

**HOUSING DISCRIMINATION COMPLAINT**

**CASE NUMBER:**

**1. Complainant**

Fair Housing Center of Central Indiana  
Attn: Amy Nelson, Executive Director  
429 N. Pennsylvania Street, Suite 401  
Indianapolis, IN 46204  
Email: anelson@fhcci.org

**2. Other Aggrieved Persons**

N/A.

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

Denial of a reasonable accommodation

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

Disability

**5. Addresses and locations of the properties in question:**

Dale Apartments  
1520 Main Street  
Vincennes, IN 47591

**6. Respondents**

Owner:  
Jack R Dale Inc.  
P.O. Box 292  
Vincennes, IN 47591

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

The Fair Housing Center of Central Indiana (“FHCCI”) is a private, nonprofit organization located in Indianapolis, Indiana. Its mission is to facilitate open housing for all people by ensuring the availability of affordable and accessible housing; promoting housing choice and homeownership; advocating for an inclusive housing market; working toward stable and equitable communities; and eradicating discrimination within Central Indiana, the State of Indiana, and nationally.

Jack R. Dale Real Estate (“Respondent”) has a principal place of business located at 710 College Ave., Vincennes, IN 47591. Respondent owns and/or manages several types of rental housing within Vincennes, IN, including single-family, duplex, and multi-family options. One of these properties is a complex called Dale Apartments, located at 1520 Main St., Vincennes, IN 47591.

The FHCCI initially became aware of the Respondent in December 2017 after the FHCCI was contacted by a tenant of the Respondent because of a denial of a reasonable accommodation for an emotional support animal. Only after repeated requests from the client and direct communication and education from the FHCCI to the Respondent, was the tenant allowed to have their emotional support animal in February 2018.

Because of the significant barriers experienced by the tenant, the FHCCI has kept its investigation open to ensure that reasonable accommodations for emotional support animals were being allowed.

**March 2024**

On March 8, 2024, an FHCCI tester contacted Dale Apartments, located at 1520 Main Street in Vincennes, via phone call (812-882-0867) to inquire about renting. The tester disclosed that her sister had a disability and needed her emotional support animal. The agent told the tester that she would need to check with the Respondent’s attorney and added, “We have a no pet policy.” The tester had previously left her phone number on the Dale Apartments voicemail. The tester never received any follow up.

**July/August 2024**

On July 3, 2024, an FHCCI tester contacted Dale Apartments, located at 1520 Main Street in Vincennes, via phone call (812-882-0867) to inquire about renting. The tester told the agent, identified as Anne, that her father had an emotional support animal, adding that he

can provide medical documentation from his doctor. After asking if the animal would be allowed, the agent told the tester she would need to check with their attorneys. Following this, the tester told the agent that her father has a disability and could provide any documentation that might be required.

Since no further contact had occurred, on August 2, 2024, the same tester contacted the Respondent via phone call to inquire if the same agent, Anne, had heard back from their attorneys regarding her father's emotional support animal. The agent told the tester that she had not heard back from their attorney, so the tester asked if she could give the agent her email address to follow up. The agent agreed and took the tester's email address. However, Anne, nor anyone else with the Respondent, ever followed up with the tester.

### **October 2024**

The FHCCI's testing showed a pattern of the Respondent consistently referencing the need to speak to an attorney and then never following up with the tester to explain or confirm their policies. Given this, in October 2024, the FHCCI continued its investigation by sending a letter to all of the Respondent's residents, requesting that they contact the FHCCI to conduct a phone survey. Additionally, the FHCCI mailed a letter to the Respondent's mailing address, alerting the Respondent that the FHCCI had opened an investigation into their management practices regarding their treatment of those with disabilities. The letter also encouraged the Respondent to reach out to the FHCCI with any concerns, questions, or updates to exemplify that they follow the federal Fair Housing Act. The FHCCI never heard from the Respondent.

In October 2024, the FHCCI interviewed a tenant of the Respondent that stated that they were prescribed an emotional support animal by their doctor. They stated that they went to the Respondent's office to alert them about the prescription, and the leasing agent, Anne, told them that they are "technically a pet-free complex," but would need to speak with their attorney. After a few days of not hearing anything, the resident's family member contacted Brad Dale, who spoke with his father, Jack Dale, about the animal. Shortly after, on or around September 1, 2024, the resident received a new lease with a \$75 per month "Additional Rent." The client, given the importance and urgency of having the animal for their disability, agreed to pay, in fear of losing their housing.

### **January 2025**

The FHCCI decided to test again to see if any changes had been made given the previous FHCCI letter to the Respondent. On January 23, 2025, an FHCCI tester contacted Dale Apartments, located at 1520 Main Street in Vincennes, via phone call (812-882-0867) to

inquire about renting. The tester told the agent, identified as Anne, that her husband has a mental disability and required an emotional support animal. Anne told the tester that she would need to check with their attorney because they have a no-pets policy. The tester clarified that this was an emotional support animal, not a pet. Anne, again, told the tester that she would need to check with their attorney.

The FHCCI alleges that as a result of Respondent's policies and actions, prospective tenants and residents with disabilities have been, and continue to be, harmed. By continuously telling prospective tenants and residents that need emotional support animals for their disability-based limitations that the Respondents will need to speak with their attorneys and attempting limited follow up, the Respondent is ultimately needlessly delaying, and therefore, denying reasonable accommodation requests for emotional support animals.

The FHCCI alleges that it has been harmed by the Respondent's actions. The FHCCI expended resources to investigate and counteract the Respondent's practices, including through its testing. The time and resources the FHCCI spent investigating this matter diverted resources from its other daily activities, such as education and outreach, client counseling, and community development. Further, the FHCCI alleges the Respondent's conduct has frustrated the FHCCI's mission to facilitate open housing for all.

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

January 23, 2025, previous and ongoing

**9. Types of Federal Funds identified:**

None.

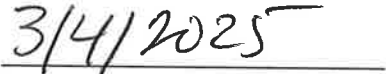
**10. The acts alleged in this complaint, if proven, may constitute a violation of the following:**

Section 804(f)(3)(B) of Title VIII of the Civil Right Act of 1968 as amended by the Fair Housing Act of 1988.

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



Amy Nelson, Executive Director  
Fair Housing Center of Central Indiana



Date