

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	CIVIL ACTION NO.
	:	3:11-CV-1543(JCH)
and	:	
	:	
TAIKA BILBO, ET AL	:	JULY 26, 2013
Interveners,	:	
	:	
v.	:	
	:	
CLIFTON HYLTON, ET AL,	:	
Defendants.	:	

ORDER FOR INJUNCTIVE RELIEF

I. GENERAL INJUNCTION

This court, having considered the arguments from the plaintiff, intervenors and defendants, see Ruling (Doc. No.), and having found that the defendants—Merline Hylton (“Mrs. Hylton”) and Clifton Hylton (“Mr. Hylton”) and Hylton Real Estate Management (“HREM”)—violated the Fair Housing Act, 42 U.S.C. § 3601, et seq., by refusing to rent, or to negotiate for the rental of, or otherwise making unavailable or denying, a dwelling to any person because of race; discriminating in the terms, conditions, or privileges of rental of a dwelling because of race; and making statements with respect to the rental of dwelling that indicate a preference, limitation, or discrimination based on race, hereby ENJOINS the defendants, their officers, agents, employees, and all persons in active concert or participation with them, with respect to the rental of any dwellings as defined by 42 U.S.C. § 3602(b), from:

- A. refusing to rent, or to negotiate for the rental of, or otherwise making unavailable or denying, a dwelling to any person because of race, in violation of 42 U.S.C. §

3604(a).

- B. discriminating in the terms, conditions, or privileges of rental of a dwelling because of race, in violation of 42 U.S.C. § 3604(b).
- C. making statements with respect to the rental of dwelling that indicate a preference, limitation, or discrimination based on race, or an intention to make any such preference, limitation, or discrimination, in violation of 42 U.S.C. § 3604(c).

And further ORDERS that:

II. AFFIRMATIVE RELIEF

1. the defendants, within thirty (30) days of the entry of this Order, post and prominently display in any housing unit being shown for rental, a poster no smaller than 11 inches by 14 inches that indicates that the dwelling is available for rent on a nondiscriminatory basis. The poster(s) shall comply with the requirements set out in 24 C.F.R. Part 110.
2. the defendants, within thirty (30) days of the entry of this Order, include the words "Equal Housing Opportunity," or the fair housing logo, in all advertising conducted by the defendants in newspapers, telephone directories, radio or other media, and on all signs, pamphlets, brochures, and other promotional literature. The words or logo shall be prominently placed and easily legible.
3. the defendants, and any real estate company or business owned, operated, or managed by defendants, adopt and implement a nondiscrimination policy within thirty (30) days of the entry of this judgment. Said policy must be approved by the Department of Justice, within sixty days (60) of the issuance of this court's order. The Policy shall notify tenants of their right to contact the Connecticut Commission

on Human Rights and Opportunities, the Connecticut Fair Housing Center, HUD or the Department of Justice directly if they believe they have experienced or witnessed unlawful discrimination. Said policy will be substantially similar to the following:

It is the policy of the owners and managers of _____ [list each applicable property] not to discriminate against anyone in any aspect of the rental of dwellings because of age, mental disability, religion, marital status, physical disability, race, color, familial status, learning disability, national origin, ancestry, gender, lawful source of income, and sexual orientation.

This policy means, among other things, that all owners and agents must: (a) always truthfully provide any person who inquires about an apartment for rent a reasonable number of apartments available for rent that meet the person's stated criteria; (b) never select, choose, recommend or suggest a particular apartment to anyone; (c) never fail to inform someone of an available apartment; (d) never discourage anyone from renting an apartment; (e) never provide varying and/or untrue information about the availability and/or price of a unit; and (f) never provide or withhold tenant services, repairs or amenities because of a person's age, mental disability, religion, marital status, physical disability, race, color, familial status, learning disability, national origin, ancestry, gender, lawful source of income, and sexual orientation.

4. the defendants, their directors, officers, managers, agents, and designees notify all current and prospective tenants for any property owned, operated, or managed by the defendants, of this policy and of their right to file a complaint or to contact HUD or the Department of Justice if they believe they have been discriminated against, or harassed.
5. the defendants, their directors, officers, managers, agents, and designees distribute this policy, along with a pamphlet from HUD, describing the Fair Housing Act and its enforcement provisions, to all tenants and prospective tenants, in any property owned, operated, or managed by the defendants, during the term of this Order.
6. the defendants and their employees sign acknowledgements that they will comply with the FHA and with defendants' nondiscrimination policies. Within thirty (30) days

of the entry of this judgment (or ten (10) days after signing said acknowledgement, in the case of employees hired after the thirty (30) day period), defendants shall provide the United States with a signed copy of the acknowledgements.

And further ORDERS that:

III. MANDATORY EDUCATION AND TRAINING

1. during the term of this Order, within thirty (30) days after the date he or she commences an agency or employment relationship with the defendants, the defendant shall provide each new agent or employee involved in the rental or management of dwellings with a copy of this Order and require said employee or agent to sign a statement acknowledging that he or she has received and read the Order.
2. on the anniversary date of this Order, for the next three (3) years, defendants and their representatives, employees and agents, involved in the rental or management of dwellings, shall undergo three (3) hours of training on the provisions of the Fair Housing Act; the training shall be conducted by a qualified third party, approved in advance by the United States and unconnected to defendants or its employees, agents, or counsel; the defendants shall provide to the United States, within 30 days after each training, the name(s), address(es) and telephone number(s) of the trainer(s) and certification executed by the trainers confirming the attendance of all representatives, employees and agents of the defendants.
3. the aforementioned acknowledgements and certifications be submitted to the Department of Justice, annually as discussed below.

And further ORDERS that:

IV. RECORD KEEPING AND REPORTING

1. the defendants shall retain all rental records maintained in the normal course of their business, including, but not limited to, inquiry logs, applications, tenant files, and all records relating to actual or threatened evictions, during the three (3) year term of this Order; upon request and reasonable notice, the defendants shall produce or permit representatives of the United States or this Court to review any such records in the possession or control of the defendants, or their agents, employees, or representatives.
2. during the three (3) year term of this Order, the defendants shall give counsel for the United States written notice within ten (10) days of the receipt of any written or oral complaint against the defendants regarding discrimination and a description of the resolution of any such complaint within ten (10) days of resolution;
3. if the complaint is written, the defendants shall provide a copy of the complaint with the notice; if the complaint is oral, defendants shall include a written summary of it with the notice; the notice shall include the full details of the complaint, including the complainant's name, address, and telephone number, if known; the defendants shall also promptly provide the United States with all information it may request concerning any such complaint and its actual or attempted resolution.
4. during the three (3) year term of this Order, the defendants shall submit annual reports to the Department of Justice, at: United States Attorney's Office, Civil Rights Coordinator, 157 Church Street, 25th Floor, New Haven, CT 06511, on the anniversary date of this Order; the reports should contain a (1) description of the

actions taken to comply with this Order, and the date the action was taken, and (2) any written or oral complaints against the defendants alleging discrimination and a description of the resolution not already provided.

And further ORDERS that:

V. COURT JURISDICTION

1. the term of Order will be three (3) years from the date of entry of this Order; this Court shall retain jurisdiction over this action and over the defendants for three (3) years from the date of entry of this Order to enforce the terms of the Order.

SO ORDERED.

Dated at New Haven, Connecticut, this 26th day of July, 2013.

 /s Janet C. Hall
Janet C. Hall
United States District Judge