

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION AT LEXINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADNAN SHALASH;
ABLA SHALASH;
FOX DEN PROPERTIES, LLC;
GRIFFITH MARKET, INC.;
HAPPY TENANTS, LLC;
EITAF ALIA SHALASH;
GHASSAN SHALASH;
AMNA SHALASH;
ELHAM SHALASH;
HANEEN SHALASH;
SAMIA ABDEL JABER;
ISSA SHALASH; AND
ALIA PROPERTIES, LLC,

Defendants.

Civil Action No.

COMPLAINT

DEMAND FOR JURY TRIAL

The United States of America alleges as follows:

1. The United States brings this action to enforce the provisions of Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. §§ 3601–3619 (“Fair Housing Act”).

JURISDICTION AND VENUE

2. The 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 in the Eastern District of Kentucky under 28 U.S.C. § 1391(b) because the actions and omissions giving rise to the United States’ allegations occurred in Fayette County and the Defendants reside in Fayette and Jessamine Counties, which are in this District.

DEFENDANTS AND SUBJECT PROPERTIES

4. Defendant Adnan Shalash (“Defendant Shalash”) resides in Lexington, Kentucky, which is located within Fayette County.

5. During the period from at least 2004 through the present (the “relevant time”), Defendant Shalash owned and/or managed over one hundred residential rental properties (“Subject Properties”) in Lexington, Kentucky, including single-family homes, duplexes, fourplexes, and apartment complexes. The Subject Properties include, but are not limited to, the following properties that Shalash has owned directly: 841 Charles Avenue, 857 Charles Avenue, 589 Lin Wal Road, 3557 Honey Jay Court, 3561 Honey Jay Court, and 251 Osage Court.

6. During the relevant time, Defendant Shalash has been actively involved in the management of the Subject Properties, including, but not limited to, showing the properties to prospective tenants, collecting rent, handling maintenance requests, communicating with tenants regarding paying rent, initiating eviction proceedings, appearing at eviction hearings, and appearing for code enforcement matters.

7. During the relevant time, Defendant Shalash managed the Subject Properties on behalf of the Defendants listed in paragraphs 8 through 22, below (“Owner Defendants”), as well as other individuals and entities.

8. Defendant Abba Shalash resides in Lexington, Kentucky. Upon information and belief, she is Defendant Shalash’s wife. During the relevant time, Defendant Abba Shalash used Defendant Shalash as her agent to manage properties she owned, including but not limited to the following Subject Property: 896 Ward Drive.

9. According to publicly available business filings available through the Kentucky Secretary of State, Defendant Fox Den Properties, LLC is a limited liability company that was

organized on January 11, 2010, by Defendant Abla Shalash, who is also its registered agent and sole officer. Its principal place of business is in Lexington, Kentucky at the address 1029 Kiawah Drive, which is residential property owned by Abla Shalash. Although the company was administratively dissolved in October 2023, it has continued to conduct business, including filing eviction actions and engaging in real estate transactions.

10. During the relevant time, Defendant Fox Den Properties, LLC used Defendant Shalash as its agent to manage properties it owned, including but not limited to the following Subject Properties: 841 Charles Avenue, 415 Chestnut Street, 416 Chestnut Street, 433 E. 6th Street, 651 Georgetown Street, 445 Kenton Street, 720 Magoffin Street, 437 Michigan Street, 1346 Ohio Terrace, 436 Speigle Street, and 896 Ward Drive.

11. According to publicly available business filings available through the Kentucky Secretary of State, Defendant Griffith Market, Inc. was incorporated in August 24, 1964. Its principal place of business is in Lexington, Kentucky at 1400 Mount Drive, which is a residential property owned by Abdel and Inez Shalash. Since 1989, Abdel Sater Shalash has served as the company's president, sole officer, and registered agent. Upon information and belief, Abdel Sater Shalash is a relative of Defendant Shalash.

12. During the relevant time, Defendant Griffith Market, Inc. used Defendant Shalash as its agent to manage properties it owned, including but not limited to the following Subject Property: 439 East Sixth Street.

