

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

---

UNITED STATES OF AMERICA,

Civil No. 14-2935 (JRT/HB)

Plaintiff,

and

**CONSENT DECREE**

MATHILDA E. SAVAL, *on behalf of herself  
and her minor child,*

Plaintiff-Intervenor,

v.

CHARLES J. BOCKES and TERESA A.  
BOCKES (d/b/a B&B Rentals) and  
SANDY BOCKES,

Defendants.

---

**A. Introduction**

1. The United States initiated this action to enforce the provisions of the Fair Housing Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. § 3601, *et seq.* The United States alleges that Defendants Charles J. Bockes and Teresa A. Bockes (d/b/a B&B Rentals), owners of the rental property located at 3317 First Avenue South, Minneapolis, Minnesota (“subject property”) and Sandy Bockes, on-site manager for the subject property, have unlawfully discriminated on the basis of familial status.

2. On October 14, 2014, the Court granted Mathilda E. Sabal's motion to intervene in the case as a plaintiff.

3. The United States alleges that Charles Bockes and Teresa Bockes (d/b/a B&B Rental) and Sandy Bockes (hereafter "Defendants") engaged in housing practices that discriminated on the basis of familial status as alleged in the Complaint herein.

4. The United States alleges that, through this conduct, Defendants have:

- a. Violated 42 U.S.C. § 3604(a) by discriminating against Ms. Sabal and her minor child based on their familial status through refusing to negotiate for the rental of a dwelling by intentionally discouraging Ms. Sabal from renting because she had a minor child;
- b. Violated 42 U.S.C. § 3604(b) by discriminating against Ms. Sabal and her minor child in the terms, conditions, or privileges of rental of a dwelling, or in the provision of services or facilities in connection therewith because of familial status; and
- c. Violated 42 U.S.C. §3604(c) by making statements indicating a preference, limitation or discrimination based on familial status.

5. Defendants deny the allegations in this matter and deny that they violated the Fair Housing Act.

6. The parties have agreed that this lawsuit should be resolved without a trial to avoid protracted and costly litigation.

7. The parties have agreed to the entry of this Consent Order, as indicated by the signatures below.

Accordingly, it is **HEREBY ORDERED** as follows:

**B. General Injunction**

8. Defendants, their agents, employees, successors, and all persons in active concert or participation with them are hereby enjoined from:

- a. Refusing to sell or rent after the making of a bona fide offer, or refusing to negotiate for the sale or rental of, or otherwise making unavailable or denying a dwelling to any person because of familial status;
- b. Discriminating against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of familial status; and
- c. Making, printing, or publishing, or causing to be made, printed, or published any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on familial status, or an intention to make any such preference, limitation or discrimination.

**C. Non-Discrimination Policy**

9. Within thirty (30) days of the entry of this Consent Order, Defendants shall adopt, implement, and maintain a Nondiscrimination Policy (the "Policy") and shall distribute the Policy to all of their employees and agents and to all residents of their rental

properties. The Policy shall be reviewed, along with a question and answer session, with each employee, agent or anyone acting under their direction, on an annual basis hereafter. The text of the Nondiscrimination Policy is as set forth in Appendix A hereto.

**D. Fair Housing Poster and Advertising**

10. Within thirty (30) days of the entry of this Consent Decree, Defendants shall post and prominently display in each and every location where activity related to the management or rental of the subject property occurs, a poster no smaller than 11 inches by 14 inches that indicates that all dwellings are available for rent on a nondiscriminatory basis. The poster shall comply with the requirements set out in 24 C.F.R. Part 110.

11. Within thirty (30) days of the entry of this Consent Decree, in all advertising conducted by the Defendants related to the subject property in the Internet, newspapers, telephone directories, radio, or other media, and on all signs, pamphlets, brochures, and other promotional literature, Defendants shall include the words "Equal Housing Opportunity," the fair housing logo, and/or the following sentence:

"We are an equal opportunity housing provider. We do not discriminate on the basis of race, color, national origin, religion, sex, familial status, or disability."

The words or logo shall be prominently placed and easily legible.

**E. Mandatory Training**

12. Within thirty (30) days of the entry of this Consent Order, the Defendants shall undergo in-person training on the Fair Housing Act, with specific emphasis on discrimination on the basis of familial status. The training shall be conducted by an independent, qualified third party, approved in advance by the United States, and any expenses associated with this training shall be borne by the Defendants. Defendants shall obtain from the trainer certifications of attendance, executed by each individual who received the training, confirming his/her attendance, in a form acceptable to the United States. This confirmation shall include the name of the course, the date the course was taken, the length of the course, and/or the time within the course was completed.

