

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 15-CV-00859
)	
LYLE WILLIAMS, KYLE WILLIAMS,)	
and DAVID WILLIAMS)	
)	
Defendants.)	
_____)	

COMPLAINT

The United States of America alleges as follows:

1. This action is brought by the United States to enforce Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601-3619 (the Fair Housing Act).

2. This Court has jurisdiction over this action under 28 U.S.C. §§ 1331 and 1345, and 42 U.S.C. § 3614(a).

3. Venue is proper under 28 U.S.C. § 1391(b), because (1) all Defendants reside in the Southern District of Illinois; and (2) the claims alleged herein arose in the Southern District of Illinois.

4. Williams Trailer Court is a mobile home community with 81 mobile home lots located at 200 E. Patrick Street in Marion, Illinois, which lies within the Southern District of Illinois.

5. A number of the mobile homes located on Williams Trailer Court are owned by Defendants and are rented out to residents.

6. The mobile home spaces at Williams Trailer Court, and the mobile homes located thereon, are dwellings within the meaning of Section 802(b) of the Fair Housing Act, 42 U.S.C. § 3602(b).

7. Defendant Lyle Williams is a resident of Marion, Illinois.

8. At all times relevant to this Complaint, Defendant Lyle Williams has had an ownership interest in Williams Trailer Court.

9. At all times relevant to this Complaint, Defendant Lyle Williams has had an ownership interest in a number of the mobile homes located at Williams Trailer Court.

10. At all times relevant to this Complaint, Defendant Lyle Williams has served as the on-site manager of Williams Trailer Court and has managed the property on behalf of himself and Defendants Kyle Williams and David Williams. As on-site manager, Defendant Lyle Williams' duties have included staffing the rental office at Williams Trailer Court, providing information on available mobile homes to prospective tenants, arranging for and taking prospective tenants on inspections of available mobile homes, and renting out lots and/or mobile homes to residents.

11. Defendant Kyle Williams is a resident of Marion, Illinois.

12. At all times relevant to this Complaint, Defendant Kyle Williams has had an ownership interest in Williams Trailer Court.

13. At all times relevant to this Complaint, Defendant Kyle Williams has had an ownership interest in a number of the mobile homes located at Williams Trailer Court.

14. At all times relevant to this Complaint, Defendant Kyle Williams served as a rental agent at Williams Trailer Court. As a rental agent, Defendant Kyle Williams' duties include providing information on available mobile homes to prospective tenants and arranging for and taking prospective tenants on inspections of available mobile homes.

15. Defendant David Williams is a resident of Marion, Illinois.

16. At all times relevant to this Complaint, Defendant David Williams has had an ownership interest in Williams Trailer Court.

17. At all times relevant to this Complaint, Defendant David Williams has had an ownership interest in a number of the mobile homes located at Williams Trailer Court.

18. Between April and August 2014, the United States Department of Justice ("DOJ") conducted testing to evaluate Defendants' compliance with the Fair Housing Act. Testing is a simulation of a housing transaction that compares responses given by housing providers to different types of home-seekers to determine whether illegal discrimination is occurring. DOJ conducted four in-person tests and one telephonic test.

19. The testing described above in paragraph 18 revealed that Defendant Lyle Williams treats African Americans who visit Williams Trailer Court and inquire about renting a mobile home differently and less favorably than similarly-situated white persons who visit Williams Trailer Court for that purpose. Specifically, the testing revealed that Defendant Lyle Williams:

- a. Has falsely told African Americans that no mobile homes were available for rent or for inspection, while telling similarly-situated white persons that mobile homes are available for rent or inspection.

- b. Has allowed white persons to inspect available mobile homes while not allowing similarly-situated African Americans to inspect such mobile homes; and
- c. Has represented to African-American persons that there is a waiting list for mobile homes at Williams Trailer Court while telling similarly-situated white testers that there is no waiting list, that any waiting list will not prevent them from renting a mobile home, or that the list has a smaller number of persons on it than was reported to similarly situated African-American persons.