13. According to publicly available business filings available through the Kentucky Secretary of State, Defendant Happy Tenants, LLC is a limited liability company that was organized on January 17, 2018, by Usama Saleh, who currently serves as the company's registered agent. Its principal place of business is in Lexington, Kentucky at 3408 Elmendorf Place, which is

a residential property owned by Defendant Ghassan Shalash. Usama Saleh and Niven Saleh are the company's sole listed officers. The company was administratively dissolved in October 2023, after failing to file an annual report within sixty days of when it was due to the Secretary of State.

14. During the relevant time, Defendant Happy Tenants, LLC used Defendant Shalash as its agent to manage properties it owned, including but not limited to the following Subject Property: 1312 Devonport Drive.

15. Defendant Eitaf Alia Shalash resides in Lexington, Kentucky. Upon information and belief, she is a relative of Defendant Shalash. During the relevant time, Defendant Eitaf Alia Shalash used Defendant Shalash as her agent to manage properties she owned, including but not limited to the following Subject Properties: 1993 Cambridge Drive and 1997 Cambridge Drive.

16. Defendant Ghassan Shalash resides in Lexington, Kentucky. Upon information and belief, he is Defendant Shalash's brother. During the relevant time, Defendant Ghassan Shalash used Defendant Shalash as his agent to manage properties he owned, including but not limited to the following Subject Properties: 3561 Honey Jay Court, 738 North Broadway, and 439 East Sixth Street.

17. Defendant Amna Shalash resides in Lexington, Kentucky. Upon information and belief, she is a relative of Defendant Shalash and Defendant Ghassan Shalash's wife. During the relevant time, Defendant Amna Shalash used Defendant Shalash as her agent to manage properties she owned, including but not limited to the following Subject Property: 439 East Sixth Street.

18. Defendant Elham Shalash resides in Lexington, Kentucky. Upon information and belief, she is a relative of Defendant Shalash. During the relevant time, Defendant Elham Shalash used Defendant Shalash as her agent to manage properties she owned, including but not limited to

the following Subject Property: 3557 Honey Jay Court, 3561 Honey Jay Court, and 2428 Woodhill Drive.

19. Defendant Haneen Shalash resides in Nicholasville, Kentucky, in Jessamine County. Upon information and belief, she is a relative of Defendant Shalash. During the relevant time, Defendant Haneen Shalash used Defendant Shalash as her agent to manage properties she owned, including but not limited to the following Subject Property: 271 Osage Court.

20. Defendant Samia Abdel Jaber resides in Lexington, Kentucky. During the relevant time, Defendant Jaber used Defendant Shalash as her agent to manage properties she owned, including but not limited to the following Subject Property: 857 Charles Avenue.

21. Defendant Issa Shalash resides in Lexington, Kentucky. Upon information and belief, he is a relative of Defendant Shalash. During the relevant time, Defendant Issa Shalash used Defendant Shalash as his agent to manage properties he owned, including but not limited to the following Subject Properties: 449 Ferguson Street and 412 Gunn Street.

22. According to publicly available business filings available through the Kentucky Secretary of State, Defendant Alia Properties, LLC is a limited liability company that was organized on December 7, 2023, by Defendant Eitaf Shalash, who is also its sole listed officer. Its principal place of business is in Lexington, Kentucky, at 2753 Richmond Road, which is also the address of the Bluegrass Extended Stay Hotel, where the company's registered agent, Sami Shalash, serves as the general manager. Upon information and belief, Defendant Alia Properties uses Defendant Shalash as its agent to manage properties it currently owns, including but not limited to the following Subject Properties: 1993 Cambridge Drive and 1997 Cambridge Drive.

23. The Subject Properties are or contain "dwellings" within the meaning of 42 U.S.C. § 3602(b).

DEFENDANTS' DISCRIMINATORY PRACTICES

24. The Defendants have violated the Fair Housing Act, 42 U.S.C. §§ 3601 *et seq.*, by discriminating against persons on the basis of sex in connection with the rental of the Subject Properties.