**F. Reporting Requirements**

13. During the period in which this Order is in effect, Defendants shall notify counsel for the United States<sup>1</sup> in writing within fifteen (15) days of receipt of any written or oral complaint against the Defendants regarding familial status discrimination in housing. If the complaint is written, Defendants shall provide a copy of it with the notification. The notification shall include the full details of the complaint, including the complainant's name, address, and telephone number. Defendants shall also promptly provide the United States all information it may request concerning any such complaint

---

<sup>1</sup> All documents, payments, or other communications required by this Order to be sent to the counsel for the United States shall be addressed as follows: Chad Blumenfield, Assistant United States Attorney, United States Attorney's Office, 600 U.S. Courthouse, 300 South Fourth Street, Minneapolis, MN 55415.

and shall inform the United States within fifteen (15) days of any resolution of such complaint.

**G. Compensation of Aggrieved Persons**

14. Upon execution by the parties of the Consent Order, the Defendants shall pay the total sum of Fifteen Thousand Dollars (\$15,000.00) on or before August 1, 2015, for the purpose of compensating Ms. Sabal and her minor child, and for Intervenor's attorney's fees. Payment shall be made in the form of a cashier's check made payable to Mid-Minnesota Legal Aid. The Defendants shall deliver this payment to Mid-Minnesota Legal Aid, 430 1<sup>st</sup> Ave. N., Suite 300, Minneapolis, MN 55401.

15. In exchange for receipt of payments in paragraph 13 above, Ms. Sabal will execute a written release of all claims, legal or equitable, that she and her minor child might have against Defendants relating to the claims asserted in this lawsuit. A copy of the Release is attached as Appendix B.

**H. Scope and Duration of Consent Order**

16. The provisions of this Consent Order shall apply to Defendants, their employees, agents, successors, and all persons acting in active concert or participation with them.

17. This Consent Order is effective immediately upon its entry by the Court and shall remain in effect for four years.

18. The Court shall retain jurisdiction for the duration of this Order to enforce the terms of the Order, after which time the case shall be dismissed with prejudice.

**I. Remedies for Non-Compliance, Time for Performance, and Modifications**

19. The United States may move the Court to extend the period in which this Order is in effect if Defendants materially violate one or more terms of the Order.

20. Any time limits for performance imposed by this Order may be extended by mutual written agreement of the parties.

21. The parties to this Order shall endeavor in good faith to resolve informally any differences regarding interpretation of and compliance with this Order prior to bringing such matters to the Court for resolution. In the event the United States contends there has been a failure by Defendants to perform in a timely manner any act required by this Order or otherwise to comply with any provision thereof, the United States may move this Court to impose any remedy authorized by law or equity, including, but not limited to, an order requiring performance of such act or deeming such act to have been performed.

22. The parties agree that in the event Defendants engage in any future violation of the Fair Housing Act such violation will constitute a “subsequent violation” pursuant to 42 U.S.C. § 3614(d).

SO ORDERED THIS 6th DAY OF March, 2015.

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge

ON BEHALF OF THE UNITED STATES OF AMERICA:

VANITA GUPTA  
Acting Assistant Attorney General  
Civil Rights Division

STEVEN H. ROSENBAUM  
Chief Housing & Civil Enforcement Section  
ELIZABETH A. SINGER  
Director, U.S. Attorneys' Fair Housing Program  
Civil Rights Division


ANDREW M. LUGER  
United States Attorney



Dated: 2/27/15

BY: CHAD A. BLUMENFIELD  
Assistant U.S. Attorney  
Attorney ID Number 387296  
600 United States Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415  
Phone: 612-664-5600  
Email: [Chad.Blumenfield@usdoj.gov](mailto:Chad.Blumenfield@usdoj.gov)

ON BEHALF OF MATHILDA E. SABAL AND HER MINOR CHILD:

