

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
WEST PEACHTREE TENTH )  
CORPORATION d/b/a ONE )  
TENTH STREET APARTMENTS, )  
TED LEVY, President, )  
 )  
Defendant. )  
\_\_\_\_\_ )

CIVIL ACTION NO.

COMPLAINT

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

1. This is an action brought by the United States to enjoin practices of racial discrimination in the rental of housing that are prohibited by 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.

3. Defendant West Peachtree Tenth Corporation is a corporation authorized to do business in the State of Georgia. Defendant corporation owns and operates an apartment building known as the One Tenth Street

Apartments, which is located at 975 West Peachtree, N.E., Atlanta, Georgia. Mr. Ted Levy is president of the defendant corporation and he resides within the Northern District of Georgia.

4. The One Tenth Street Apartments consists of approximately ninety-six (96) rental units all of which are dwellings within the meaning of Title VIII of the Civil Rights Act of 1968.

5. Defendants have maintained and continue to maintain a policy of excluding Negroes from dwellings located in the One Tenth Street Apartments. Prior to and since January 1, 1969, this policy has been implemented by:

- a. defendants' refusal to rent any dwellings located in the One Tenth Street Apartments to qualified Negro applicants solely because of the applicants' race and color; and
- b. defendants' representations to qualified Negro applicants, because of their race and color, that dwellings at the One Tenth Street Apartments were not available for rental when such dwellings were in fact available.

6. The policies and practices of defendants described in paragraph 5 above have denied rights granted by federal law raising an issue of general public importance, and those policies and practices

constitute a pattern or practice of resistance to the full enjoyment by Negroes of rights granted to them by Title VIII of the Civil Rights Act of 1968.

7. Unless restrained by order of this Court the defendants will continue to engage in the discriminatory policies and practices set forth in paragraphs 5 and 6 above, to the irreparable injury of the plaintiff.

WHEREFORE, the United States prays that this Court enter an Order enjoining the defendants, their officers, agents, employees, and successors, together with all persons in active concert or participation with them from:

1. Failing or refusing to rent dwellings or to negotiate for the rental of dwellings on the basis of race or color.
2. Discriminating on the basis of race or color in terms, conditions, or privileges of rental of dwellings.
3. Representing to any person, because of race or color, that dwellings are not available for rental, when such dwellings are in fact so available.
4. Failing or refusing to take reasonable and adequate steps to correct the effects of defendant's policy and practice of discriminating against Negroes on the basis of their race or color in the renting of dwellings.

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

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JOHN N. MITCHELL  
Attorney General

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JERRIS LEONARD  
Assistant Attorney General

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