25. During the relevant time, Defendant Shalash has subjected female tenants, prospective tenants, and tenants' family members of the Subject Properties to discrimination on the basis of sex, including, severe, pervasive, and unwelcome sexual harassment. This conduct has included, but has not been limited to:

- a. Offering to grant tangible housing benefits—such as reducing rent or excusing late or unpaid rent—to female tenants, prospective tenants, and tenants' family members in exchange for sexual favors;
- b. Subjecting female tenants, prospective tenants, and tenants' family members to unwelcome sexual touching;
- c. Making unwelcome sexual comments and sexual advances to female tenants, prospective tenants, and tenants' family members;
- d. Exposing himself to female tenants, prospective tenants, and/or tenants' family members;
- e. Fondling his genitals in front of female tenants, prospective tenants, and/or tenants' family members;
- f. Entering female tenants' homes with his own key, without notice, permission, or a legitimate reason, under the guise of conducting maintenance, including late at night or when tenants were in the shower; and

- g. Taking adverse housing actions, such as initiating eviction actions, or threatening to do so, against female tenants who objected to or refused his sexual advances.

26. For example, from approximately February 2015 to May 2017, Defendant Shalash subjected a female tenant to repeated unwelcome and unwanted sexual comments, sexual propositions, and unwelcome sexual contact. On multiple occasions, Defendant Shalash asked the tenant to “suck [his] titty” and “suck [his] dick.” Defendant Shalash indicated that she would not have to pay rent if she or her twenty-year-old daughter had sex with him. On two or more occasions, Defendant Shalash grabbed the tenant and pushed her toward his groin. And on two or more occasions, Defendant Shalash used his own key to enter her home without prior notice or permission. These actions made the female tenant extremely uncomfortable as well as anxious and scared in her own home.

27. In another example, in 2004, Defendant Shalash subjected a female tenant to repeated unwelcome and unwanted sexual comments, sexual propositions, and unwelcome sexual contact. On one or more occasions, Defendant Shalash rubbed the tenant’s buttocks with his hand and on another, he pushed his groin against her buttocks. On multiple occasions, Defendant Shalash entered her home without prior notice or permission, including late at night or when she in the shower. On multiple occasions, Defendant Shalash indicated he would exchange rent for sexual favors, including oral sex. The tenant’s experiences made her so fearful that she stopped staying at her home.

28. In yet another example, from approximately 2018 to May 2024, Defendant Shalash subjected a female tenant to repeated unwelcome and unwanted sexual comments, sexual propositions, and unwelcome sexual contact. For years, Defendant Shalash made unwelcome sexual comments multiple times a month, including words to the effect, “can you suck my dick?”

“I think your lips would feel good on my dick,” and “can I bend you over right here?” On multiple occasions, Defendant Shalash brushed up against her buttocks and breasts. Defendant Shalash entered her home using his own key, without prior notice or permission, including one time when she was in the shower. Defendant Shalash indicated he would exchange rent for sexual favors, including propositioning a sexual encounter with both her and her daughter. These actions made the female tenant feel extremely uncomfortable, unsafe in her own home, and powerless.

29. The experiences of the women described above were not the only instances of Defendant Shalash’s sexual harassment of tenants. Rather, they were part of his longstanding pattern or practice of sexual harassment of numerous tenants from at least 2004 to the present.

30. The conduct of Defendant Shalash described above caused female tenants to suffer physical harm, fear, anxiety, and emotional distress, and interfered with their ability to secure and maintain rental housing for themselves and their families.

31. The Owner Defendants listed in paragraphs 8 through 21 are liable for the discriminatory conduct of their agent and manager, Defendant Shalash, described above. Defendant Shalash sexually harassed at least one tenant of each Owner Defendant. Defendant Shalash’s discriminatory conduct at the Subject Properties owned by the Owner Defendants occurred within the scope of his agency relationship with the Owner Defendants and was aided by the existence of that agency relationship.

32. As described in paragraph 22, Defendant Alia Properties, LLC was organized on December 7, 2023, by Defendant Eitaf Alia Shalash. Just four days later, on December 11, 2023, Defendant Eitaf Alia Shalash transferred the Subject Properties located at 1993 Cambridge Drive and 1997 Cambridge Drive to Defendant Alia Properties, LLC, for \$0.

