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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,	)	Case No.
	)	
Plaintiff	)	
	)	
v.	)	
	)	
PETER JAN DEANGELI AND	)	
THE DEANGELI FAMILY TRUST	)	<b><u>COMPLAINT</u></b>
	)	
Defendants.	)	
_____	)	

COMES NOW Plaintiff the United States of America, by and through DANIEL G. BOGDEN, United States Attorney, and HOLLY A. VANCE, Assistant United States Attorney, and for its complaint against Defendants Peter Jan DeAngeli and the DeAngeli Family Trust (“Defendants”) alleges as follows:

**INTRODUCTION**

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



1 Therefore, whenever Mr. Thomas leaves his home, he requires a support dog to be with him to  
2 keep him calm and controlled.

3 12. Shortly after Mr. Thomas and his support dog left the subject property on March  
4 10, 2010, Defendant DeAngeli arrived at Complainants' apartment unit. Defendant DeAngeli  
5 informed Ms. Dobrinski that dogs were not allowed inside the apartment unit. Defendant  
6 DeAngeli threatened to evict Complainants because they allowed Mr. Thomas' support dog inside  
7 the apartment unit.

8 13. Ms. Dobrinski informed Defendant DeAngeli that Mr. Thomas was disabled and  
9 his dog was a service animal. She also stated that she could provide Defendant DeAngeli with  
10 documentation to show that the dog was a service animal.

11 14. Defendant DeAngeli responded that he was going to evict Complainants as a result  
12 of Mr. Thomas' support dog's having been inside the apartment unit.

13 15. On March 11, 2010, Mr. Thomas again visited Complainants' apartment unit with  
14 his support dog to accompany Ms. Dobrinski while a technician was present. While Mr. Thomas  
15 and his support dog were still inside the apartment unit, Defendant DeAngeli arrived at the unit  
16 and told Mr. Thomas that no dogs were allowed.

17 16. Mr. Thomas told Defendant DeAngeli that he was disabled and that the dog was a  
18 service animal. Mr. Thomas provided Defendant DeAngeli with a document to show that the dog  
19 was a service animal. Ms. Dobrinski also told Defendant DeAngeli that Mr. Thomas was disabled  
20 and that the dog was a service animal.

21 17. Defendant DeAngeli responded that he did not want the dog on the property and  
22 that he planned to evict Complainants.

23 18. On March 12, 2010, Defendant DeAngeli served Complainants with a Notice of  
24 Termination for Violation of Lease or Rental Agreement, which listed, among various other  
25 alleged violations, "Dogs inside unit."  
26



1 a final investigative report. Based upon the information gathered in the investigation, the  
2 Secretary, pursuant to 42 U.S.C. § 3610(g)(1), determined that reasonable cause existed to believe  
3 that illegal discriminatory housing practices had occurred. Therefore, on September 16, 2011, the  
4 Secretary issued a Charge of Discrimination, pursuant to 42 U.S.C. § 3610(g)(2)(A), charging the  
5 above-named Defendants with engaging in discriminatory practices based on disability and  
6 retaliation in violation of the Fair Housing Act.

7 26. On October 3, 2011, Defendants elected to have the claims asserted in the HUD  
8 Charge resolved in a civil action pursuant to 42 U.S.C. § 3610(a). On October 4, 2011, the  
9 Administrative Law Judge issued a Notice of Election to Proceed in United States District Court  
10 and terminated the administrative proceeding.

11 27. Following this Notice of Election, the Secretary of HUD authorized the Attorney  
12 General to commence civil action, pursuant to 42 U.S.C. § 3612(o).

13 **VIOLATION OF 42 U.S.C. § 3604(f)(1)(C) AND (f)(3)(B)**

14 28. It is unlawful to discriminate in the sale or rental of — or to otherwise make  
15 unavailable or deny — a dwelling to any buyer or renter because of a disability of any person  
16 associated with that buyer or renter. 42 U.S.C. § 3604(f)(1)(C). Discrimination includes a refusal  
17 to make reasonable accommodations in rules, policies, practices or services, when such  
18 accommodations may be necessary to afford such person equal opportunity to use and enjoy a  
19 dwelling. 42 U.S.C. § 3604(f)(3)(B).

20 29. Defendants violated 42 U.S.C. § 3604(f)(1)(C) and 42 U.S.C. § 3604(f)(3)(B).  
21 Defendants denied rental housing — or made rental housing unavailable — to Complainants  
22 because of the disability of a person associated with Complainants, Mr. Thomas, by refusing to  
23 make a reasonable accommodation to the “no pets” policy so that Mr. Thomas and his support dog  
24 could visit Complainants’ apartment unit with his support dog. The accommodation was  
25 necessary to afford Complainants an equal opportunity to use and enjoy Complainants’ apartment  
26 unit. Defendants also denied rental housing — or made rental housing unavailable — to

1 Complainants because of the disability of a person associated with Complainants, Mr. Thomas, by  
2 taking actions to evict Complainants from the apartment unit based on Mr. Thomas' entry into the  
3 apartment unit with his service dog.

4 **VIOLATION OF 42 U.S.C. § 3604(f)(2)(C) AND (f)(3)(B)**

5 30. It is unlawful to discriminate against any person in the terms, conditions or  
6 privileges of the sale or rental of a dwelling — or in the provision of services or facilities in  
7 connection with such dwelling — because of a disability of any person associated with that person.  
8 42 U.S.C. § 3604(f)(2)(C). Discrimination includes a refusal to make reasonable accommodations  
9 in rules, policies, practices or services, when such accommodations may be necessary to afford  
10 such person equal opportunity to use and enjoy a dwelling. 42 U.S.C. § 3604(f)(3)(B).

