

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	
RONALD D. PETERSON AND	)	
GLEN E. JOHNSON,	)	
	)	
Defendants.	)	
_____	)	

COMPLAINT AND REQUEST FOR JURY TRIAL

The United States of America alleges:

1. This action is brought by the United States to enforce the provisions of Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act), as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 to 3619.

2. This court has jurisdiction over this action under 28 U.S.C. § 1331, 28 U.S.C. § 1345 and 42 U.S.C. § 3614(a).

3. Defendants Ronald D. Peterson and Glen E. Johnson are residents of Ypsilanti, Michigan.

4. Since at least 2005, Defendant Ronald D. Peterson has owned and/or managed numerous residential rental properties in the Ypsilanti, Michigan area, including, but not limited to, the eleven properties listed in Attachment A ("the subject properties"). These properties are single family dwellings. Since at least 2005, Defendant Peterson has retained Glen E. Johnson to manage these subject properties on his behalf. Defendant Johnson has been responsible for the day to day management of the subject properties, including, but not limited to, approving

prospective tenants' rental applications, collecting rent, and addressing requests for repairs and maintenance.

5. Venue is proper under 28 U.S.C. § 1391(b) because the actions giving rise to the United States' allegations occurred in the Eastern District of Michigan, the subject properties are located in the Eastern District of Michigan, and Defendants Ronald D. Peterson and Glen E. Johnson reside and/or do business in the Eastern District of Michigan.

6. The rental units at the subject properties are dwellings within the meaning of 42 U.S.C. § 3602(b).

7. From at least 2005 through the present, Defendant Glen E. Johnson has been subjecting actual and prospective female tenants of the subject properties to discrimination on the basis of sex, including severe, pervasive, and unwelcome sexual harassment. Such conduct has included, but is not limited to, unwanted verbal sexual advances; entering the apartment of female tenants without permission or notice; granting and denying tangible housing benefits based on sex; and taking adverse action against female tenants when they refused or objected to his sexual advances.

8. Defendant Peterson is liable for the discriminatory conduct of his agent and manager, Defendant Johnson, described above. In addition, Defendant Peterson knew or should have known of the discriminatory conduct of Defendant Johnson, yet failed to take reasonable preventive or corrective measures.

9. The conduct of Defendants described above constitutes:

- a. A denial of housing or making housing unavailable because of sex, in violation of Section 804(a) of the Fair Housing Act, 42 U.S.C. § 3604(a);

- b. Discrimination in the terms, conditions, or privileges of the rental of dwellings, or in the provision of services or facilities in connection therewith, because of sex, in violation of Section 804(b) of the Fair Housing Act, 42 U.S.C. § 3604(b); and
 - c. Coercion, intimidation, threats, or interference with persons in the exercise or enjoyment of, or on account of their having exercised or enjoyed, their rights under Section 804 of the Fair Housing Act, in violation of Section 818 of the Fair Housing Act, 42 U.S.C. § 3617.
10. The conduct of Defendants described above constitutes:
- a. A pattern or practice of resistance to the full enjoyment of rights granted by the Fair Housing Act, 42 U.S.C. §§ 3601 et seq.; and
 - b. A denial to a group of persons of rights granted by the Fair Housing Act, 42 U.S.C. §§ 3601 et seq., which denial raises an issue of general public importance.
11. There are female tenants, prospective tenants, and persons associated with them who have been, or may have been, injured by Defendants' discriminatory conduct. Such persons are aggrieved persons as defined in 42 U.S.C. § 3602(i), and have suffered damages as a result of their conduct.
12. Defendants' conduct was malicious, intentional, willful, and/or taken in reckless disregard for the rights of others.

WHEREFORE, the United States prays that the Court enter an ORDER that:

- 1. Declares that Defendants' discriminatory practices violate the Fair Housing Act,

as amended, 42 U.S.C. §§ 3601 et seq.;

2. Enjoins Defendants, their agents, employees, and successors, and all other persons in active concert or participation with them from:
 - a. Discriminating on account of sex against any person in any aspect of the rental of a dwelling;
 - b. Interfering with or threatening to take any action against any person in the exercise or enjoyment of rights granted or protected by the Fair Housing Act, as amended; and
 - c. Failing or refusing to take such affirmative steps as may be necessary to restore, as nearly as practicable, the victims of Defendants' past unlawful practices to the position they would have been in but for the discriminatory conduct;
3. Awards monetary damages to each identifiable victim of Defendants' discriminatory housing practices for injuries caused by their discriminatory conduct, pursuant to 42 U.S.C. § 3614(d)(1)(B); and
4. Assesses civil penalties against Defendants in order to vindicate the public interest, pursuant to 42 U.S.C. § 3614(d)(1)(c).

The United States further prays for such additional relief as the interests of justice may require.

Dated: January 29, 2009

Respectfully submitted,

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Attachment A

1. 377 Worden Avenue
2. 389 Worden Avenue
3. 600 Calder Avenue
4. 740 Calder Avenue
5. 800 Calder Avenue
6. 1779 Knowles Street
7. 720 Fox Avenue
8. 730 Fox Avenue
9. 749 Fox Avenue
10. 750 Fox Avenue
11. 659 Fox Avenue