

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
	)	
v.	)	
	)	<u>COMPLAINT</u>
TILDEN GARDENS, INC., a	)	
corporation,	)	
	)	
Defendant.	)	
_____	)	

The United States of America, by John N. Mitchell,
Attorney General, alleges:

1. This is an action brought by the Attorney General on behalf of the United States pursuant to Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601, et seq.
2. This Court has jurisdiction of this action under 28 U.S.C. 1345 and 42 U.S.C. 3613.
3. The defendant, Tilden Gardens, Inc., is a corporation organized and existing under the laws of the State of Delaware and doing business in the District of Columbia.
4. The defendant owns and operates a cooperative apartment house known as Tilden Gardens in Washington, D. C. Each apartment at Tilden Gardens, except for guest rooms, is owned by a stockholder in the corporation and occupied by the stockholder and, in most cases, by his family. Under its charter and by-laws, the defendant

retains and exercises the power to determine whether persons to whom apartment owners wish to transfer their interest shall be permitted to acquire such interest and to occupy the premises.

5. Tilden Gardens is a dwelling within the meaning of 42 U.S.C. 3602(b).

6. All of the occupants of Tilden Gardens are white, except for one Negro man-servant companion to a white occupant and one Negro nurse to another white occupant. The wife of one occupant of Tilden Gardens is Jewish, but there are very few, if any, other Jewish residents.

7. The defendant follows a policy and practice of discrimination on account of race, color, religion and national origin in the operation of Tilden Gardens. Specifically, the defendant

(a) refuses to make apartments at Tilden Gardens available to persons because of race, color, religion and national origin;

(b) discriminates against persons in the terms, conditions and privileges of sale or rental of apartments at Tilden Gardens because of race, color, religion and national origin; and

(c) makes and causes to be made statements which indicate a preference,

limitation and discrimination based on race, color, religion and national origin.

8. Occupancy rights at Tilden Gardens are transferable only upon approval of the defendant's Board of Directors. Under the corporate by-laws, no person may be approved by the Board of Directors for occupancy of any building in Tilden Gardens without the concurrence of the owners of two thirds of the outstanding shares of stock allocated to that building. All of the stockholders are white and substantially all are non-Jewish. Under the circumstances described in this Complaint, the requirement for the concurrence of stockholders discriminates against Negroes and Jews on account of race, color, religion and national origin.

9. As a result of the defendant's practices described in the preceding paragraphs, Negroes and Jews have been deterred and discouraged from seeking to reside at Tilden Gardens on account of its all-white and discriminatory image.

10. The defendant has failed to take adequate affirmative steps to correct the effects of its discriminatory practices, and to eliminate its all-white and discriminatory image.

11. The conduct described in the preceding paragraphs constitutes a pattern and practice of resistance to the full enjoyment of rights secured by

42 U.S.C. 3601 et seq., and are in violation of 42 U.S.C. 1981 and 1982.

WHEREFORE the plaintiff prays that the Court enter an Order enjoining the defendant, its officers, employees, agents and successors, and all those acting in concert or participation with any of them, from

(1) Refusing to make any dwelling available to any person on account of race, color, religion or national origin;

(2) Discriminating against any person in the terms, conditions, or privileges of the sale or rental of any dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion or national origin;

(3) Making, or causing to be made, any statement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, religion or national origin;

(4) Conditioning the right to occupancy of any dwelling on the concurring vote

members of the Lake Louise club
~~of occupants or shareholders, and~~
company or their ~~state~~ representatives, and

(5) Failing or refusing to take adequate affirmative steps to correct the effects of defendant's¹ past discriminatory practices, including but not limited to informing the general public that the defendant's¹ policy shall be to provide fair housing opportunities regardless of race, and including but not limited to such revisions of the defendant's corporate charter ^{or rules} and by-laws, as may be necessary or appropriate.

insert → Plaintiff further prays for such additional relief as the interests of justice may require, together with the costs and disbursements of this action.

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THOMAS A. FLANNERY
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FRANK E. SCHWELB
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