAME REDACTED** to harassment because of her sex, including intimidation, threats, and unwanted sexual advances and comments, which interfered with her exercise or enjoyment of her rights granted or protected by Section 804 of the Act. 42 U.S.C. § 3617; 24 C.F.R. §§ 100.50(b)(3), 100.60(b)(6) and (7), 100.65(b)(6) and (7), 100.70(b), 100.400(b) and (c)(2), and 100.600.

### **III. CONCLUSION**

WHEREFORE, the Secretary of HUD, through the Office of the General Counsel, and pursuant to 42 U.S.C. § 3610(g)(2)(A) of the Act, hereby charges Respondent with engaging in discriminatory housing practices in violation of 42 U.S.C. §§ 3604(a), 3604(b), 3604(c), and 3617, and requests an Order be issued that:

1. Declares Respondent discriminatory housing practices, as set forth above, violate Sections 804(a), (b), (c) and Section 818 of the Act, 42 U.S.C. §§ 3604(a), 3604(b), 3604(c), and 3617;
2. Enjoins Respondent, his agents, employees, and successors, and all other persons in active concert or participation with him, from discriminating because of sex;
3. Awards such monetary damages as will fully compensate Complainant **NAME REDACTED** and her minor children for their actual damages caused by Respondent's discriminatory conduct pursuant to 42 U.S.C. § 3612(g)(3);
4. Awards such monetary damages as will fully compensate Complainant EHO for its actual damages caused by Respondent's discriminatory conduct. 42 U.S.C. § 3612(g)(3).
5. Assesses a civil penalty against Respondent for each violation of the Act, pursuant to 42 U.S.C. § 3612(g)(3) and 24 C.F.R. § 180.671; and

6. Awards any additional relief as may be appropriate, pursuant to 42 U.S.C. § 3612(g)(3).

Respectfully submitted on this 18th day of March, 2022.

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