

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

**BEFORE THE ADMINISTRATIVE LAW JUDGE
FOR A HUMAN RIGHTS COMMISSION HEARING**

WASHINGTON STATE HUMAN
RIGHTS COMMISSION, presenting the
case in support of the complaint filed by
CONI S. OAKES,
Complainant,

v.

THOMAS M. STIGER, in his individual
capacity and doing business as STIGER
RENTALS,
Respondents.

WSHRC Case No. 31HD-0225-17-8 OAH
Docket No. 03-2020-HRC-00006

CONSENT DECREE

I. JUDGMENT SUMMARY

- 1.1 Judgment Creditor: Washington State Human Rights Commission
- 1.2 Judgment Debtor: Thomas M. Stiger
- 1.3 Total Judgment: \$12,500 in general damages
- 1.4 Post Judgment Interest Rate: 12% per annum
- 1.5 Attorney for Judgment Creditor: Yesica Hernandez
Assistant Attorney General

II. GENERAL

2.1 Plaintiff Washington State Human Rights Commission (Commission) filed an Amended Complaint on March 27, 2020, against Respondent Thomas M. Stiger, in his individual

1 capacity and doing business as Stiger Rentals (Stiger), to enforce the Washington Law Against
2 Discrimination, RCW 49.60.030(1)(c) and 49.60.222(2)(b).

3 2.2 Respondent Stiger accepted service of process and entered an appearance on March
4 27, 2020.

5 2.3 The Commission and Stiger now agree to resolve the matters alleged in the
6 Amended Complaint by entry of this Consent Decree and without the need for hearing or
7 adjudication of any issue of law or fact as it affects Stiger.

8 2.4 The Commission and Stiger agree this Consent Decree does not constitute
9 evidence or an admission regarding the existence or non-existence of any issue, fact, or violation
10 of any law alleged by the Commission, with the exception that Stiger admits those allegations in
11 the Amended Complaint necessary to the jurisdiction of this Court.

12 2.5 The Commission and Stiger affirm that this Consent Decree is entered into
13 voluntarily and waive any right they may have to appeal from this Consent Decree or to
14 otherwise contest the validity of this Consent Decree.

15 **Wherefore, it is ORDERED, ADJUDGED, and DECREED:**

16 **III. INJUNCTION**

17 3.1 Stiger, his agents, managers, employees, representatives, successors, assigns, and
18 all other persons in active concert or participation with him, are enjoined with respect to the
19 rental of dwellings from:

20 3.1.1 Refusing to make reasonable accommodation(s) in rules, policies,
21 practices, or services when such accommodation(s) may be necessary to afford a person
22 with a disability equal opportunity to use and enjoy a dwelling.

23 3.1.2 The undersigned parties agree that, pursuant to WAC 162-08-298(10), the
24 Court shall retain jurisdiction over this Consent Decree for a period of two (2) years to
25 enforce its terms.
26

1 3.2 The provisions of Paragraph 3.1 shall apply to all properties owned, marketed, or
2 managed by Stiger, including all dwellings in which Stiger has or acquires a direct or indirect
3 ownership, management, or other financial interest.

4 **IV. NON-DISCRIMINATION AND REASONABLE ACCOMMODATION POLICIES**

5 4.1 Upon entry of this Consent Decree, Stiger shall implement the Nondiscrimination
6 and Reasonable Accommodation Policies appearing at **Appendix A**. The Nondiscrimination and
7 Reasonable Accommodation Policies shall apply to all properties covered by paragraph 3.2 of this
8 Consent Decree, and Stiger shall provide all rental applicants with a copy of the Nondiscrimination
9 and Reasonable Accommodation Policies appearing at **Appendix A**.

10 4.2 Within fourteen (14) days of entry of this Consent Decree, Stiger shall distribute the
11 Nondiscrimination and Reasonable Accommodation Policies to each of his current tenants.
12 Individuals who become tenants after Stiger's initial distribution of the Nondiscrimination and
13 Reasonable Accommodation Policies shall receive the Nondiscrimination and Reasonable
14 Accommodation Policies from Stiger at the time the lease agreement is signed.

15 4.3 Within fourteen (14) days of entry of this Consent Decree, Stiger shall post notices
16 in his rental office(s) indicating compliance with the Washington State Law Against
17 Discrimination, RCW 49.60.010-.515, and the Federal Fair Housing Act, 42 U.S.C. §§ 3601-3631,
18 including non-discrimination against, and reasonable accommodation of, tenants with disabilities.
19 Stiger shall provide a copy of all notices posted to Assistant Attorney General Yesica Hernandez
20 within twenty-one (21) days of entry of this Consent Decree.

