



CITY OF
URBANA

Office of Human Rights and Equity
Carla M. Boyd

400 S Vine St • Urbana IL 61801 • (217) 384-2466 • cmboyd@urbanaillinois.us

April 25, 2022

Joe Allan Properties
Attn: Michael Willard
610 Randolph St.
Champaign, IL 61820


Re: Case # UC 2022-03
Charles Horn v. Joe Allan Properties

Dear Mr. Willard:

A **"No Probable Cause"** finding has been issued in the above referenced case.

A no probable cause finding means that the evidence presented in the case does not support the allegations made in the charge.

Although the City of Urbana's Office of Human Rights and Equity is closing the file in this matter, the Complainant may appeal the finding to the Urbana Human Relations Commission. That appeal must be made in writing **within 28 days** of the date of this letter. If a written appeal is received, the Office of Human Rights and Equity will notify you and provide additional information regarding the process.



Carla M. Boyd
Human Rights and Equity Officer

cc: Dave Wesner, Assistant City Attorney

Enclosures



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Mr. Charles Horn


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Sincerely,


Carla M. Boyd
Human Rights and Equity Officer
City of Urbana

cc: Dave Wesner, City Attorney

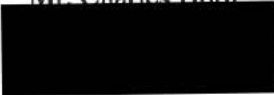


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Carla M. Boyd
Human Rights and Equity Officer

cc: Dave Wesner, Assistant City Attorney

Enclosures

Investigative Fact Finding Summary Report

Date: April 22, 2022

Name of Complainant: Charles Horn

Name of Respondent: Joe Allan Properties

Case Type: Source of Income/Housing

List of Witnesses Interviewed (if any): Sheree Demith, Michael Willard, Charles Horn

Summary of Complaint

On or about December 13, 2021, Charles Horn alleges that Joe Allan Properties unlawfully discriminated against him based on his protected class, Source of Income.

Summary of Complainant Allegations: (Exhibit A)

- (1) Mr. Horn alleges that he was a bona fide, financially capable applicant;
- (2) Mr. Horn alleges, during a phone conversation, he was told Joe Allan Properties does not accept Section-8 Vouchers at 403 Park St. apartments. Therefore, Mr. Horn alleges that Joe Allan Properties discriminates against people of Mr. Horn's protected class
- (3) Mr. Horn alleges he was informed of this policy of discrimination by a representative of Joe Allan Properties and would have applied for a rental but for knowledge of the alleged discrimination.

Summary of Respondent's Position: (Exhibit B)

Joe Allan Properties state that they have no knowledge of Mr. Horn's financial credentials.

Joe Allan Properties acknowledge that Charles Horn inquired about renting an available apartment.

Joe Allan Properties' staff informed Mr. Horn of the 650 minimum credit score.

Joe Allan Property Manager's state that the unit(s), which Mr. Horn inquired, do not qualify for the Housing Choice Voucher (HCV) program based on the condition and requirements of the HCV program.

Joe Allan Properties have no record of Mr. Horn completing a rental application.

Summary of Key Witnesses:

Sheree Demith, Office Manager, Joe Allan Properties:

The Human Rights and Equity Officer met with Sheree Demith on March 7, 2022. Ms. Demith was asked to respond to three questions:

1. What do you remember about the phone call with Mr. Horn?
2. Who was the employee that picked up the phone during your conversation with Mr. Horn?
3. How do you typically respond to phone inquiries?

Ms. Demith stated that she doesn't know Mr. Horn. She stated that she is typically the only person in the office most days and she asks potential renters three questions concerning credit score, pets, and move-in dates. She believes she asked Mr. Horn these questions. She stated that she never gives variability on the credit scores. Stated that once Mr. Horn became "not nice", that she put him on hold and asked the Manager to take the call. Ms. Demith stated that she did not listen to the call once Mr. Willard picked up.

When asked to speak with Michael Willard, Ms. Demith called him on the phone and asked him to come to the office.

Mr. Willard stated that he picked up the phone to speak with Mr. Horn when Mr. Horn got aggressive with Ms. Demith.

Michael Willard, Manager; Joe Allan Properties:

The Human Rights and Equity Officer met with Michael Willard on March 7, 2022. Mr. Willard was asked about Joe Allan Properties business practices and to expand on the condition of the unit and specific requirements that would warrant the unit "not qualified for the Housing Choice Voucher program and how does he know this information.

Mr. Willard stated that Joe Allan Properties have first-hand knowledge of the HCV program. Stated that they currently have HCV units.

Mr. Willard stated that when a tenant is leaving, they prep the home due to "qualifying deficiencies" (ex: chipped paint, CO issues) to receive another tenant. Prior to Mr. Horn submitting a complaint, the two available units which Mr. Horn inquired were prepped and rented between December 20, 2021 and January 14, 2022.

Findings of Fact:

Both Complainant and Respondent agree that Mr. Horn did not formally apply for the rental unit located at 403 Park St., Urbana, IL.

Both Complainant and Respondent agree that Mr. Horn stated that he had a Housing Choice Voucher when he inquired about the rental unit located at 403 Park St., Urbana, IL.

Joe Allan Properties' articulated non-discriminatory reason was due to the condition of the rental units, which needed repairs, would not pass a Housing Authority inspection. **(Exhibit C)**

Joe Allan Properties provide a statement of the needed repairs. **(Exhibit D)**

Joe Allan Properties stated that additional criteria for rental includes a 650 credit score because Mr. Horn did not apply, they were unable to verify if he was a bona fide, financially capable applicant by establishing a credit history.

