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SPOKANE COUNTY CLERK

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7 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**
8 **IN AND FOR THE COUNTY OF SPOKANE**

9 STATE OF WASHINGTON,

10 Plaintiff,

11 v.

12 REALTY MART PROPERTY
13 MANAGEMENT, LLC, and JOHN
14 CORNETT,

15 Defendants.

NO.

17200677-1

COMPLAINT

16 The State of Washington, by and through its attorneys, Robert W. Ferguson, Attorney
17 General, and Colleen Melody, Assistant Attorney General, files this action against Defendants
18 Realty Mart Property Management, LLC (“Realty Mart”) and its managing agent, John Cornett
19 (collectively, “the Defendants”).

20 **I. JURISDICTION AND VENUE**

21 **1.1** The State of Washington brings this action against the Defendants to enforce Title
22 VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988,
23 42 U.S.C. §§ 3601–3619 (“FHA”); the Washington Law Against Discrimination, RCW 49.60.222
24 (“WLAD”), and the Washington Consumer Protection Act, RCW 19.86.020 (“CPA”).

25 **1.2** The Attorney General is authorized to commence this action pursuant to
26 RCW 43.10.030(1) and RCW 19.86.080.

1 **2.4** John Cornett is the registered agent and managing agent for Realty Mart, and is
2 listed as the contact person on <http://therentaldirectory.com/>. A true and accurate copy of the
3 “Landlord Services” page on <http://therentaldirectory.com/> as of October 12, 2016, is attached
4 hereto as Exhibit 3.

5 **2.5** Realty Mart advertises itself as an “Equal Housing Opportunity” provider on
6 <http://therentaldirectory.com/> and uses the U.S. Department of Housing and Urban
7 Development’s fair housing logo. A true and accurate copy of the “Contact RDC” page on
8 <http://therentaldirectory.com/> as of October 12, 2016, is attached hereto as Exhibit 4.

9 **2.6** In a May 2016 advertisement for the 2907 East Illinois Avenue property, Realty
10 Mart stated that the rental terms included “NO voucher programs,” and “Rent \$650, deposit \$650
11 with good credit, 3 to 1 income ratio, no criminal or evictions, additional deposits may be required
12 with poor credit & low income.” The contact person listed on the ad was “John.”

13 **2.7** In May 2016, the State of Washington commissioned testing to evaluate the
14 Defendants’ compliance with the FHA, the WLAD, and the CPA. During the tests, three testers
15 responded to Realty Mart’s advertisement for the rental unit on 2907 East Illinois Avenue.

16 **2.8** The first tester reached “John” by phone on or about May 20, 2016. The tester
17 stated that she was looking for housing for her parents who receive income from SSDI.

18 **2.9** SSDI is a federal program that provides monthly cash payments to people who
19 have worked in the past and paid Social Security taxes, but who are unable to work for a year
20 or more because of a disability. SSDI applies a “strict definition of disability,” covering only
21 “total disability” with “no benefits . . . payable for partial disability or for short-term
22 disability.” <https://www.ssa.gov/planners/disability/dqualify4.html>.

23 **2.10** During the first test, the tester asked if her parents’ receipt of SSDI would be a
24 problem. John stated that it could be a problem and that the parents would need to pay a higher
25 deposit. John stated that the caller’s parents would need to contact John directly.

1 **4.2.1** Discriminating against any person on the basis of disability in any aspect
2 of the rental or management of a dwelling;

3 **4.2.2** Charging higher rents, deposits, or other fees to tenants or prospective
4 tenants based on their receipt of disability income;

5 **4.2.3** Failing or refusing to notify the public that dwellings owned or operated by
6 the Defendants are available to all persons, including those with disabilities, on a non-
7 discriminatory basis;

8 **4.2.4** Failing or refusing to take such affirmative steps as may be necessary to
9 restore, as nearly as practicable, the victims of the Defendants' unlawful practices to the
10 position they would have been in but for the discriminatory conduct; and

11 **4.2.5** Failing or refusing to take such affirmative steps as may be necessary to
12 prevent the recurrence of any discriminatory conduct in the future;

13 **4.3** Assesses penalties, pursuant to RCW 19.86.140, of two-thousand dollars
14 (\$2,000) per violation against the Defendants for each and every violation of RCW 19.86.020
15 caused by the conduct complained of herein;

16 **4.4** Enters such orders or judgments as may be necessary to restore aggrieved
17 persons' interests in moneys or property that were lost due to the Defendants' unlawful
18 conduct pursuant to 42 U.S.C. § 3613(c), RCW 49.60.030(2), and RCW 19.86.080(2); and

19 **4.5** Awards attorneys' costs and fees incurred in monitoring and ensuring compliance
20 with applicable law pursuant to 42 U.S.C. § 3613(c)(2), RCW 49.60.030(2), and RCW 19.86.080.