21 4.4 Within fourteen (14) days of entry of this Consent Decree, Stiger shall include the
22 following sentence in the rental application(s) and the rental agreement(s) used for rental dwelling
23 units in boldface type, using letters of equal or greater size to those of the text in the body of the
24 document:

25 **We do not discriminate in any term, condition, or privilege**
26 **of rental on the basis of race, color, religion, national**

1 have received and read the Consent Decree and Nondiscrimination and Reasonable
2 Accommodation Policies, and agree to abide by the relevant provisions of these documents. This
3 statement shall be in the form of **Appendix B**.

4 5.3 Stiger attended an in-person fair housing training on May 8, 2019. Within ninety
5 (90) days from the date of entry of this Consent Decree, Stiger, his agents, managers, employees,
6 and representatives shall view the webinar videos titled “Processing Common Reasonable
7 Accommodation Requests” and “Disability under Fair Housing Laws,” which can be found on the
8 website for the Fair Housing Center of Washington at the following links:

9 [https://fhc.washington.org/event/webinar-processing-common-reasonable-accommodation-
10 requests/](https://fhc.washington.org/event/webinar-processing-common-reasonable-accommodation-requests/) and [https://fhc.washington.org/event/ webinar-disability-under-fair-housing-laws/](https://fhc.washington.org/event/webinar-disability-under-fair-housing-laws/).

11 Stiger shall obtain confirmation, in the form of **Appendix C**, that each of his agents, managers,
12 employees, and/or representatives viewed the entirety of both webinar videos. Stiger shall bear any
13 expenses associated with this training.

14 VI. COMPLIANCE TESTING

15 6.1 The Attorney General may take steps to monitor Stiger’s compliance with this
16 Consent Decree including, but not limited to, conducting fair housing tests at location(s) at which
17 he and/or his agents conduct marketing, rental, or property management activities.

18 VII. REPORTING AND DOCUMENTATION RETENTION REQUIREMENTS

19 7.1 Stiger shall, no later than fourteen (14) days after occurrence, provide to the
20 Attorney General notification and documentation of the following events:

21 7.1.1 Proof of notification of the Consent Decree and Nondiscrimination and
22 Reasonable Accommodation Policies, including executed copies of **Appendix B**, and a list of the
23 names and addresses for all tenants to whom the Nondiscrimination and Reasonable
24 Accommodation Policies was provided;

1 necessary to comply with this Consent Decree. Nothing in this paragraph relieves either party of
2 any other obligations imposed by this Consent Decree.

3 10.2 This Consent Decree resolves all claims the Commission may have under the
4 Washington Law Against Discrimination, RCW 49.60, against Stiger arising out of the facts
5 described in the Amended Complaint filed in this action, except that Stiger's failure to comply
6 with this Consent Decree shall permit the Commission to take such further action against them
7 as provided in this Consent Decree, or otherwise allowed by law.

8
9 Approved on this 21st day of April, 2020.

10 

11 _____
12 Micah Larripa
Administrative Law Judge

13 Presented by:

14 ROBERT W. FERGUSON
15 Attorney General

16 

17 _____
18 YESICA HERNANDEZ, WSBA #48399
19 Civil Rights Division
20 Office of the Attorney General
21 800 Fifth Avenue, Suite 2000
22 Seattle, WA 98104
23 (206) 516-2999
24 Yesica.Hernandez@atg.wa.gov

25 Attorney for Washington State Human Rights
26 Commission

Agreed to and approved for entry by:

16 
17 _____
18 JEFFREY C. WISHKO
19 Anderson Hunter Law Firm
20 2707 Colby Avenue #101
21 Everett, WA 98201
22 (425) 252-5161
23 jwishko@andersonhunterlaw.com

24 Attorney for Respondent Thomas M. Stiger, in
25 his individual capacity and doing business as
26 Stiger Rentals

APPENDIX A
NONDISCRIMINATION AND REASONABLE ACCOMMODATION POLICIES

Nondiscrimination Policy: It is the policy of Thomas M. Stiger dba Stiger Rentals (Stiger) and his management staff to comply with the Washington Law Against Discrimination by ensuring that rental housing is available to all persons without regard to race, color, religion, national origin, sex, sexual orientation, marital status, familial status, honorably discharged veteran or military status, or disability. This policy means that, among other things, Stiger will not choose tenants, set lease terms, use rental policies, evict tenants, or make other decisions about tenants or prospective tenants based on the characteristics listed in the preceding sentence. This policy applies to Stiger’s agent(s), manager(s), employee(s), and representative(s), and any agent, manager, employee, or representative who fails to comply with this policy will be subject to appropriate disciplinary action.