11 31. Defendants violated 42 U.S.C. § 3604(f)(2)(C) and 42 U.S.C. § 3604(f)(3)(B).  
12 Defendants discriminated against Complainants in the terms, conditions or privileges of the rental  
13 of Complainants' apartment unit — or in the provision of services or facilities in connection with  
14 the apartment unit — because of a disability of a person associated with Complainants, Mr.  
15 Thomas, by refusing to provide a reasonable accommodation to their “no pets” policy so that Mr.  
16 Thomas could visit Complainants' apartment unit with his support dog. The accommodation was  
17 necessary to afford Complainants an equal opportunity to use and enjoy Complainants' apartment  
18 unit. Defendants further discriminated against Complainants in the terms, conditions or privileges  
19 of the rental of Complainants' apartment unit — or in the provision of services or facilities in  
20 connection with the apartment unit — because of a disability of a person associated with  
21 Complainants, Mr. Thomas, by taking actions to evict Complainants from the apartment unit based  
22 on Mr. Thomas' entry into the apartment unit with his service dog.

23 **VIOLATION OF 42 U.S.C. § 3617**

24 32. It is unlawful to coerce, intimidate, threaten or interfere with any person in the  
25 exercise or enjoyment of — or on account of his having exercised or enjoyed or on account of his  
26

1 having aided or encouraged any other person in the exercise or enjoyment of — any right granted  
2 or protected by Section 3603, 3604, 3605 or 3606 of this title. 42 U.S.C. § 3617.

3 33. Defendants coerced, intimidated, threatened or interfered with Complainants in the  
4 exercise or enjoyment of — or on account of the exercise or enjoyment of or on account of having  
5 aided or encouraged the exercise or enjoyment of — a right to a reasonable accommodation.  
6 Defendants reacted to the request for reasonable accommodation by taking the following adverse  
7 actions against Complainants: (1) On March 10 and 11, 2010, Defendant DeAngeli told  
8 Complainants and Mr. Thomas that no pets were allowed inside the apartment units and threatened  
9 to evict Complainants for allowing Mr. Thomas' support dog inside their unit; (2) On March 12,  
10 2010, Defendants served Complainants with a Notice of Termination for violation of Lease or  
11 Rental Agreement; (3) On March 25, 2010, Defendants served Complainants with a Five-Day  
12 Notice of Unlawful Eviction, which demanded that Complainants vacate their apartment unit  
13 within five days; (4) Shortly after Defendants initiated eviction efforts against Complainants,  
14 Defendants posted a sign directing tenants to call the police if Complainants bothered them; (5) On  
15 April 5, 2010, Defendants argued unsuccessfully for Complainants' eviction at a court hearing; (6)  
16 On or around April 8, 2010, Defendants served Complainants with a Notice to Vacate that accused  
17 them of causing a nuisance and required them to leave their apartment unit within three days.

18 34. Defendants' discriminatory actions were intentional, willful and taken in disregard  
19 of the rights of Complainants.

20 35. As a result of Defendants' conduct, Complainants have suffered damages and are  
21 aggrieved persons within the meaning of the Fair Housing Act, 42 U.S.C. § 3602(i).

22 **REQUEST FOR RELIEF**

23 WHEREFORE the United States of America respectfully requests that this Court enter an  
24 ORDER:

25 1. Declaring that Defendants' policies and practices — as alleged in this Complaint —  
26 violate the Fair Housing Act;

1           2.     Enjoining Defendants, their officers, employees, agents, successors and all other  
2 persons in active concert or participation with them, from:

3           a.     Discriminating in the rental, or otherwise making unavailable or denying, a  
4 dwelling to any renter because of disability, in violation of 42 U.S.C. § 3604(f)(1);

5           b.     Discriminating against any person in the terms, conditions, or privileges of  
6 rental of a dwelling, or in the provision of services or facilities in connection with  
7 such dwelling, because of disability, in violation of 42 U.S.C. § 3604(f)(2);

8           c.     Refusing to make the reasonable accommodation of allowing Complainants  
9 to invite friends with assistance animals to their apartment to afford them equal  
10 opportunity to use and enjoy their dwelling, in violation of 42 U.S.C. §  
11 3604(f)(3)(B);

12           d.     Failing or refusing to take such affirmative steps as may be necessary to  
13 restore, as nearly as practicable, the Complainants to the position they would have  
14 been in but for the discriminatory conduct;

15           e.     Refusing to make reasonable accommodations in rules, policies, practices,  
16 or services, when such accommodations may be necessary to afford persons with  
17 disabilities equal opportunity to use and enjoy their dwelling, in violation of 42  
18 U.S.C. § 3604(f)(3)(B);

19           f.     Failing or refusing to take such actions as may be necessary to prevent the  
20 recurrence of any such discriminatory conduct in the future and to eliminate, to the  
21 extent practicable, the effects of Defendants' unlawful conduct, and implementing  
22 policies and procedures to ensure that no rental applicants or tenants are  
23 discriminated against because of disability; and

24           g.     Coercing, intimidating, threatening, or interfering with any person in the  
25 exercise or enjoyment of, or on account of his or her having exercised or enjoyed,  
26 or on account of his or her having aided or encouraged any other person in the



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exercise or enjoyment of any right granted or protected by Sections 803-806 of the Fair Housing Act, in violation of 42 U.S.C. § 3617.

3. Awarding monetary damages to Complainants pursuant to 42 U.S.C. §§ 3612(o)(3) and 3613(c)(1); and

4. Awarding the United States such additional relief as is just and proper.

Dated this 2<sup>nd</sup> day of November 2011.

Respectfully submitted,

DANIEL G. BOGDEN  
United States Attorney

/s/ HOLLY A. VANCE  
HOLLY A. VANCE  
Assistant United States Attorney