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MANHATTAN U.S. ATTORNEY RECOVERS \$175,000 IN SETTLEMENT OF RACE DISCRIMINATION CASE AGAINST ROCKLAND COUNTY LANDLORD

FOR IMMEDIATE RELEASE

Wednesday April 18, 2012

Apartment Building Owner Admits that Former Rental Agent Did Not Show Available Apartments to African-Americans

Preet Bharara, the United States Attorney for the Southern District of New York, announced today a settlement of the United States' lawsuit against BURGUNDY GARDENS, LLC for discriminating against African-American apartment seekers in violation of the Fair Housing Act. Under the settlement, BURGUNDY GARDENS admits that its former on-site agent gave incorrect or incomplete information to African-American prospective tenants about the availability of apartments and failed to show available apartments to African-Americans. BURGUNDY GARDENS is enjoined by the consent decree from discriminating against any person in the terms or conditions of renting a dwelling because of race or color. The company must also pay \$150,000 into a victim fund that will be available to compensate people who were harmed by the discriminatory rental practices of BURGUNDY GARDENS, and must pay a civil penalty of \$25,000.

U.S. Attorney Preet Bharara stated: "Our office will not tolerate illegal discrimination in housing and will use the power of the Fair Housing Act to pursue those who violate the law. Discrimination based on race or color must be eradicated so that people of all ethnic backgrounds have equal access to the communities in which they seek to live."

BURGUNDY GARDENS owns and operates a residential apartment complex consisting of approximately 96 rental apartment units located in Valley Cottage, Rockland County, New York. The settlement resolves a lawsuit filed by the United States on December 5, 2010. Based upon evidence obtained using several testers who visited BURGUNDY GARDENS, in its complaint, the United States alleged, among other things, that BURGUNDY GARDENS provided false information about the availability of rental apartments and refused to rent to African-Americans, while negotiating rental agreements with whites.

The settlement, in the form of a consent decree, was signed today in White Plains federal court by U.S. District Judge Kenneth M. Karas. Under the settlement, BURGUNDY GARDENS admits that its former on-site agent gave incorrect or incomplete information to African-American prospective tenants about the availability of apartments, provided an application to a non-African-American when a rental dwelling was available for rent but not to an African-American, and showed available apartments to non-African-Americans but not to African-Americans. The company is enjoined by the consent decree from discriminating against any person in the terms or conditions of renting a dwelling because of race or color. In addition, BURGUNDY GARDENS must implement a Nondiscrimination Policy of uniform, non-discriminatory standards and procedures for showing available apartments to prospective tenants, educate its employees on federal and state housing discrimination laws, and submit periodic reports to the Government containing information about its rental activity. The United States will monitor the company's compliance with the terms of the consent decree for a minimum of three years.

BURGUNDY GARDENS also agrees to pay \$150,000 into a victim fund that will be available to compensate people whom the Court determines were harmed by the discriminatory rental practices of BURGUNDY GARDENS. Notices to potential victims of housing discrimination

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will be placed on websites and in newspapers in Rockland County. Aggrieved persons shall have 150 days from the entry of the Court's consent decree to contact the United States about any discrimination by BURGUNDY GARDENS and harms they sustained. Under the settlement, the company must also pay a civil penalty of \$25,000.

Fighting illegal housing discrimination is a top priority of the Department of Justice. The federal Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, familial status (having one or more children under 18), national origin, and disability. Persons who believe they have experienced or witnessed unlawful housing discrimination may call the U.S. Attorney's Office civil rights complaint hotline in the Southern District of New York at 1-212-637-0840, the national Housing Discrimination Tip Line at 1-800-896-7743, or contact HUD at 1-800-669-9777.

The case is being handled by the Office's Civil Rights Unit. Assistant United States Attorneys Daniel P. Filor and David S. Jones are in charge of the case.

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