

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO. 21388
	)	
v.	)	<u>CONSENT DECREE</u>
	)	
DAVID M. PEEBLES, d/b/a	)	
SUNRISE GARDENS APARTMENTS,	)	
	)	
Defendant.	)	
_____	)	

The plaintiff, United States of America, filed its Complaint herein on November 5, 1969. The defendant, David M. Peebles, served an answer on December 9, 1969. The defendant owns and operates an apartment complex, known as Sunrise Gardens Apartments, in Oxon Hill, Prince Georges County, Maryland. The complex contains 44 units. The apartments are dwellings within the meaning of 42 U.S.C. 3602(b), and Sunrise Gardens Apartments are covered under 42 U.S.C. 3603.

The Complaint in this action alleges that, in the operation of Sunrise Gardens Apartments, the defendant has engaged in a pattern and practice of discrimination, and has made statements with respect to the rental of apartments indicating preferences and limitations based on race or color. The defendant, in his Answer, admitted that he had expressed his preference in regard to race, and that, at the time he

filed his Answer, he had had no Negro tenants, but he denies that he has discriminated against anyone on the basis of race or color, or that it is his policy to do so. He has had a Negro tenant since about January 15, 1970. However, the defendant has consented to the entry of the following Decree.

The defendant understands that any deliberate and wilful violation of the terms of this Decree may be punished as contempt of court by fine or imprisonment.

NOW, THEREFORE, upon the consent of the parties and without a hearing or adjudication upon the merits, it is hereby ORDERED, ADJUDGED, and DECREED that the defendant, David M. Peebles, and his agents, employees, successors, and all persons acting in active concert or participation with any of them, are permanently enjoined, in the rental of apartments at Sunrise Gardens Apartments, from:

1. Making unavailable or denying an apartment to any person on account of race or color;
2. Discriminating against any person in the terms, conditions, or privileges of rental of an apartment, or in the provision of services or facilities in connection therewith, because of race or color;
3. Making, printing, or publishing, or causing to be made, printed, or published, any notice, statement, or advertisement with respect to the rental of a dwelling that indicates any preference,

limitation, or discrimination based on race, color, religion, or national origin, or an intention to make any such preference, limitation, or discrimination;

4. Representing to any person, because of race or color, that any dwelling is not available for rental when such dwelling is in fact available;

5. Failing or refusing to post a sign, clearly legible and prominently placed, in the rental office of Sunrise Gardens Apartments, stating that apartments will be rented without regard to race or color. If any newspaper or other advertising is done, or if any written application forms or leases are used, they shall also contain such a statement printed clearly and legibly;

6. Failing or refusing, within 30 days after the entry of this Order, to inform the Base Housing Referral Office at Andrews Air Force Base that apartment rentals hereafter will be made without discrimination on the basis of race or color.

IT IS FURTHER ORDERED, that sixty days after the entry of this Order, and at three-month intervals thereafter for a period of one year following the entry of this Injunction, the

defendant shall file with this Court, and serve on counsel for the plaintiff, a report containing the following information:

- (a) The date any unit becomes available for rental, and the size of the unit;
- (b) The number of persons, by race, making inquiry in person about the availability or terms of rental of an apartment during the preceding sixty day or three month period (as appropriate), the date of each such inquiry, and the size of apartment sought;
- (c) The name, address, and race of each person who applies for an apartment, the date of application, whether he is accepted or rejected, and if rejected, the reason.

Representatives of the plaintiff shall be permitted to inspect and copy all pertinent records of the defendant at any and all reasonable times, provided, however, that the plaintiff shall endeavor to minimize any inconvenience to the defendant from the inspection of such records.

No costs shall be assessed against any of the parties with respect to any matter pre-dating the entry of this Injunction.

The Court retains jurisdiction of this action for all purposes.

ORDERED this 22nd day of June, 1970.

EDWARD S. NORTHROP

United States District Judge

CONSENTED TO:

For the Defendant

David M. Peebles

DAVID M. PEEBLES

For the Plaintiff

George Beall

GEORGE BEALL

United States Attorney

I hereby attest and certify on 29 June 1970 that the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

PAUL R. SCHLITZ
CLERK, U. S. DISTRICT COURT
DISTRICT OF MARYLAND

[Signature]

Frank E. Schwelb

FRANK E. SCHWELB

Attorney

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Robert J. Wiggers

ROBERT J. WIGGERS

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