



## **Housing corporations face civil suit**

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Two Fargo-based corporations that own and manage several metro-area apartment complexes have been charged with violating the federal Fair Housing Act in a civil lawsuit filed Wednesday.

The United States alleges in a written complaint that Van Raden Properties Inc. and Van Raden Homes Inc. committed discrimination after denying an apartment to a male prospective tenant with a service dog. In January 2007, the man inquired about living at Elm Street Apartments, 418 Elm St. S. in Moorhead.

The United States filed suit on behalf of Fair Housing of the Dakotas, which received the prospective tenant's complaint. The private nonprofit, which serves North Dakota and South Dakota, conducted two rental tests shortly after hearing the complaint.

David Anderson, spokesman for the U.S. Attorney's Office in Minneapolis, said he could not comment on the case Friday.

According to court papers:

E The prospective renter inquired about a unit in the Elm Street Apartments on or around Jan. 9, 2007. He spoke with a female Van Raden worker on the phone.

He informed the worker that he had a service dog that he wanted to live with him. The man said he was told the company has a policy of prohibiting certain dog breeds and dogs weighing more than 40 pounds.

The man, who specified that his dog only weighed 35 pounds, complained to Fair Housing of the Dakotas, which conducted two tests to evaluate Van Raden's compliance with the Fair Housing Act.

E On Jan. 17, 2007, a tester with Fair Housing called Van Raden Properties to inquire about an apartment and specified that she had an autistic son who used a service dog.

The tester specified that the dog weighed 37 pounds and was a black Labrador retriever. The Van Raden worker said Labradors are unacceptable breeds, according to company policy.

The complaint alleges that at no point did the Van Raden worker inquire about the tester's son's need for the animal even though the tester offered to show a doctor's note for the service dog.

The worker referred the tester to the Humane Society for a list of landlords that allow pets.

A man who answered the phone at Van Raden Properties' Fargo office Friday would not identify himself and declined to comment.

Van Raden Properties Inc. offers apartments for rent at 10 complexes with five each in Fargo and Moorhead, according to its Web site.

In the suit, the United States is asking that Van Raden's actions be declared violations of the Fair Housing Act, award damages to Fair Housing of the Dakotas for relief of resources and frustrations, and to impose \$16,000 in penalties to each of the Van Raden companies.

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