

PREDETERMINATION SETTLEMENT AGREEMENT

CP# 06-16-69183
HUD# 07-16-4725-8

PARTIES TO THE SETTLEMENT AGREEMENT

RESPONDENTS

LINDA KLINE

Western Village Mobile Home Park
2000 Grand Avenue - Office
West Des Moines, Iowa 50265

MHPI, INC.

3000 South Scott Street
Des Plaines, Illinois 60018

DM WESTERN VILLAGE PROPERTY, LLC

3000 South Scott Street
Des Plaines, Illinois 60018

COMPLAINANT

LORETTA GATES

211 Lynnwood Drive
West Des Moines, Iowa 50265

and

IOWA CIVIL RIGHTS COMMISSION

400 East 14th Street
Des Moines, Iowa 50319

Description of the Parties:

Complainant alleges discrimination in the area of housing on the basis of race (Black). She claims Respondent Linda Kline issued her several seven-day notices based on false complaints by her racist Caucasian neighbors. Complainant further alleges Ms. Kline issued the seven-day notices without first conducting a full and fair investigation. Complainant alleges she has been treated differently in the terms and conditions of tenancy based on race. The subject property is a mobile home park with 257 lots, known as Western Village Mobile Home Park, located at 2000 Grand Avenue, West Des Moines, Iowa 50265.

Terms of Settlement:

A complaint having been filed by Complainant against Respondents with the Iowa Civil Rights Commission (hereinafter referred to as the Commission) under Iowa Code Chapter 216 and there having been a preliminary inquiry, the parties do hereby agree and settle the above-captioned matter in the following extent and manner:

Acknowledgment of Fair Housing Laws

1. Respondents agree there shall be no discrimination, harassment, or retaliation of any kind against Complainant or any other person for filing a charge under the “Iowa Civil Rights Act of 1965” (ICRA); because of giving testimony or assistance, or participating in any manner in any investigation, proceeding, or hearing under the ICRA; or because of lawful opposition to any practice forbidden by the ICRA. Iowa Code § 216.11(2).
2. Respondents acknowledge the ICRA makes it unlawful to discriminate in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling because of race, color, creed, sex, sexual orientation, gender identity, national origin, religion, disability, or familial status. Iowa Code § 216.8(1)(b).

Respondents acknowledge the Fair Housing Act (FHA) makes it unlawful to discriminate in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling because of race, color, creed, sex, national origin, religion, disability, or familial status. 42 U.S.C. 3604(b).

Voluntary and Full Settlement

3. The parties acknowledge this Agreement is a voluntary and full settlement of the disputed complaint. The parties affirm they have read and fully understand the terms set forth herein. No party has been coerced, intimidated, threatened or in any way forced to become a party to this Agreement.
4. The parties enter into this Agreement in a good faith effort to amicably resolve existing disputes. The execution of this Agreement is not an admission of any wrongdoing or violation of law. Nor is the execution of this Agreement an admission by Complainant that any claims asserted in her complaint are not fully meritorious.
5. The parties agree the execution of this Agreement may be accomplished by separate counterpart executions of this Agreement. The parties agree the original executed signature pages will be attached to the body of this Agreement to constitute one document.
6. The parties agree the Commission may review compliance with this Agreement. And as part of such review, the parties agree the Commission may examine witnesses, collect documents, or require written reports, all of which will be conducted in a reasonable manner by the Commission.

7. The parties acknowledge, if the Commission or the U.S. Department of Housing and Urban Development (HUD) has reasonable cause to believe that Respondents have breached this Agreement, the Commission may refer the matter to the Iowa Department of Justice - Office of the Attorney General, and HUD may refer the matter to the U.S. Department of Justice.

Disclosure

8. Because, pursuant to Iowa Code §216.15A(2)(d), the Commission has not determined that disclosure is not necessary to further the purposes of the ICRA relating to unfair or discriminatory practices in housing or real estate, this Agreement is a public record and subject to public disclosure in accordance with Iowa's Public Records Law, Iowa Code Chapter 22. *See* Iowa Code §22.13.

Release

9. Complainant hereby waives, releases, and covenants not to sue Respondents with respect to any matters which were or might have been alleged as charges filed with the Iowa Civil Rights Commission, the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, or any other anti-discrimination agency including the Dubuque Human Rights Commission, subject to performance by Respondents of the promises and representations contained herein. Complainant agrees any complaint filed with any other anti-discrimination agency, including the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, which involves the issues in this complaint, shall be closed as Satisfactorily Adjusted.

Fair Housing Training

10. Respondents agree Linda Kline, Samantha Magnani, Nancy Shelley, and each of their current employees or agents who are involved in the management or operation of Western Village Mobile Home Park will receive training on the requirements of State and Federal Fair Housing Laws within 90 days of their receipt of a Closing Letter from the Commission. The training will address all aspects of fair housing law, but will emphasize the laws prohibiting race discrimination. The training shall be conducted by a qualified person, approved by the Commission or the U.S. Department of Housing and Urban Development.

Respondents also agree to send documentation to the Commission verifying the fair housing training has been completed within ten (10) days of completing the training.

Sensitivity Training

11. Respondents agree Linda Kline, Samantha Magnani, and Nancy Shelley will receive racial sensitivity training within 90 days of their receipt of a Closing Letter from the Commission. The training shall be designed to help them understand and respect people of varying races or national origins, and thereby become more tolerant of people with

different beliefs or backgrounds. The training shall also be designed to help them understand and overcome attitudes or perceptions that are based on stereotypes or untruths. The training shall be conducted by a qualified person or entity approved by the Commission.

Respondents agree to send documentation to the Commission verifying the sensitivity training has been completed within ten (10) days of completing the training.

Reporting and Record-Keeping

- 12. Respondents shall forward to the Commission objective evidence of the successful completion of fair housing training in the form of a Certificate or a letter from the entity conducting the training within ten (10) days of the completion of the training, as evidence of compliance with Term 10 of this Agreement.
- 13. Respondents shall forward to the Commission objective evidence of the successful completion of racial sensitivity training in the form of a Certificate or a letter from the entity conducting the training within ten (10) days of the completion of the training, as evidence of compliance with Term 11 of this Agreement.

All required documentation of compliance must be submitted via email or U.S. mail to:

Don Grove
Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Don.Grove@iowa.gov

_____	_____
Linda Kline, RESPONDENT	Date
_____	_____
MHPI, Inc., RESPONDENT	Date
_____	_____
DM Western Village Property, LLC, RESPONDENT	Date
_____	_____
Loretta Gates, COMPLAINANT	Date
_____	_____
Kristin H. Johnson, DIRECTOR IOWA CIVIL RIGHTS COMMISSION	Date