21
22 The State of Washington further prays for such additional relief as the interest of justice
23 may require.
24
25
26

1 DATED this 22nd day of February 2017.

2
3 ROBERT W. FERGUSON
Attorney General

4 

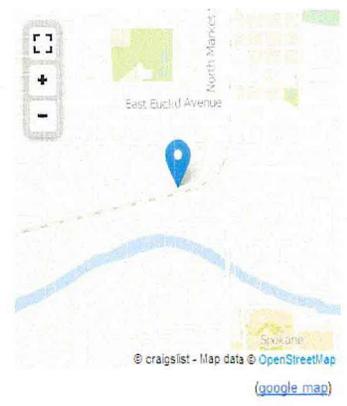
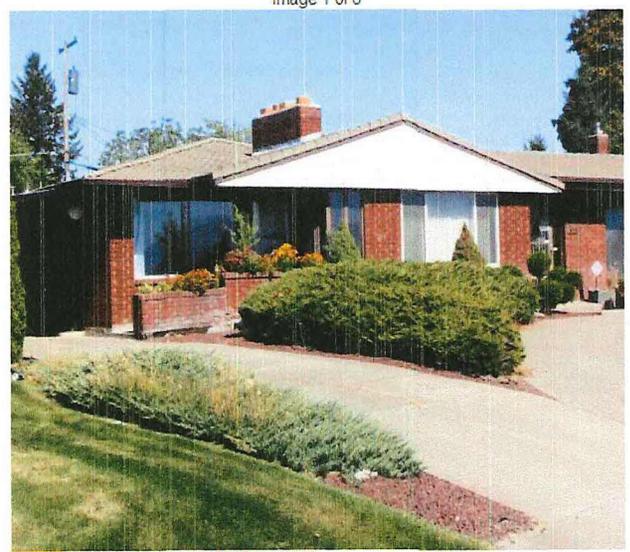
5 _____
6 COLLEEN MELODY, WSBA #42275
7 Assistant Attorney General
8 Civil Rights Unit
9 Office of the Attorney General
10 800 Fifth Avenue, Suite 2000
11 Seattle, WA 98104
12 (206) 464-5342
13 Colleen.Melody@atg.wa.gov

EXHIBIT 1

reply prohibited Posted 2 days ago print
◀ prev ▲ next ▶

★ S650 / 2br - rancher duplex with city view (2907 E Illinois Ave)

image 1 of 6



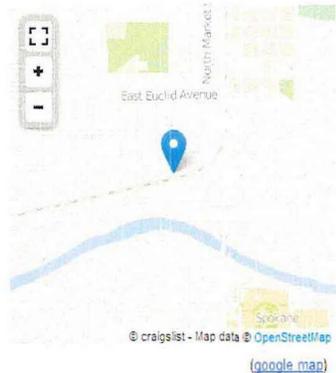
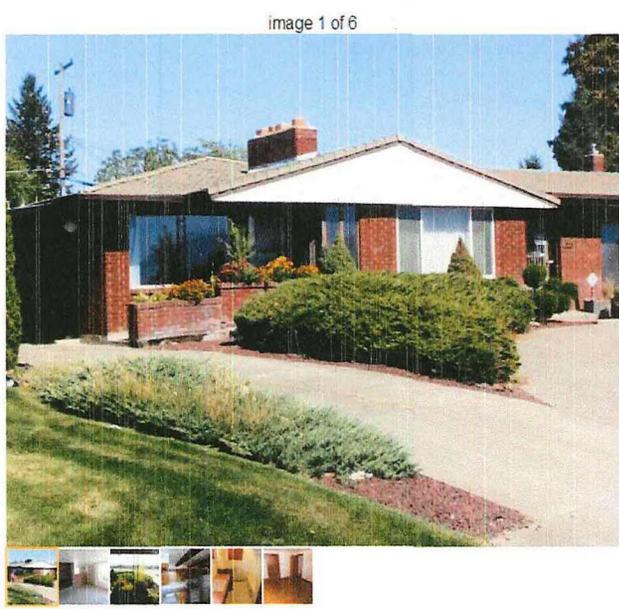
2BR / 1Ba available jul 01

- no smoking
- duplex
- carport



2907 E Illinois Ave, duplex with style
1 block west of Market St with city views
2 bedroom 1 bath duplex
Fireplace
Near shopping, bus line.
Pool access
water, sewer, garbage paid landlord
NO pets, NO inside smoking, NO voucher programs

contact name: [prohibited](#) | Posted: 3 days ago | [print](#)
John
call or text: [prev](#) [next](#)
ancher duplex with city view (2907 E Illinois Ave)
☎ (509) 991-5555



2BR / 1Ba available jul 01

- no smoking
- duplex
- carport

2907 E Illinois Ave , duplex with style
1 block west of Market St with city views
2 bedroom 1 bath duplex
Fireplace
Near shopping, bus line.
Pool access
water, sewer, garbage paid landlord
NO pets, NO inside smoking, NO voucher programs



2907 E Illinois Ave , duplex with style

1 block west of Market St with city views

2 bedroom 1 bath duplex
Fireplace
Near shopping, bus line.
Pool access

water, sewer, garbage paid landlord

NO pets, NO inside smoking, NO voucher programs

comes with carport, garage available for \$75 per month

Rent \$650, deposit \$650 with good credit, 3 to 1 income ratio, no criminal or evictions,
additional deposits may be required with poor credit & low income

available 7/1/16

Drive by then call to schedule showing.

