

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
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FRANK BINDLEY,

Plaintiff,

vs.

**DWIGHT MILLARD,
individually, as trustee of the
DWIGHT C. MILLARD TRUST,
DATED May 10, 2005, and dba
THE SILVER QUEEN INN;
ROBERT TEBROSKI and
YVONNE TEBROSKI,**

Defendant.

Case No. 3:14-cv-00480-LRH-WGC

CONSENT DECREE AND FINAL ORDER

This action was brought by plaintiffs alleging that defendants violated the federal Fair Housing Act, 42 U.S.C. § 3601 *et seq.*, among other laws, by allegedly discriminating based on disability in the rental of dwellings at the Silver Queen Inn, a residential hotel located in Carson City, Nevada. Defendants have denied that they discriminated in the rental of housing or otherwise violated any laws as alleged by plaintiffs.

1 The parties have agreed that in order to avoid protracted and costly litigation the
2 controversy should be resolved without a trial or adjudication on the merits and therefore
3 have consented to entry of this decree and order. By entering into this consent decree and
4 final order ("order"), defendants make no admission of liability or wrongdoing in connection
5 with the allegations and claims made by plaintiff.

6
7 It is hereby ordered, adjudged and decreed that:

8 1. Defendants, their employees, agents and all others acting on their behalf, shall
9 comply with the following terms during the duration of this order:

10 A. At any rental "dwelling"¹ owned or operated by any defendant, defendants
11 shall place and maintain a HUD fair housing poster (HUD form 928) in a conspicuous
12 location where it can be seen by residents or prospective residents;

13 B. At any rental dwelling owned or operated by any defendant, defendants shall
14 provide each tenant or resident at the start of his occupancy with a copy of the HUD
15 fair housing pamphlet (HUD form 903.1);

16 C. At any rental dwelling owned or operated by any defendant, defendants shall
17 adopt a written policy for handling requests for reasonable accommodations or
18 modifications in a manner consistent with the *Joint Policy Statements on Reasonable*
19 *Accommodation and Modification* issued by HUD and the United States Department
20 of Justice;

21 D. In connection with any rental dwelling owned or operated by any defendant,
22 defendants shall require, and pay for the reasonable cost for, each employee with any
23 management responsibilities to attend a fair housing training once per year for each of
24 the next three years to be provided by Silver State Fair Housing Council. Any new
25 employee must attend a fair housing training within 120 days of the start of his or her
26 employment; and,

27 E. Defendants shall maintain records demonstrating defendants' compliance with
28

¹ As defined in 42 U.S.C. § 3602(b) and 24 C.F.R. § 100.20(b).

1 each of these provisions and make those records available for inspection upon written
2 request made by plaintiffs' counsel or a government agency, and certify compliance
3 with those provisions in the form of a certificate, filed annually with the district court,
4 during the term of the decree.

5 2. This order shall be in effect for a period of three years from the date of entry
6 and the Court shall retain jurisdiction for purposes of enforcement. This order will terminate
7 at the end of the three year period.

8 3. The parties agree to attempt to work out in good faith any disputes that arise
9 under the terms of this order. Only after good faith mediation attempts have been exhausted
10 will the parties request the assistance of the Court in resolving the dispute.

11
12 ORDERED this 18th day of June, 2015

13
14 

15 Hon. Larry R. Hicks
16 United States District Judge

17 Approved as to content and form:

18 NEVADA LEGAL SERVICES, INC.

19 /s/ Michelle Newman

20 _____
21 Michelle Newman
22 mnewman@nlslaw.net
23 Attorneys for Plaintiff Frank Bindley

24 BRANCART & BRANCART

25 /s/ Christopher Brancart

26 _____
27 Christopher Brancart
28 cbrancart@brancart.com
Attorneys for Plaintiffs Frank Bindley
and Silver State Fair Housing Council

1 GEORGE SON LANGARAN

2

3

Justin Pfrehm
justin@renotahoelaw.com
Attorneys for Defendants

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28