

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

STEPHANIE PRYOR,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-18-240-M
)	
COUNTRYSIDE VILLAGE)	
APARTMENTS,)	
)	
Defendant.)	

ORDER

Before the Court is defendant’s Special Appearance and Motion to Dismiss, filed April 9, 2018. Plaintiff has filed no response. Upon review of plaintiff’s Complaint and defendant’s motion to dismiss, the Court makes its determination.

On March 19, 2018, plaintiff filed the instant action against defendant. In her Complaint, plaintiff alleges that defendant violated the Uniform Residential Landlord and Tenant Act of the Model Residential Landlord-Tenant Code.¹ Since plaintiff’s claim is based upon state law, and not federal law, and since the parties are both Oklahoma citizens, the Court finds that it does not have subject matter jurisdiction over this case.


Further, in the Civil Cover Sheet plaintiff submitted when she filed this action, she alleges that she is asserting a claim for violation of the Fair Housing Act, 42 U.S.C. §§ 3601-3619. The Fair Housing Act prohibits discrimination in the sale or rental of housing. *See* 42 U.S.C. §§ 3603, 3604. Specifically, under the Fair Housing Act, it is unlawful “[t]o refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make

¹ The Court would presume that plaintiff is alleging defendant violated Oklahoma’s Residential Landlord and Tenant Act.

unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin.” 42 U.S.C. § 3604(a). Defendant, however, rented an apartment to plaintiff. The Court, therefore, finds there can be no violation of the Fair Housing Act. Accordingly, to the extent plaintiff is asserting a claim for violation of the Fair Housing Act, the Court finds that plaintiff has failed to state a claim and, thus, plaintiff’s claim for violation of the Fair Housing Act should be dismissed.

For the reasons set forth above, the Court GRANTS defendant’s Motion to Dismiss [docket no. 5] and DISMISSES the instant action.

IT IS SO ORDERED this 25th day of May, 2018.


VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE