

Housing Discrimination Complaint

HUD Inquiry Number: 702845

HUD Title VIII Case Number: 05-22-7558-8

HUD Date Filed: September 12, 2022

1. Complainants:

Fair Housing Center of Central Indiana
c/o Amy Nelson, Executive Director
445 North Pennsylvania Street, Suite 811
Indianapolis, IN 46204
Represented By: Robin Wagner (Pitt McGehee Palmer Bonanni & Rivers PC)

Fair Housing Center of West Michigan
c/o Nancy Haynes, Executive Director
20 Hall Street SE
Grand Rapids, MI 49507
Represented By: Robin Wagner (Pitt McGehee Palmer Bonanni & Rivers PC)

2. Complainant Representatives:

Robin B Wagner
Pitt McGehee Palmer Bonanni & Rivers PC
117 West Fourth Street, Suite 200
Royal Oak, MI 48067
Representing: Fair Housing Center of Central Indiana, Fair Housing Center of West Michigan

3. Other Aggrieved Parties:

None

4. The following is alleged to have occurred or is about to occur:

- Discriminatory refusal to rent
- Discriminatory advertising, statements and notices
- Discriminatory terms, conditions, privileges, or services and facilities
- Otherwise deny or make housing unavailable
- Failure to make reasonable accommodation

5. **The alleged violation occurred because of:**

- Disability

6. **Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):**

Blacherne Apartments

402 N. Meridian Street.
Indianapolis, IN 46204

Brookview Glen Apartments

1810 Gray Brook Ln.
New Albany, IN 47150

The Globe Apartments

315 Commerce Avenue. SW
Grand Rapids, MI 49503

Marcy Village Apartments

4560 Marcy Ln.
Indianapolis, IN 46205

The Reserve at Norton Shores Apartments

1523 Norton Shores Ln.
Norton Shores, MI 49444

Temple Lofts Apartments

1226 Doctor MLK Jr Street
Indianapolis, IN 46202

Westminster Apartments

921 Parliament Place.
Greenwood, IN 46142

7. **Respondents:**

Grand Point II Ltd.
c/o John O'Neil, Marvin F. Poer and Company
Suite 222
2211 York Road
Oak Brook, IL 60523

English Village Associates, LLC
c/o Adam Van Rooy, Registered Agent
1030 North College Avenue
Indianapolis, IN 46202



Brookview Glen Limited Partnership (GP: VRP-Brookview Glen LLC)
c/o Sharon Van Dyke, Registered Agent
1030 N College Avenue
Indianapolis, IN 46202

VRP-Brookview Glen LLC (General Partner, Brookview Glen LP)
c/o Adam Van Rooy, Registered Agent
1030 North College Avenue
Indianapolis, IN 46202

Phillips Temple Associates LLC
c/o Russ Seiler, Registered Agent
1030 N College Avenue
Indianapolis, IN 46202

Norton Shores Limited Dividend Housing Association LP (GP: MBS GP 174, LLC)
c/o The Corporation Company, Registered Agent
Suite 201
40600 Ann Arbor Road E
Plymouth, MI 48170

MBS GP 174, LLC (GP: Norton Shores Ltd Dividend Housing Association LP)
777 S Figueroa Street
Suite 16th Floor
Los Angeles, CA 90017

Blacherne Renaissance Associates, LLC
c/o Carl Van Rooy, Registered Agent
1030 N College Avenue
Indianapolis, IN 46202

Westminster Associates LLC
c/o Carl Van Rooy, Registered Agent
1030 North College Avenue
Indianapolis, IN 46202

Van Rooy Properties, Incorporated
c/o C T Corporation System, Registered Agent
334 North Senate Avenue
Indianapolis, IN 46204

8. The following is a brief and concise statement of the facts regarding the alleged violation:

Complainant Fair Housing Center of West Michigan ("FHCWM") and Complainant Fair Housing Center of Central Indiana ("FHCCT") (collectively "Complainants") are private, non-profit organizations that participate in HUD's Fair Housing Initiatives Program (FHIP).

Complainants state that their mission is to prevent and eliminate illegal housing discrimination, to ensure equal housing opportunity, and to promote inclusive communities through advocacy, enforcement, education, and outreach. They also conduct preliminary claims investigations, including sending "testers" to properties suspected of practicing housing discrimination.

Between September 13, 2021, and August 8, 2022, Complainants conducted joint multijurisdictional testing and investigations of the subject properties managed by Respondent Van Rooy Properties, Inc. and owned by the Respondents listed below. Complainants state that they are filing a joint complaint with HUD because the allegations involve a systemic pattern, procedures, and practice of discrimination maintained by the same Respondents who own and manage residential rental properties in at least five states, including Indiana and Michigan. Complainants state that Respondents Van Rooy Properties, Inc. manage at least 45 residential properties, including at least 5,500 units.

