

## **Landlord Sued for Discrimination! Is Fair Housing Being Unfair??**

*The below letter (written to the LA Times) was sent to us by an AOA member whose family is currently being sued for discrimination. Our member states, "I realized that if I don't at least write something to oppose this unfair article that 'vilifies' small mom and pop apartment owners, no one will."*

In response to your previously run article of November 19, 2006 titled "*Lockdown Rules Keep Immigrants' Kids from Playing Outside*," I would like to share an opposing view based on both my family's experience as well as the experiences of many apartment owners at large.

My parents, immigrants who worked hard to own a 71-unit apartment in the San Fernando Valley, primarily occupied by first generation Latino families, are now facing a lawsuit for discrimination. Fair Housing is currently suing my parents for "discrimination against children" in the apartment complex.

When my parents first bought the complex 15 years ago it was rampant with gang activity and drug dealing. We have worked hard to reverse this downward trend and provide a safe environment for our tenants. Our manager works endlessly to stop children from vandalizing tenants' yards and personal property, running around the parking area, spraying graffiti in the common areas, and the overall nuisance experienced. Our efforts were meant not only to preserve our property, but to ensure the safety of our tenants, including their children. As a result of proactive management we have unfairly been served a lawsuit by Fair Housing for discriminating against children.

Our attorneys advised us to keep minimal contact with the suing tenants, and look the other way in regard to any additional breaches to their leases until the lawsuit has been settled. Since, we have received countless complaints from tenants, neighboring apartments and the LAPD of yelling and screaming by children at 2 am, vandalism both in ours and neighboring apartments, and even fornication in our laundry room. Many of these acts are the result of the lack of proper supervision by these children's parents. Tenants have complained of unsupervised children trespassing onto their balconies, urinating around their units, throwing feces into the pool, and breaking windows. Other tenants have concluded that management is purposely ignoring their complaints and have thus moved out.

The suing tenants, knowing that they are immune to eviction because of the ongoing lawsuit, purposely withhold rent, keep pets in their units and repeatedly violate their leases. In order to help "facilitate the settlement," Fair Housing blackmailed us to look the other way and not enforce our eviction rights. In addition, to raise the settlement amount, Fair Housing is knocking door to door to recruit tenants to join their lawsuit against management, promising them "free cash" and showing them previous settlements of "at least \$10,000 per family." Fair Housing has also requested all the suing tenants to continuously file complaints via the Los Angeles Housing Department and Los Angeles Health Department in order to vilify us as "discriminatory, child-hating slumlords."

As part of the lawsuit, Fair Housing, a non-profit organization, is asking for compensation, thus turning out a large profit. I have to ask, is it right for a non-profit organization to be compensated through blackmail and exploitation at the expense of us, the property owners, as well as their own clients?

We, as property owners, have a responsibility for the safety of our tenants. If we allow children to run loose without proper supervision, they could get hurt, drown in the pool, or hit by a car. Not only would this be detrimental to them and their families, but we would be liable. If we are a little too proactive in supervising unsupervised children it is considered discrimination against children. Where is the fine line?

As a society, we must determine if certain issues such as asking children not to run in the streets and parking lot for fear of their safety is discriminatory. For now, Fair Housing seems to think so and is putting their own monetary concerns above the real issues of safety, proper supervision of children, and the rights of property owners such as ourselves.

*Editor's Note: AOA wishes to thank our member for sharing his experience and taking action on the behalf of all property owners! Also, be sure to attend the **Asset and Lawsuit Protection Seminar** at the Big Million Dollar Trade Show and Educational Conference at the Long Beach Convention Center on Thursday, May 31<sup>st</sup> to discover how to keep this from happening to you!. See back cover for seminar time.*