33. Upon information and belief, both before and after the transfer of 1993 Cambridge Drive and 1997 Cambridge Drive to Defendant Alia Properties, LLC, Defendant Shalash served as the agent and manager for both properties. After the transfer of the properties to Defendant Alia Properties, LLC, operation of the rental business of both properties substantially continued in the manner that it existed when Defendant Eitaf Alia Shalash owned the properties. After the transfer of the 1993 Cambridge Drive and 1997 Cambridge Drive Subject Properties, Defendant Shalash had authority to act on behalf of Alia Properties, LLC. Both before and after the transfer of the 1993 Cambridge Drive and 1997 Cambridge Drive Subject Properties, Defendant Shalash performed the duties described in paragraph 6, above.

34. Based on the facts set forth in paragraphs 32 and 33, above, Defendant Alia Properties, LLC is a successor in interest to Defendant Eitaf Alia Shalash.

35. Each Owner Defendant is part of the “group of persons” within the meaning of 42 U.S.C. § 3614(a) that engaged in a pattern or practice of sex discrimination and denied to women rights protected by the Fair Housing Act through their agent, Defendant Shalash. In addition, the Owner Defendants knew or should have known of the discriminatory conduct of Defendant Shalash as it was so pervasive and well known in the community, yet failed to take reasonable preventive or corrective measures.

CAUSE OF ACTION

FAIR HOUSING ACT

36. Plaintiff realleges and incorporates by reference herein the allegations described above.

37. By the actions described above, the Defendants have:

- a. Denied dwellings or otherwise made dwellings unavailable because of sex, in violation of 42 U.S.C. § 3604(a);
- b. Discriminated in the terms, conditions, or privileges of the rental of dwellings, or in the provision of services or facilities in connection therewith, because of sex, in violation of 42 U.S.C. § 3604(b);
- c. Made statements with respect to the rental of dwellings that indicate a preference, a limitation, or discrimination based on sex, in violation of 42 U.S.C. § 3604(c); and
- d. Coerced, intimidated, threatened, or interfered with persons in the exercise or enjoyment of, or on account of their having exercised or enjoyed, their rights granted or protected by the Fair Housing Act, in violation of 42 U.S.C. § 3617.

38. Under 42 U.S.C. § 3614(a), the Defendants' conduct constitutes:

- a. A pattern or practice of resistance to the full enjoyment of the rights granted by the Fair Housing Act, and
- b. A denial to a group of persons of rights granted by the Fair Housing Act that raises an issue of general public importance.

39. Female tenants and prospective tenants have been injured by the Defendants' discriminatory conduct. These persons are "[a]ggravated person[s]" as defined in 42 U.S.C. § 3602(i) and have suffered damages as a result of the Defendants' conduct.

40. The Defendants' discriminatory conduct was intentional, willful, or taken in reckless disregard of the rights of others.

PRAYER FOR RELIEF

WHEREFORE, the United States requests that the Court enter an Order that:

- a. Declares that the Defendants' discriminatory practices violate the Fair Housing Act, as amended, 42 U.S.C. §§ 3601-3619;
- b. Enjoins the Defendants, their agents, employees, and successors, and all other persons in active concert or participation with them, from:
 - i. Discriminating on the basis of sex, including engaging in sexual harassment, in any aspect of the rental of a dwelling;
 - ii. Interfering with or threatening to take any action against any person engaged in the exercise or enjoyment of rights granted or protected by the Fair Housing Act;
 - iii. Failing or refusing to take such affirmative steps as may be necessary to restore, as nearly as practicable, the victims of the Defendants' past unlawful practices to the position they would have been in but for the discriminatory conduct; and
 - iv. 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, as nearly as practicable, the effects of the Defendants' unlawful practices;
- c. Awards monetary damages to each person aggrieved by the Defendants' discriminatory conduct, under 42 U.S.C. § 3614(d)(1)(B);
- d. Assesses a civil penalty against each Defendant to vindicate the public interest, under 42 U.S.C. § 3614(d)(1)(C); and
- e. Awards such additional relief as the interests of justice may require.

Dated: November 18, 2024

Respectfully submitted,

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