Conclusion:

The HREO Investigator serves as an unbiased fact gatherer identifying and securing information through interviews of witnesses and review of written records. As such, the following conclusions are made:

As the law requires, the respondent provided a legitimate business practice reason. At the time of inquiry of the property at 403 Park St., Urbana, IL, the HACC/HUD document supports the respondent's statement that the property would not meet the requirements for the Housing Choice Voucher program. As a result a "No Probable Cause" finding is issued in this matter.

Signature:
Human Right and Equity Officer**Date:**

4/22/22

Signature:
Attorney/City of Urbana, IL**Date:**

4/22/22



Formal Discrimination Complaint Form

CITY OF URBANA

Human Relations Division
400 S Vine St Urbana, IL 61801

Carla M. Boyd
Human Rights and Equity Officer
cmboyd@urbanailinois.us
217.384.2466

CASE #UC

UC-2022-03

NAME (Indicate Mr., Ms. or Mrs.)

Mr. Charles Horn

HOME TELEPHONE NO. (Inc. Area Code)

STREET ADDRESS

CITY/STATE/ZIP CODE

COUNTY

Urbana, IL 61801

Champaign

COMPLAINT TO BE FILED AGAINST:

NAME

Joe Allan Properties

TELEPHONE NUMBER (Include Area Code)

217-359-3527

STREET ADDRESS

CITY/STATE/ZIP CODE

610 S. Randolph St.

Champaign, IL 61820

CAUSE OF DISCRIMINATION BASED ON Article III Section 12-84 of the Urbana Human Rights Ordinance which prohibits discrimination on the basis of (Check appropriate box(es)) :

- ☐ Race ☐ Color ☐ Creed ☐ Class ☐ National Origin ☐ Religion ☐ Sex ☐ Age ☐ Marital Status
☐ Physical/Mental Handicap ☐ Personal Appearance ☐ Sexual Orientation ☐ Family Responsibilities ☐ Matriculation
☐ Political Affiliation ☐ Prior Arrest/Conviction Record ☒ Source of Income ☐ Other (Specify)

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (Month-Day-Year)

December 13, 2021

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

On or about December 13, 2021, Charles Horn alleges that Joe Allan Properties unlawfully discriminated against him based on his protected class, Source of Income.

- (1) Mr. Horn alleges that he was a bona fide, financially capable applicant;
 (2) Mr. Horn alleges, during a phone conversation, he was told Joe Allan Properties does not accept Section-8 Vouchers at 403 Park St. apartments. Therefore, Mr. Horn alleges that Joe Allan Properties discriminates against people of Mr. Horn's protected class
 (3) Mr. Horn alleges he was informed of this policy of discrimination by a representative of Joe Allan Properties and would have applied for a rental but for knowledge of the alleged discrimination.

I swear or affirm that I [redacted] complaint and that it is true to the best of my knowledge, information, and belief.

Signature of Complainant

State of Illinois

County of Champaign

Subscribed and sworn to before me this

13 day of January 2022

Seal & Signature of Notary



Thursday February 10th, 2022

City of Urbana Office of Human Rights and Equity

Attn: Carla Boyd

400 South Vine St

Urbana IL 61801


RE: Case #UC2022-03
Charles Horn v Joe Allan Properties

Verified Response

1. We have no knowledge of Mr. Horn's "bona fide" financial capacity.
2. No employee at Joe Allan Properties stated that our company does not accept the Housing Choice Voucher Program.
3. We have no knowledge of Mr. Horn's application or application status based on this interaction.

Position Statement

1. As this was a phone call, with no information provided, we have no knowledge of Mr. Horn's financial credentials.
2. Mr. Horn called the office phone on December 13th inquiring about renting a property on Park Street in Urbana IL. He spoke with our office manager who informed him that the property was available. Our office manager described the unit and informed Mr. Horn of our requirements for rental, including a credit score of 650 or above. Mr. Horn then inquired about variability in the credit score and applicant selection criteria. Mr. Horn inquired about the property and its ability to participate in the Housing Choice Voucher Program. Our office informed Mr. Horn that the specific property does not qualify based on the condition and requirements of the program. Mr. Horn proceeded to aggressively question our office, and another employee picked up the phone. Mr. Horn began to argue about the business practices of the property and questioned our rental process. At one point in the conversation he stated something to the effect of "I can't wait to sue you" and the representative of the company ended the phone call.
3. We have no knowledge of Mr. Horn's interest to submit an application regardless on the conversation.


Michael Willard 02/11/2022

Wednesday March 2nd, 2022

City of Urbana Office of Human Rights and Equity

Attn: Carla Boyd

400 South Vine St

Urbana IL 61801

RE: Case #UC2022-03

Charles Horn v Joe Allan Properties

Clarification Needed:

- 1. The specific conditions and requirements that the property Mr. Horn inquired about that do not meet the qualifications for the Housing Choice Voucher Program.**
 - a. At the time of inquiry, and due to the outside cold weather, the building had missing or damaged window screens and peeling paint in common areas. As the weather has improved these items have been repaired.

- 2. The specific address of the property in question on Park St.**
 - a. Mr. Horn inquired about 403 West Park St. Urbana, IL 61801. The units have been rented.

Wednesday April 13th 2022

City of Urbana Office of Human Rights and Equity

Attn: Carla Boyd

400 South Vine St

Urbana IL 61801

RE: Case #UC2022-03

Charles Horn v Joe Allan Properties

Statement Response

Joe Allan Properties maintenance repaired the property located at 403 West Park St Urbana IL 61801 regarding the chipped exterior paint and damaged window screen. The process includes scraping chipped paint, priming exposed spots with a latex primer, and painting with an exterior paint. This process takes approximately 1 hour to complete. Window screens required rescreening and take approximately 1 hour. Materials utilized are window screen.