

**FILED**  
KING COUNTY, WASHINGTON

AUG 29 2016

**EXP07**  
SUPERIOR COURT CLERK

**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. 16-2-20773-1 SEA

CONSENT DECREE

**I. INTRODUCTION**

**1.1.** The State of Washington, by and through its attorneys, Robert W. Ferguson, Attorney General, and Marsha J. Chien, Assistant Attorney General, filed this action against Defendant Pacific Crest Real Estate LLC (“Pacific Crest”) 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.** Defendant Pacific Crest is a for-profit business in Washington State that is engaged in the rental of residential dwellings as defined by both 42 U.S.C. § 3602(b) and RCW 49.60.040(9). Defendant’s principal place of business is located at 200 1st Ave West, Suite 520, Seattle WA 98119. Defendant manages multi-family residential rental properties, including Windsor Court located at 219 S 156th St, Burien, WA 98148.









1           7.1. Defendant shall, no later than fourteen (14) days after occurrence, provide to the  
2 Attorney General notification and documentation of the following events:

3                   7.1.1. Any change to the rules or practices regarding the Nondiscrimination  
4 Policy (**Appendix A**).

5                   7.1.2. Proof of notification of the Consent Decree and Nondiscrimination  
6 Policy, including executed copies of **Appendix B-1 or B-2, as applicable**, and a list of the names  
7 and addresses for all tenants to whom the Nondiscrimination Policy was provided;

8                   7.1.3. Proof of completion of the required fair housing training in the form of  
9 **Appendix C**; and

10                  7.1.4. Any written or oral complaint against Defendant, or Defendant's agents  
11 or employees, regarding discrimination in housing. The notification shall include the full details  
12 of the complaint, including the complainant's name, address, and telephone number. If the  
13 complaint is written, Defendant shall provide a copy of the written complaint with the  
14 notification. Upon the Attorney General's request, Defendant shall also provide, within fourteen  
15 (14) days of the request, all information concerning any such complaint and the substance of any  
16 resolution of such complaint.

17           7.2. Within ninety (90) days of entry of this Consent Decree, and every six (6) months  
18 thereafter for the duration of this Consent Decree, Defendant shall deliver to the Attorney  
19 General a report containing information regarding their compliance efforts during the preceding  
20 reporting period, including but not limited to executed copies of **Appendices B-1, B-2 and C**, to  
21 the extent not previously provided.

22           7.3. Upon reasonable notice to counsel for the Defendant, representatives of the  
23 Office of the Attorney General shall be permitted to monitor compliance with the provisions of  
24 Articles III, IV and V of this Consent Decree, by accessing, inspecting, and/or copying all  
25 business records or documents under control of Defendant and depose any principal, officer,  
26

1 director, agent, manager, employee, or representative of Defendant related to compliance with  
2 such Articles.

### 3 VIII. PAYMENT

4 8.1. Pursuant to RCW 19.86.140, RCW 19.86.080, and RCW 49.60.030(2), Defendant  
5 shall pay \$6,000 to the Attorney General, of which no more than \$2,000 shall be designated as a  
6 civil penalty.

7 8.2. The Attorney General shall use the funds not designated as a civil penalty for  
8 recovery of its fees and costs in investigating this matter, future monitoring and enforcement of this  
9 Consent Decree, future enforcement of RCW 19.86 and RCW 49.60, consumer restitution,  
10 damages, cy pres to remediate the impacts of housing discrimination, or for any lawful purpose in  
11 the discharge of the Attorney General's duties at the sole discretion of the Attorney General.

12 8.3. Failure to pay these funds within fourteen (14) days of entry of the Consent Decree  
13 shall be a material breach of this Consent Decree. The payment shall be made by a valid check,  
14 made payable to the "Attorney General -- State of Washington", and shall be delivered to the Office  
15 of the Attorney General, Attention: Marsha Chien, Civil Rights Unit, 800 5<sup>th</sup> Avenue, Suite 2000,  
16 Seattle, Washington 98104-3188.

### 17 IX. ENTRY AND DURATION

18 9.1. This Consent Decree shall be in effect for a period of three (3) years from the date  
19 of its entry. The Court shall retain jurisdiction for the duration of this Consent Decree to enforce  
20 its terms, after which time the case shall be dismissed with prejudice.

21 9.2. The Attorney General may move the Court to extend the duration of the Consent  
22 Decree in the event of noncompliance whether intentional or not, with any of its terms, or if it  
23 believes the interests of justice so require.

24 9.3. Violation of any of the terms of this Consent Decree shall constitute a violation  
25 of an injunction for which civil penalties of up to \$25,000 per violation may be sought by the  
26

1 AGO pursuant to RCW 19.86.140, in addition to such other remedies as may be provided by  
2 law, including the imposition by the Court of injunctions, restitution, civil penalties, and costs,  
3 including reasonable attorneys' fees.

4 **X. ADDITIONAL PROVISIONS**

5 **10.1.** Under no circumstances shall this Consent Decree or the name of the State of  
6 Washington or the Office of the Attorney General or any of its employees or representatives be used  
7 by Defendant or by its principals, officers, directors, agents, managers, employees, or  
8 representatives in conjunction with any business activity of Defendant. A violation of this  
9 paragraph constitutes a violation of an injunctive term of this Consent Decree.

