

HOUSING DISCRIMINATION COMPLAINT

1. Complainant

Hope [REDACTED] (referred to below as “Complainant”)

[REDACTED]
[REDACTED] FL [REDACTED]

Please direct all correspondence to Complainant to her attorney, Sandra Park.

Representing Complainant:

Sandra S. Park, Esq.
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Other Aggrieved Persons

[REDACTED] fiancé of Complainant
Minor #1, child of Complainant
Minor #2, child of Complainant
Minor #3, child of Complainant

2. The following is alleged to have occurred or is about to occur:

Refusal to rent, denial of housing or making housing unavailable.
Discriminatory terms, conditions, privileges, or services and facilities.

3. The alleged violation occurred because of:

Sex and familial status.

4. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):

8413 Valencia Village Ln.
Orlando, FL 32825

5. Respondents

Valencia Village Partners, Ltd.
c/o Registered Agent:
B&C Corporate Services of Cent FL
390 North Orange Ave., Ste. 1400
Orlando, FL 32801

Valencia Village GP, Ltd.
c/o Registered Agent:
B&C Corporate Services of Cent FL
390 North Orange Ave., Ste. 1400
Orlando, FL 32801

Concord Management, Ltd.
c/o Registered Agent:
B&C Corporate Services of Cent FL
390 North Orange Ave., Ste. 1400
Orlando, FL 32801

Concord Management Company, Inc.
c/o Registered Agent:
B&C Corporate Services of Cent FL
390 North Orange Ave., Ste. 1400
Orlando, FL 32801

6. The following is a statement of the facts regarding the alleged violation:

The Complainant is a domestic violence survivor, who fled her home state to Florida because of serious, life-threatening violence. She is divorced from her abusive ex-spouse and had a restraining order against him. The court awarded her sole custody of their two children and denied her ex-husband all visitation. She currently lives with her fiancé and three children.

Because of the ongoing threat of violence, the Complainant changed her name and obtained a new Social Security Number (“SSN”) through a Social Security Administration program designed to protect victims of domestic violence fleeing abuse. However, the names and SSNs of the two children fathered by her ex-spouse were not changed, because the law would have required that she give notice to him, thereby alerting him to their new identities.

On December 15, 2010, the Complainant applied for housing for herself, her fiancé and three children, with Valencia Forest Apartments (“VFA”), 8413 Valencia Village Lane, Orlando, FL 32825. VFA is owned by Respondent Valencia Village Partners, Ltd. and managed by Respondent Concord Management, Ltd. (“Concord”). Staff at VFA informed her that three-bedroom apartments were available for late December and early January.

At VFA, the Complainant and her fiancé met with an office assistant named Priscilla.

She showed them a unit, and Complainant and her fiancé decided they wanted to rent an apartment. When they returned to the office, they proceeded with the application process. Priscilla informed them that based on their credit checks, they were approved for a \$200 deposit. She gave the Complainant paperwork to fill out.

One of the forms asked for the full social security numbers of her children and asked whether the applicant had custody of any children. The Complainant inquired why they needed this information. Priscilla informed her that: we want to make sure that nobody shows up claiming the children are really theirs, we don't want anything "dramatic" to happen here, and we need the information for auditing purposes. The Complainant informed Priscilla that disclosing the SSNs, and particularly running credit or other checks on them, would put her family in great danger because she was a survivor of domestic violence. She asked to speak to the office manager. Priscilla took her to speak with Crystal, the office manager, and the Complainant again explained that disclosure of the SSNs would endanger her family because they were fleeing from domestic violence. She offered to provide documentation of her custody rights and the domestic violence, as well as the last four digits of the children's SSNs. Crystal told her that they still needed the full SSNs for auditing purposes but agreed to send an email to the corporate office, requesting a waiver of the SSN requirement. The Complainant signed the application and provided a \$100.00 apartment hold check and \$40.00 application fee.

On December 21, 2010, Priscilla left a voicemail for the Complainant, stating that VFA would not rent to her unless she provided her children's full SSNs. She stated that the Complainant could stop by and pick up her \$100.00 apartment hold check.

VFA is partially funded through federal low income housing tax credits (LIHTC). Staff at the Florida Housing Finance Corporation, the state agency that oversees properties funded through LIHTC, have confirmed that there is no requirement that a prospective tenant provide SSNs for minor children as a condition of renting housing at VFA or any other property that receives tax credits as part of its funding.

Refusing to rent to the Complainant because she failed to provide the full SSNs of her minor children constitutes sex and familial status discrimination.

1. Discrimination based on sex. HUD has recognized that landlords engage in sex discrimination under the Fair Housing Act when their policies disproportionately affect domestic violence victims or are rooted in gender stereotypes about domestic violence victims.¹ Respondents' policy of denying housing when a domestic violence survivor refuses to provide her children's full SSNs has a disparate impact on domestic violence victims, the vast majority of whom are women, and who have unique safety concerns. Numerous federal laws and policies recognize the need to maintain the confidentiality of personally identifying information, including SSNs, of domestic violence victims and their children. SSNs, in particular, can be used by abusers to track down survivors and

¹ See Sara K. Pratt, HUD Office of Fair Housing and Equal Opportunity, *Assessing Claims of Housing Discrimination Against Victims of Domestic Violence under the Fair Housing Act and the Violence Against Women Act* (Feb. 9, 2011), available at <http://www.hud.gov/offices/fheo/library/11-domestic-violence-memo-with-attachment.pdf>.

their families.

2. Discrimination based on familial status. Mandating the disclosure of children's SSNs is a policy that targets families with children and discriminates based on familial status. The explanations provided by Respondents' staff for mandating custody and SSN information – to ensure that nobody would show up claiming children who lived at the property and that nothing dramatic would happen there – express stereotypes regarding families with children; e.g., that families with children cause problems at the property, because they may be involved in custody disputes or other “dramatic” situations. Had the Complainant not had any children, she would not have been denied housing.

7. Request for Relief

Complainant seeks all relief that may be available, including injunctive and equitable relief, damages, attorneys' fees and costs.

8. The most recent date on which the alleged discrimination occurred:

December 21, 2010.

9. Types of Federal Funds identified:

Low Income Housing Tax Credits

10. The acts alleged in this complaint, if proven, may constitute a violation of the following:

Sections 804(a) and 804(b) of Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Act of 1988.

Please sign and date this form:

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.

H

Date

NOTE: HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.