Reasonable Accommodation Policy: It is the policy of Stiger to provide reasonable accommodation(s) to applicants and tenants who have disabilities. Under the Washington Law Against Discrimination (WLAD), a disability means the presence of a sensory, mental, or physical impairment that:

- Is medically cognizable or diagnosable; or
- Exists as a record or history; or
- Is perceived to exist, whether or not it exists in fact.

Under the WLAD, a disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated.

Stiger will promptly consider any request for a reasonable accommodation; engage in an interactive dialogue with the requester, in good faith, concerning the request; and notify the requester, in writing, whether the request is (1) granted; (2) denied; or (3) a different, but reasonable, accommodation is offered that affords the requester full and equal use and enjoyment of the dwelling. Stiger will explain the reason(s) for any denial or offer of a different accommodation than requested. If Stiger denies the request, or offers a different accommodation than requested, the written notice will provide the person requesting the accommodation(s) with an opportunity to provide more information for Stiger to consider in further evaluating the request. All provisions of this policy, including the confidentiality provision below, apply to Stiger’s agent(s), manager(s), employee(s), or representative(s), and any agent, manager, employee, or representative who fails to comply with this policy will be subject to appropriate disciplinary action.

Any person who requests an accommodation under this Policy shall not be subjected to adverse treatment or retaliation because they made a reasonable accommodation request.

1 **Confidentiality:** All information provided by an applicant or tenant in requesting a reasonable
2 accommodation will be kept confidential and only be used to help provide the person who
3 requests a reasonable accommodation an equal opportunity to enjoy housing.

4 ***

5 Any action taken by an agent, manager, employee, or representative that results in unequal
6 service to, treatment of, or behavior toward tenants or applicants on the basis of race, color,
7 religion, national origin, sex, sexual orientation, marital status, familial status, honorably
8 discharged veteran or military status, or disability may constitute a violation of state and/or
9 federal fair housing laws. Any applicant or tenant who believes that any of the above policies
10 have been violated may contact the Washington Attorney General's office toll-free at (844)
11 323-3864 or the Washington State Human Rights Commission at (800) 233-3247.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1 **APPENDIX B**
2 **ACKNOWLEDGMENT OF RECEIPT OF CONSENT DECREE AND**
3 **NONDISCRIMINATION AND REASONABLE ACCOMMODATION POLICIES**

4 I acknowledge that on _____, 20 __, I was provided copies of the Consent
5 Decree entered by the Court in *Washington State Human Rights Commission ex rel. Coni S.*
6 *Oakes v. Stiger*, Docket No. 03-2020-HRC-00006 (Office of Administrative Hearings), and
7 the Nondiscrimination and Reasonable Accommodation Policies adopted by Thomas M. Stiger
8 dba Stiger Rentals. I have read and understand these documents and have had my questions
9 about these documents answered. I understand my legal responsibilities and shall comply with
10 those responsibilities.

11 _____
12 Signature

13 _____
14 Print Name

15 _____
16 Job Title/Position

17 _____
18 Date

APPENDIX C
FAIR HOUSING TRAINING ACKNOWLEDGMENT

I declare, under penalty of perjury, that on _____, 20____, I viewed the entirety of the “Processing Common Reasonable Accommodation Requests” and “Disability under Fair Housing Laws” webinar videos, which can be found on the website for the Fair Housing Center of Washington at the following links: <https://fhc.washington.org/event/webinar-processing-common-reasonable-accommodation-requests/> and <https://fhc.washington.org/event/webinar-disability-under-fair-housing-laws/>.

Signature

Print Name

Job Title/Position

Date

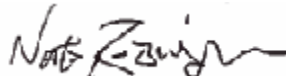
CERTIFICATE OF SERVICE FOR OAH DOCKET NO. 03-2020-HRC-00006

I certify that true copies of this document were served from Tacoma, Washington via Consolidated Mail Services upon the following as indicated:

Stiger Rentals c/o Thomas Stiger 4848 W Glenhaven Dr Everett, WA 98203 Respondent	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail:
Thomas M. Stiger 4848 W Glenhaven Dr Everett, WA 98203 Respondent	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail:
Jeffrey Wishko Anderson Hunter Law Firm, PS 2707 Colby Ave Ste 1001 Everett, WA 98201 Respondent Representative	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-mail: jwishko@andersonhunterlaw.com
Yesica Hernandez, AAG Office of the Attorney General MS: TB-14 800 5th Ave Ste 2000 Seattle, WA 98104 Agency Representative	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-mail: yesica.hernandez@atg.wa.gov caiti.hall@atg.wa.gov
Coni Oakes 725 E 5 th St #12 Arlington, WA 98223 Intervenor	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail:

Date: Wednesday, April 22, 2020

OFFICE OF ADMINISTRATIVE HEARINGS



Nathan Robinson
 Legal Assistant 3