Between September 13, 2021, and June 30, 2022, Complainant FHCWM conducted testing at **The Globe Apartments** (Grand Rapids, MI), owned by Respondents Grand Point II Ltd. and managed by Respondent Van Rooy Properties, Inc., and **The Reserve at Norton Shores Apartments** (Norton Shores, MI), owned by Respondent Norton Shores Limited Dividend Housing Association LP (GP: MBS GP 174, LLC), and managed by Respondent Van Rooy Properties, Inc.

Complainant FHCWM indicates that Testers were assigned a profile and asked whether the Respondents' agents could accommodate a tester's deaf family member at the two subject properties mentioned above. Testers specifically asked whether Respondents would provide an ASL interpreter for a deaf family member for the application and lease signing processes.

Complainant FHCWM states that they confirmed, through testing, that the Respondents' agents at the two properties mentioned above did not agree to provide an ASL interpreter. Furthermore, Complainant FHCWM states that their testing revealed that Respondents lack a consistent procedure for effective communication with deaf and hard-of-hearing applicants. Respondents' most recent violation in FHCWM's service area was on June 30, 2022, but Complainant believes that Respondents' discriminatory conduct continues.



Between November 12, 2021, and August 8, 2022, Complainant FHCCI conducted testing at the following subject properties: **Blacherne Apartments** (Indianapolis, IN), owned by Respondent Blacherne Renaissance Associates LLC, and managed by Respondent Van Rooy Properties, Inc.; **Brookview Glen Apartments** (New Albany, IN), owned by Respondent Brookview Glen Limited Partnership (GP: VRP-Brookview Glen LLC), and managed by Respondent Van Rooy Properties, Inc.; **Marcy Village Apartments** (Indianapolis, IN), owned by Respondent English Village Associates, LLC, and managed by Respondent Van Rooy Properties, Inc.; **Temple Lofts Apartments** (Indianapolis, IN), owned by Respondent Phillips Temple Associates LLC, and managed by Respondent Van Rooy Properties, Inc.; and, **Westminster Apartments** (Greenwood, IN), owned by Respondent Westminster Associates LLC and managed by Respondent Van Rooy Properties, Inc.

Complainant FHCCI indicates that Testers were assigned a profile and asked whether Respondents could accommodate a tester's deaf family member at the subject properties. Testers specifically asked whether Respondents would provide an ASL interpreter for the deaf family member for the tour of the property, application, and lease signing processes. Complainant FHCCI states that they confirmed through testing that Respondents' agents at the five properties mentioned above did not agree to provide an ASL interpreter. Furthermore, Complainant FHCCI states that their testing revealed Respondents lack a consistent procedure for effective communication with deaf and hard-of-hearing applicants. Respondents' most recent violation in FHCCI's service area was on August 10, 2022, but Complainant believes that Respondents' discriminatory conduct continues.

Complainant Fair Housing Center of West Michigan ("FHCWM") and Complainant Fair Housing Center of Central Indiana ("FHCCI") allege that Respondents: (1) refused to make reasonable accommodations for prospective applicants (testers) to provide an American Sign Language (ASL) interpreter for effective communication; (2) subjected the applicants (testers) to different terms and conditions; (3) made discriminatory verbal statements by outright refusing to provide ASL interpreters; (4) refused to negotiate the rental of the dwellings by expressing an unwillingness to accommodate a disability; (5) made housing unavailable by inhibiting effective communication and access to equal housing opportunities for deaf and hard of hearing prospective tenants; (6) engaged in a systemic practice of discrimination against rental applicants based on disability by denying deaf and hard of hearing prospective tenants equal access to information; and (7) lack a consistent procedure for providing an ASL interpreter to communicate effectively with applicants with a disability. Complainants assert that providing for an ASL interpreter includes arranging and paying for the interpreter.

Complainants further allege that Respondents' actions have harmed their organizations because they expended resources to investigate and counteract Respondents' discriminatory practices, including through testing and educational mailings to members of the subject properties. Moreover, Complainants assert that the time and resources they spent investigating this matter diverted resources from their other activities, such as education and outreach, client counseling, and community development. Lastly, Complainants claim that Respondents' conduct has frustrated their respective missions to rid their service areas of housing discrimination.

9. The most recent date on which the alleged discrimination occurred:

August 10, 2022, and is continuing.

10. Types of Federal Funding Identified: N/A

11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:

804(f), 804(c), 804(a), and 804(f)(3)(B) of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

Please sign and date this form:

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.



Fair Housing Center of Central Indiana Date
c/o Amy Nelson, Executive Director

NOTE : HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.