DO NOT BOTHER TENANTS

Realty Mart Property Management
John
509-324-2812

Other rental homes and apartments in many areas and price ranges at

TheRentalDirectory.Com

• do NOT contact me with unsolicited services or offers

post id: 5588921293 posted: 2016-05-16 9:26am updated: 2016-05-18 3:00pm [email to friend](#) [best of](#)

Please flag [discriminatory housing ads](#)

[Avoid scams, deal locally!](#) DO NOT wire funds (e.g. Western Union), or buy/rent sight unseen

EXHIBIT 2

[reply](#)

[prohibited](#)

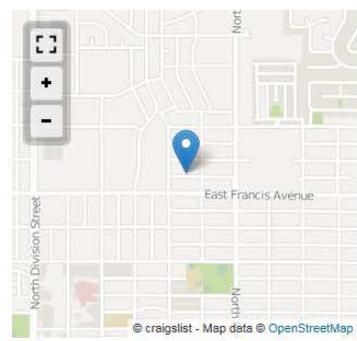
Posted 2 days ago

[print](#)

[prev](#) [next](#)

★ **\$495 / 1br - no steps and no one above you (110 W Houston Ave)**

image 1 of 8



© craigslist - Map data © OpenStreetMap

houston at atlantic

[\(google map\)](#)

1BR / 1Ba available now

[apartment](#)

[laundry on site](#)

[no smoking](#)

[carport](#)

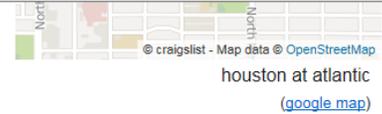


110 W Houston Ave, NO STEPS & no one above you,

1 block north of Francis Ave, 1 block west of Division

1 bedroom 1 bath apartment in small complex, Air conditioned, storm windows, coin op laundry on site, carport, newer stove & fridge. New paint, carpet

Near shopping, bus line, hospital,



1BR / 1Ba available now

- apartment
- laundry on site
- no smoking
- carport



110 W Houston Ave, NO STEPS & no one above you,

1 block north of Francis Ave, 1 block west of Division

1 bedroom 1 bath apartment in small complex, Air conditioned, storm windows, coin op laundry on site, carport, newer stove & fridge. New paint, carpet

Near shopping, bus line, hospital,

Rent \$495, deposit \$495 with good credit, 3 to 1 income, 2 years of rental/ownership history, no criminal or evictions, additional deposits with poor credit or rental history available NOW,

NO Pets

NO SHA or vouchers

Drive by then call to schedule showing.

John

[show contact info](#)

Other rental homes and apartments in many areas and price ranges at

TheRentalDirectory.Com

- do NOT contact me with unsolicited services or offers

post id: 5822018122

posted: 2 days ago

[email to friend](#)

best of

Please flag [discriminatory housing ads](#)

EXHIBIT 3



[Home](#)

[List Rental](#)

[Contact RDC](#)

LANDLORD SERVICES

The Rental Directory.Com

INDIVIDUAL LANDLORD MARKETING SERVICES

- **“FOR RENT” SIGN SERVICE \$30.00 per sign**
 - Professional “FOR RENT” signs installed and removed at site for up to 2 months, \$5 per month each additional month
 - Your phone number installed on the sign
 - FREE listing on our web site

- **INTERNET ADVERTISEMENT ONLY \$15.00 per unit**
 - Listing placed our world wide web site, till rented, we advertise for tenants to view our site

Open by appointment only

PROPERTY MANAGEMENT INFORMATION

Realty Mart Property Management

John Cornett

509-324-2812

PO BOX 142177

SPOKANE VALLEY, WA 99214

PHONE (509) 327-6684

EXHIBIT 4



509 - 327 - 6684

Name:
(Required)

Address:

City:

State:

Zip Code:

Phone:
(Required)

E-Mail:
(Required)

Move Date:
(Required)

Looking for ***** Please Choose One ***** ▼

Rent ***** Please Choose One ***** ▼

Bedrooms ***** Please Choose One ***** ▼

Credit/Difficulties ***** Please Choose One ***** ▼

Please type any comments or questions in the space below:

Once you click on submit you will be redirected back to The Rental Directory.Com Home Page. Thank You for your comments.

Send Form Now

The Rental Directory.Com

PO BOX 142177
SPOKANE VALLEY, WA 99214
PHONE (509) 327-6684
FAX (509) 327-7654

