

HOUSING DISCRIMINATION COMPLAINT

CASE NUMBER:

1. Complainant

National Fair Housing Alliance
Shanna Smith
President & Chief Executive Officer
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Washington, DC 20005

Representing Complainant:

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2. Other Aggrieved Persons

Persons who are deaf or hard of hearing, presently unknown to Complainants, who have sought to live at the multi-family housing named herein and persons related to them who may have been injured by the discriminatory housing practices identified herein are also aggrieved persons.

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

Discrimination in the conditions or terms of rental occupancy.

4. The alleged violation occurred because of:

Disability.

5. Address and location of the property in question:

Lakewood Hills Apartment Homes
2400 McCain Blvd.
N. Little Rock, AR 72116

6. Respondents

RCP Lakewood LLC
300 Spring Building, Suite 900
300 S. Spring Street
Little Rock, AR 72201

7. The following is a brief and concise statement of the facts regarding the alleged violation:

Complainant, the National Fair Housing Alliance (“NFHA”), is a national organization dedicated solely to ending discrimination in housing. Through the use of testers, NFHA uncovered Respondent’s systemic practice of discriminating against rental applicants on the basis of disability by denying deaf and hard of hearing (“deaf/hh”) prospective tenants equal access to information, and by failing to encourage deaf/hh prospective applicants to submit applications. Three tests were completed over a period of months that identified a pattern of discriminatory conduct at Lakewood Hills Apartment Homes. Testers were similarly situated and qualified to rent the units, with the protected testers being slightly more qualified than their counterparts, but they uncovered disparate treatment favoring hearing testers. Respondent owns residential properties in Arkansas, Georgia, and New York; thus, it is likely that similar discriminatory conduct occurs at other properties, as well.

As a result of Respondent’s discriminatory practices, Complainant has suffered frustration of its mission and diversion of its resources in investigating the matter and counteracting the discrimination by conducting targeted outreach and education. Complainant alleges that resources were diverted to activities including, but not limited to, investigation and preparing investigative documents.

When Complainant tested Lakewood Hills/RCP Lakewood LLC for the first time, the testers spoke to the same agent. The agent told the hearing tester that they had two available two-bedroom units, with the largest renting for \$575 per month, but she told the deaf/hh tester that they had two-bedroom apartments available for \$675 and \$725 per month. The agent told the hearing tester that there was a current \$99 security deposit special, rather than the usual \$300, but she failed to tell the deaf/hh tester about the \$99 special. The agent also asked the hearing tester for her contact information, but did not do so for the deaf/hh tester.

When the deaf/hh tester called Lakewood Hills using IP Relay¹ during the second test, she was told that they had two two-bedroom/two-bath units renting for \$725 per month that were available, and that there were no other two-bedrooms available. When the hearing tester called the same day, he was told that there was a two-bedroom apartment available for \$675 per month and another for \$725 per month. When he asked if those were the only two units available, he was told that there were currently four two-bedroom apartments available and that two applications had already been submitted. The agent added that they had a 60-day notice so she could pre-lease others later in October. The hearing tester was also told about a special not mentioned to the deaf/hh tester for half off the first month's rent for leases signed in September.

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

September 17, 2013

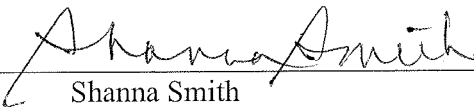
9. **Types of Federal Funds identified:**

Unknown.

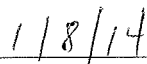
10. **The acts alleged in this complaint, if proven, may constitute a violation of the following:**

Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Amendments Act of 1988.

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



Shanna Smith
President & Chief Executive Officer
National Fair Housing Alliance



(Date)

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

¹ IP Relay, or Internet Protocol Relay, allows persons who have difficulty hearing or speaking to communicate by telephone with hearing persons. The individual using IP Relay communicates via text through a computer with an Internet connection, and a communication assistant uses voice telephone to call the receiving party and relay the text contents. See Federal Communications Commission, "IP Relay Service," available at <http://www.fcc.gov/guides/internet-protocol-ip-relay-service> (last visited Jan. 8, 2014).