Housing Discrimination Complaint

HUD Inquiry Number: 702845

HUD Title VIII Case Number: 05-22-7558-8

HUD Date Filed: September 12, 2022

1. Complainants:

Fair Housing Center of Central Indiana
c/o Amy Nelson, Executive Director
445 North Pennsylvania Street, Suite 811
Indianapolis, IN 46204
Represented By: Robin Wagner (Pitt McGehee Palmer Bonanni & Rivers PC)

Fair Housing Center of West Michigan
c/o Nancy Haynes, Executive Director
20 Hall Street SE
Grand Rapids, MI 49507
Represented By: Robin Wagner (Pitt McGehee Palmer Bonanni & Rivers PC)

2. Complainant Representatives:

Robin B Wagner
Pitt McGehee Palmer Bonanni & Rivers PC
117 West Fourth Street, Suite 200
Royal Oak, MI 48067
Representing: Fair Housing Center of Central Indiana, Fair Housing Center of West Michigan

3. Other Aggrieved Parties:

None

4. The following is alleged to have occurred or is about to occur:

- Discriminatory refusal to rent
- Discriminatory advertising, statements and notices
- Discriminatory terms, conditions, privileges, or services and facilities
- Otherwise deny or make housing unavailable
- Failure to make reasonable accommodation

5. The alleged violation occurred because of:

- Disability

6. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):

Blacherne Apartments

402 N. Meridian Street.

Indianapolis, IN 46204

Brookview Glen Apartments

1810 Gray Brook Ln.

New Albany, IN 47150

The Globe Apartments

315 Commerce Avenue. SW

Grand Rapids, MI 49503

Marcy Village Apartments

4560 Marcy Ln.

Indianapolis, IN 46205

The Reserve at Norton Shores Apartments

1523 Norton Shores Ln.

Norton Shores, MI 49444

Temple Lofts Apartments

1226 Doctor MLK Jr Street

Indianapolis, IN 46202

Westminster Apartments

921 Parliament Place.

Greenwood, IN 46142

7. Respondents:

Grand Point II Ltd.

c/o John O'Neil, Marvin F. Poer and Company

Suite 222

2211 York Road

Oak Brook, IL 60523

English Village Associates, LLC

c/o Adam Van Rooy, Registered Agent

1030 North College Avenue

Indianapolis, IN 46202



Brookview Glen Limited Partnership (GP: VRP-Brookview Glen LLC)
c/o Sharon Van Dyke, Registered Agent
1030 N College Avenue
Indianapolis, IN 46202

VRP-Brookview Glen LLC (General Partner, Brookview Glen LP)
c/o Adam Van Rooy, Registered Agent
1030 North College Avenue
Indianapolis, IN 46202

Phillips Temple Associates LLC
c/o Russ Seiler, Registered Agent
1030 N College Avenue
Indianapolis, IN 46202

Norton Shores Limited Dividend Housing Association LP (GP: MBS GP 174, LLC)
c/o The Corporation Company, Registered Agent
Suite 201
40600 Ann Arbor Road E
Plymouth, MI 48170

MBS GP 174, LLC (GP: Norton Shores Ltd Dividend Housing Association LP)
777 S Figueroa Street
Suite 16th Floor
Los Angeles, CA 90017

Blachernc Renaissance Associates, LLC
c/o Carl Van Rooy, Registered Agent
1030 N College Avenue
Indianapolis, IN 46202

Westminster Associates LLC
c/o Carl Van Rooy, Registered Agent
1030 North College Avenue
Indianapolis, IN 46202

Van Rooy Properties, Incorporated
c/o C T Corporation System, Registered Agent
334 North Senate Avenue
Indianapolis, IN 46204

8. The following is a brief and concise statement of the facts regarding the alleged violation:

Complainant Fair Housing Center of West Michigan ("FHCWM") and Complainant Fair Housing Center of Central Indiana ("FHCCI") (collectively "Complainants") are private, non-profit organizations that participate in HUD's Fair Housing Initiatives Program (FHIP).

Complainants state that their mission is to prevent and eliminate illegal housing discrimination, to ensure equal housing opportunity, and to promote inclusive communities through advocacy, enforcement, education, and outreach. They also conduct preliminary claims investigations, including sending "testers" to properties suspected of practicing housing discrimination.

Between September 13, 2021, and August 8, 2022, Complainants conducted joint multijurisdictional testing and investigations of the subject properties managed by Respondent Van Rooy Properties, Inc. and owned by the Respondents listed below. Complainants state that they are filing a joint complaint with HUD because the allegations involve a systemic pattern, procedures, and practice of discrimination maintained by the same Respondents who own and manage residential rental properties in at least five states, including Indiana and Michigan. Complainants state that Respondents Van Rooy Properties, Inc. manage at least 45 residential properties, including at least 5,500 units.

