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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

STATE OF WASHINGTON,
Plaintiff,
v.
PACIFIC CREST REAL ESTATE LLC,
Defendant.

NO.
COMPLAINT

The State of Washington, by and through its attorneys, Robert W. Ferguson, Attorney General, and Marsha J. Chien, Assistant Attorney General, files this action against Defendant Pacific Crest Real Estate LLC (“Pacific Crest”).

I. INTRODUCTION

1.1. The State of Washington brings this action against Defendant to enforce Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601-3619 (“FHA”); the Washington Law Against Discrimination, RCW 49.60.222 (“WLAD”), and the Washington Consumer Protection Act, RCW 19.86.020 (“CPA”).

1.2. In Washington, racial disparities exist in the criminal justice system. African Americans are arrested, convicted, and incarcerated at higher rates than non-African Americans. As a result, criminal history restrictions on housing have a disparate impact on African American renters. Absent a showing that a criminal history restriction is justified by a legitimate nondiscriminatory interest and is tailored (i.e., considers when the underlying conduct occurred,

1 what the underlying conduct entailed, or what the convicted person has done since the
2 conviction), a housing provider's blanket policy of refusing to rent to tenants with a criminal
3 history discriminates based on race or color and violates the FHA, WLAD, and the CPA.

4 II. JURISDICTION AND VENUE

5 2.1 This action is brought by the State of Washington to enforce Title VIII of the Civil
6 Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988,
7 42 U.S.C. §§ 3601-3619 ("FHA"); the Washington Law Against Discrimination, RCW 49.60.222
8 ("WLAD"), and the Washington Consumer Protection Act, RCW 19.86.020 ("CPA").

9 2.2 The Attorney General is authorized to commence this action pursuant to
10 RCW 43.10.030(1) and RCW 19.86.080.

11 2.3 The State of Washington also brings this action under the doctrine of *parens*
12 *patriae*. The State of Washington has a quasi-sovereign interest in the health and welfare of its
13 citizens, including ensuring that Washington residents are not denied housing for unlawful or
14 discriminatory reasons. The State of Washington also has an interest in ensuring that its residents
15 are not excluded from the protections provided against discrimination under federal law.

16 2.4 The violations alleged in this Complaint were committed in whole or in part in
17 King County, by the Defendant named herein.

18 2.5 Venue is proper in King County pursuant to RCW 4.12.020 and RCW 4.12.025.

19 III. FACTUAL ALLEGATIONS

20 3.1. Defendant Pacific Crest is a for-profit business in the state of Washington that is
21 engaged in the rental of residential dwellings as defined by 42 U.S.C. § 3602(b) and
22 RCW 49.60.040(9). Defendant's principal place of business is located at 200 1st Ave West,
23 Suite 520, Seattle WA 98119. Defendant owns and operates multi-family residential rental
24 properties, including Windsor Court located at 219 S 156th St., Burien WA 98148.

1 **3.2.** In May 2016, the State of Washington conducted testing to evaluate Defendant's
2 compliance with the FHA, the WLAD and the CPA. During this test, a tester responded to
3 Defendant's advertisement for a rental unit at Windsor Court on Craigslist via e-mail.

4 **3.3.** Defendant's Craigslist advertisement indicated that rental applicants with
5 felonies would be rejected. A true and accurate copy of Windsor Court's Craigslist
6 advertisement is attached hereto as **Exhibit 1**.

7 **3.4.** After confirming the rental was still available, the tester disclosed that he had a
8 felony conviction and asked if he could still apply for the rental.

9 **3.5.** Defendant's representative responded to the tester's e-mail, stating that Windsor
10 Court prohibits any renter with a felony conviction. Defendant's representative did not
11 consider when the tester's conviction occurred, what the underlying conduct entailed, or what
12 the tester had done since the conviction.

13 **3.6.** The testing undertaken by the State of Washington revealed that Defendant is
14 engaged in housing practices that discriminate on the basis of race or color at Windsor Court,
15 including:

16 **3.6.1** Denying a dwelling to rental applicants with a criminal history without
17 consideration of when the criminal conviction occurred, what the underlying conduct
18 entailed, and/or what the convicted person has done since the conviction;

19 **3.6.2.** Making statements in connection with the rental of a dwelling that
20 express a prohibition against any person with a criminal history and that discourage
21 applicants with criminal histories.

22 **3.7.** The conduct of Defendant described above constitutes:

23 **3.7.1.** A refusal to rent, negotiate for the rental of, or otherwise make
24 unavailable or deny dwellings to persons because of race or color, in violation of
25 42 U.S.C. § 3604(a) and/or RCW 49.60.222(f);
26

Exhibit 1

CL seattle >
seattle >
housing >
apts/housing for rent

Posted: 2016-05-17 8:45am

\$1275 / 2br - 960ft² - 2 Bedroom 2 Bath 1275.00 Now (Burien)

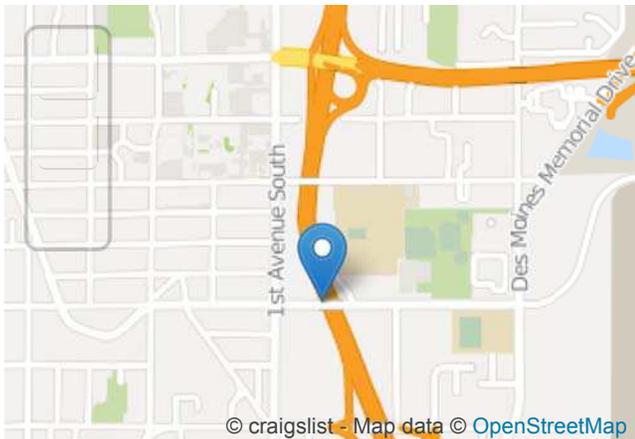
image 1 of 6



Great location, on bus line, large master like a double master separated by the living room, both bedrooms have walk in closets. Top floor corner unit. Elevator for easy move in. Close to 518, 509, 405 and I-5. On bus line. Walk to Ross, Trader Joes and the best Sushi around. Maximum 4 people. Best kept secret Call me 206-250-8438. \$400.00 hold the apartment through the application process then \$100.00 administration fee and \$300.00 goes toward your first month's rent. Applications are \$40.00 via On-site.com. Deposit is \$500.00. Must prove 2.5 times the amount of rent, owe no money to landlords, have no felonies and have a valid ID and social security number. WINDSOR COURT New Management!!! New elliptical equipment and a new central barbeque area. Great community feeling with great residents. Burien's best kept secret. 75.00 water/ sewer/ garbage. Call Dolores @ 206-250-8438 offering 11 month leases.







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219 south 156th street at 1st Avenue South

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