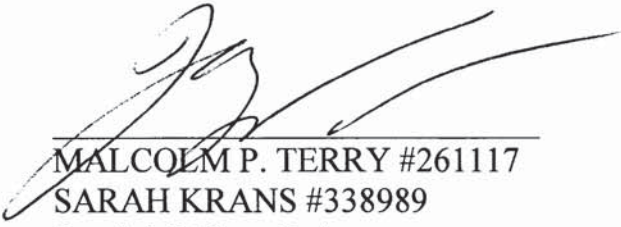


ANNE M. ROBERTSON #212775  
430 First Avenue North, Suite 300  
Minneapolis, Minnesota 55401  
Phone: (612)746-3725  
Email: [amrobertson@mylegalaid.org](mailto:amrobertson@mylegalaid.org)

Dated: 2/27/15



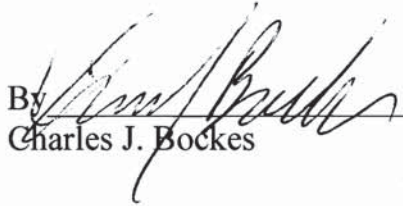
ON BEHALF OF ALL DEFENDANTS:



MALCOLM P. TERRY #261117  
SARAH KRANS #338989  
Bernick Lifson, P.A.  
5500 Wayzata Boulevard, Suite 1200  
Minneapolis, Minnesota 55416-1251  
(763)546-1200 (phone)  
[mterry@bernicklifson.com](mailto:mterry@bernicklifson.com)  
[skrans@bernicklifson.com](mailto:skrans@bernicklifson.com)

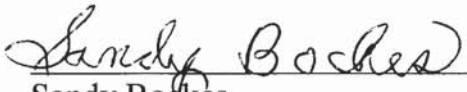
Dated: 2/27/15

CHARLES J. BOCKES AND TERESA A. BOCKES  
(D/B/A B & B RENTALS)

By  \_\_\_\_\_  
Charles J. Bockes

Dated: 2/27/15

SANDY BOCKES

 \_\_\_\_\_  
Sandy Bockes

Dated: 2/27/15

## **APPENDIX A**

### **Non-Discrimination Policy**

It is the policy of Charles Bockes and Teresa Bockes (d/b/a B&B Rentals) to comply with the Fair Housing Act, 42 U.S.C. § 3601, *et seq.*, by ensuring that all housing units as well as the terms, conditions, and privileges associated with such units are available to all persons without regard to race, color, religion, national origin, disability, familial status (having children under age 18), or sex. This policy means that, among other things, Charles Bockes and Teresa Bockes (d/b/a B&B Rentals) and all their employees and agents must not discriminate in any aspect of housing, including but not limited to, denying housing because of familial status. Such employees and agents may not:

- a. Refuse to allow rental, or refuse to allow the negotiation for rental of, or otherwise make unavailable or deny, a dwelling to any person because of familial status;
- b. Make, print, or publish, or cause to be made, printed or published any notice, statement, or advertisement, with respect to the rental of a dwelling that indicates any preference, limitation, or discrimination based on familial status, or an intention to make any such preference, limitation, or discrimination; or
- c. Discriminate in the terms, conditions, or privileges of rental, or in the provision of services or facilities, because of familial status;


Any employee or agent who fails to comply with this non-discrimination policy will be subject to appropriate disciplinary action, which may include termination. Any action taken by an agent or employee that results in the unequal service, treatment or behavior to residents on the basis of familial status may constitute a violation of state and federal fair housing laws.

**APPENDIX B**

**Release**

In consideration for the parties' agreement to the terms of the Consent Order entered in *United States & Mathilda E. Sabal v. Charles Bockes and Teresa Bockes (d/b/a B&B Rentals) and Sandy Bockes*, Civil No. 14-2935 (JRT/HB) (the "Lawsuit"), and Defendants' payment of Fifteen Thousand Dollars (\$15,000.00) as set forth in the Consent Order, I, Mathilda E. Sabal, individually and as custodial parent and guardian of my minor child, hereby release Charles Bockes and Teresa Bockes (d/b/a B&B Rentals) and Sandy Bockes from any and all liability for any claims, legal or equitable, based on any state or federal statute or at common law, known or unknown, I may have against them, including any such claims arising out of the issues alleged in the action as of the date of the entry of the Consent Order. I fully acknowledge and agree this release shall be binding on my heirs, representatives, executors, successors, administrators, and assigns. I hereby acknowledge that I have read and understood this release and have executed it voluntarily and with full knowledge of its legal consequences.

Executed this 27<sup>th</sup> day of February, 2015.

  
Mathilda E. Sabal