Between September 13, 2021, and June 30, 2022, Complainant FHCWM conducted testing at **The Globe Apartments** (Grand Rapids, MI), owned by Respondents Grand Point II Ltd. and managed by Respondent Van Rooy Properties, Inc., and **The Reserve at Norton Shores Apartments** (Norton Shores, MI), owned by Respondent Norton Shores Limited Dividend Housing Association LP (GP: MBS GP 174, LLC), and managed by Respondent Van Rooy Properties, Inc.

Complainant FHCWM indicates that Testers were assigned a profile and asked whether the Respondents' agents could accommodate a tester's deaf family member at the two subject properties mentioned above. Testers specifically asked whether Respondents would provide an ASL interpreter for a deaf family member for the application and lease signing processes.

Complainant FHCWM states that they confirmed, through testing, that the Respondents' agents at the two properties mentioned above did not agree to provide an ASL interpreter. Furthermore, Complainant FHCWM states that their testing revealed that Respondents lack a consistent procedure for effective communication with deaf and hard-of-hearing applicants. Respondents' most recent violation in FHCWM's service area was on June 30, 2022, but Complainant believes that Respondents' discriminatory conduct continues.



Between November 12, 2021, and August 8, 2022, Complainant FHCCI conducted testing at the following subject properties: **Blacherne Apartments** (Indianapolis, IN), owned by Respondent Blacherne Renaissance Associates LLC, and managed by Respondent Van Rooy Properties, Inc.; **Brookview Glen Apartments** (New Albany, IN), owned by Respondent Brookview Glen Limited Partnership (GP: VRP-Brookview Glen LLC), and managed by Respondent Van Rooy Properties, Inc.; **Marcy Village Apartments** (Indianapolis, IN), owned by Respondent English Village Associates, LLC, and managed by Respondent Van Rooy Properties, Inc.; **Temple Lofts Apartments** (Indianapolis, IN), owned by Respondent Phillips Temple Associates LLC, and managed by Respondent Van Rooy Properties, Inc.; and, **Westminster Apartments** (Greenwood, IN), owned by Respondent Westminster Associates LLC and managed by Respondent Van Rooy Properties, Inc.

Complainant FHCCI indicates that Testers were assigned a profile and asked whether Respondents could accommodate a tester's deaf family member at the subject properties. Testers specifically asked whether Respondents would provide an ASL interpreter for the deaf family member for the tour of the property, application, and lease signing processes. Complainant FHCCI states that they confirmed through testing that Respondents' agents at the five properties mentioned above did not agree to provide an ASL interpreter. Furthermore, Complainant FHCCI states that their testing revealed Respondents lack a consistent procedure for effective communication with deaf and hard-of-hearing applicants. Respondents' most recent violation in FHCCI's service area was on August 10, 2022, but Complainant believes that Respondents' discriminatory conduct continues.

Complainant Fair Housing Center of West Michigan ("FHCWM") and Complainant Fair Housing Center of Central Indiana ("FHCCI") allege that Respondents: **(1)** refused to make reasonable accommodations for prospective applicants (testers) to provide an American Sign Language (ASL) interpreter for effective communication; **(2)** subjected the applicants (testers) to different terms and conditions; **(3)** made discriminatory verbal statements by outright refusing to provide ASL interpreters; **(4)** refused to negotiate the rental of the dwellings by expressing an unwillingness to accommodate a disability; **(5)** made housing unavailable by inhibiting effective communication and access to equal housing opportunities for deaf and hard of hearing prospective tenants; **(6)** engaged in a systemic practice of discrimination against rental applicants based on disability by denying deaf and hard of hearing prospective tenants equal access to information; and **(7)** lack a consistent procedure for providing an ASL interpreter to communicate effectively with applicants with a disability. Complainants assert that providing for an ASL interpreter includes arranging and paying for the interpreter.

Complainants further allege that Respondents' actions have harmed their organizations because they expended resources to investigate and counteract Respondents' discriminatory practices, including through testing and educational mailings to members of the subject properties. Moreover, Complainants assert that the time and resources they spent investigating this matter diverted resources from their other activities, such as education and outreach, client counseling, and community development. Lastly, Complainants claim that Respondents' conduct has frustrated their respective missions to rid their service areas of housing discrimination.

9. The most recent date on which the alleged discrimination occurred:

August 10, 2022, and is continuing.

10. Types of Federal Funding Identified: N/A

11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:

804(f), 804(c), 804(a), and 804(f)(3)(B) of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

Please sign and date this form:

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.



09/12/2022

**Fair Housing Center of West Michigan
c/o Nancy Haynes, Executive Director**

Date

NOTE : HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.