20. The testing described above in paragraph 18 also revealed that Defendants stated and maintained a policy of not allowing or discouraging families with children from residing at Williams Trailer Court by:

- a. Including provisions in the rental agreement for Williams Trailer Court stating that:
 - i. “This is an adult court”; and
 - ii. “If you are a single parent, your child can stay on weekends, let us know in advance.”
- b. Through their agent Lyle Williams telling prospective residents that children are not welcome on at Williams Trailer Court, including, but not limited to, statements that they “try to discourage” kids from living at Williams Court, that they “try to keep kids out,” and that they only make an exception if they know the family personally.

21. By the conduct set forth above in paragraphs 19-20, Defendants have:

- a. Refused to negotiate for the rental of, or otherwise made unavailable or denied dwellings to persons because of race and familial status, in violation of Section 804(a) of the Fair Housing Act, 42 U.S.C. § 3604(a);
- b. Discriminated in the terms, conditions or privileges of, or the provision of services or facilities in connection with, the rental of a dwelling because of race and familial status, in violation of Section 804(b) of the Fair Housing Act, 42 U.S.C. § 3604(b);
- c. Caused to be made, printed, or published statements or advertisements with respect to the rental of a dwelling that indicate a preference, limitation, or discrimination based on familial status, in violation of Section 804(c) of the Fair Housing Act, 42 U.S.C. § 3604(c); and
- d. Represented, because of race, that dwellings were not available for inspection or rental when such dwellings were in fact so available, in violation of Section 804(d) of the Fair Housing Act, 42 U.S.C. § 3604(d).

22. Defendants Kyle Williams and David Williams are liable for the discriminatory conduct of their agent, Defendant Lyle Williams, described in paragraphs 19-20.

23. The conduct of Defendants described above constitutes:

- a. A pattern or practice of resistance to the full enjoyment of rights granted by the Fair Housing Act, 42 U.S.C. §§ 3601, et seq.; and
- b. A denial to a group of persons of rights granted by the Fair Housing Act, 42 U.S.C. §§ 3601, et seq., which denial raises an issue of general public importance.

24. There are persons who have been victims of Defendants' discriminatory housing practices, including any victims that the United States may identify. Such persons are "aggrieved persons" as defined in Section 802(i) of the Fair Housing Act, 42 U.S.C. § 3602(i), and have suffered damages as a result of the conduct described above.

25. Defendants' conduct described above was intentional, willful, and taken in disregard for the rights of others.

PRAYER FOR RELIEF

WHEREFORE, the United States prays that the Court enter an order that:

1. Declares that Defendants' policies and practices, as alleged herein, violate the Fair Housing Act;
2. Enjoins Defendants, their officers, employees, agents, successors, and all other persons in active concert or participation with any of them, from:
 - a. Discriminating against any person on the basis of race or familial status in any aspect of the rental of a dwelling;
 - b. Failing or refusing to notify the public that dwellings owned or operated by Defendants are available to all persons on a non-discriminatory basis;
 - c. Failing or refusing to take such affirmative steps as may be necessary to restore, as nearly as practicable, the victims of Defendants' unlawful practices to the position they would have been in but for the discriminatory conduct; and
 - d. Failing or refusing to take such affirmative steps as may be necessary to prevent the recurrence of any discriminatory conduct in the future and to

eliminate, to the extent practicable, the effects of Defendants' unlawful practices;

3. Awards monetary damages to all persons harmed by Defendants' conduct, pursuant to Section 814(d)(1)(B) of the Fair Housing Act, 42 U.S.C. § 3614(d)(1)(B); and

4. Assesses a civil penalty against Defendants to vindicate the public interest in an amount authorized by Section 814(d)(1)(C) of the Fair Housing Act, 42 U.S.C. § 3614(d)(1)(C), and 28 C.F.R. § 85.3(b)(3).

The United States further prays for such additional relief as the interests of justice may require.

Dated: August 5, 2015

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