10 **10.2.** This Consent Decree shall be binding upon and inure to the benefit of Defendant's  
11 successors and assigns. Defendant and its successors and assigns shall notify the State at least  
12 thirty (30) days prior to any change-in-control of Defendant that would change the identity of  
13 the corporate entity responsible for compliance obligations arising under this Consent Decree,  
14 including but not limited to dissolution, assignment, sale, merger, or other action that would  
15 result in the emergence of a successor corporation; or the creation or dissolution of a subsidiary,  
16 parent, or affiliate that engages in any acts or practices subject to this order.

17 **10.3.** Nothing in this Consent Decree shall be construed to limit or bar any other  
18 governmental entity or person from pursuing other available remedies against Defendant or any  
19 other person.

20  
21 Approved on this \_\_\_\_\_ day of 8/19, 2016.

22 **HENRY H. JUDSON**

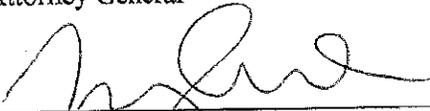
23   
JUDGE/COURT COMMISSIONER

24 AUG 29 2016

25 COURT COMMISSIONER  
26

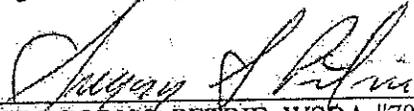
1 Presented by:

2 ROBERT W. FERGUSON  
3 Attorney General

4 

5 MARSHA CHIEN, WSBA #47020  
6 Assistant Attorney General  
7 Civil Rights Unit  
8 Office of the Attorney General  
9 800 Fifth Avenue, Suite 2000  
10 Seattle, WA 98104  
11 (206) 464-5342  
12 [marshac@atg.wa.gov](mailto:marshac@atg.wa.gov)

13 Agreed to and approved for entry by:

14   
15 GREGORY S. PETRIE, WSBA #7004  
16 Krutch Lindell  
17 600 University Street, Suite 1701  
18 Seattle, WA 98101  
19 (206) 892-3103  
20 [gsp@krutchlindell.com](mailto:gsp@krutchlindell.com)

21  
22  
23  
24  
25  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**APPENDIX A**  
**NONDISCRIMINATION POLICY**

It is the policy of Pacific Crest Real Estate LLC to comply with Title VIII of the Civil Rights Act of 1968, as amended, commonly known as the Fair Housing Act, the Washington Law Against Discrimination, and the Washington Consumer Protection Act, by ensuring that apartments are available to all persons without regard to race, color, religion, national origin, disability, familial status, or sex. This policy means that, among other things, Pacific Crest Real Estate LLC, and all their agents and employees with the responsibility for showing, renting, or managing any dwelling units must not discriminate in any aspect of the rental of dwellings against qualified applicants or tenants. Specifically, they may not:

- A. Refuse to rent, refuse to negotiate for the rental of, or otherwise make unavailable or deny, a dwelling to any person based on criminal history without considering when the conviction occurred, what the underlying conduct entailed, and what the convicted person has done since the conviction;
- B. Make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the rental of a dwelling that indicates any preference, limitation, or discrimination based on criminal history alone; or
- C. Represent to persons because of an applicant's criminal history that any dwelling is not available for inspection or rental when such dwelling is in fact so available.

Any agent or employee who fails to comply with this Nondiscrimination Policy will be subject to appropriate disciplinary action. Any action taken by an agent or employee that results in unequal service to, treatment of, or behavior toward tenants or actual or potential applicants on the basis of race, color, religion, national origin, disability, familial status, or sex may constitute a violation of state and federal fair housing laws. Any tenant or applicant who believes that any of the above policies have been violated by any owner, agent, or employee may contact the Washington Attorney General's office toll-free at (844) 323-3864 or the Washington State Human Rights Commission at (800) 233-3247.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**APPENDIX B-1**  
**ACKNOWLEDGMENT OF RECEIPT OF CONSENT ORDER AND**  
**NONDISCRIMINATION POLICY**

I acknowledge that on \_\_\_\_\_, 20\_\_, I was provided copies of the Consent Decree entered by the Court in *State of Washington v. Pacific Crest Real Estate LLC*, Civil Action No. \_\_\_\_\_ (King County Superior Court) and the Nondiscrimination Policy adopted by Defendant Pacific Crest Real Estate LLC pursuant thereto. I have read and understand these documents and have had my questions about these documents answered. I understand my legal responsibilities and shall comply with those responsibilities.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Job Title/Position

\_\_\_\_\_  
Date

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

APPENDIX B-2

ACKNOWLEDGMENT OF RECEIPT OF NONDISCRIMINATION POLICY

I acknowledge that on \_\_\_\_\_, 20\_\_, I was provided copies of the Nondiscrimination Policy adopted by Defendant Pacific Crest Real Estate LLC. I have read and understand the document and have had my questions about the document answered. I understand my legal responsibilities and shall comply with those responsibilities.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Job Title/Position

\_\_\_\_\_  
Date

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

APPENDIX C  
EMPLOYEE TRAINING ACKNOWLEDGMENT

I acknowledge that on \_\_\_\_\_, 20\_\_\_\_, I received \_\_\_\_\_ minutes of in-person fair housing training.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Job Title/Position

\_\_\_\_\_  
Date