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CLASS ACTION CIVIL RIGHTS LAWSUIT FILED AGAINST BROOKLYN REAL ESTATE FIRM ON BEHALF OF FAMILIES WITH CHILDREN

A class action lawsuit was filed in federal court today in the Eastern District of New York alleging that Brown Harris Stevens Brooklyn LLC (BHS) and its senior vice president and two real estate agents discriminate against families with children attempting to rent apartments in Brooklyn. In 2007, the Fair Housing Justice Center (FHJC) conducted a testing investigation in response to a complaint made by the named plaintiffs in the lawsuit.

The lawsuit alleges that in 2006 and 2007, BHS real estate agents refused to show apartments for rent or to negotiate with Jamie Katz and his wife, Lisa Nocera, because they were expecting and then had a child. The Katz/Nocera family alleges they were told by two different BHS agents with rental listings that the owners of available apartments in Brooklyn Heights and Park Slope would not rent to a family with a child. One agent is alleged to have said, "I'll show you everything available that I think is suitable for kids."

The lawsuit alleges that after receiving a complaint from the Katz/Nocera family in 2007, the FHJC sent testers posing as prospective married renters with and without children. The testers are alleged to have inquired about one of the same apartments for rent that the Katz/Nocera family attempted to rent. The FHJC tester with a child was allegedly told by a BHS senior vice president that the owner was reluctant to rent to a tenant with a child, but the tester without a child was allegedly not discouraged from renting the apartment by the very same BHS broker after learning that the tester did not have any children.

Mariann Meier Wang, attorney for the plaintiffs, stated "No family should have to tolerate illegal discrimination while searching for housing or endure the insult, embarrassment, and costs that result from an act of housing discrimination. Ms. Wang

added, “When multiple agents in the same real estate company openly discriminate against families with children, as is alleged in this complaint, it becomes obvious that restricting the housing choices available to families with children is the ongoing and ordinary way that this real estate company does business.”

Mr. Katz & Ms. Nocera filed suit against Brown Harris Stevens Brooklyn LLC, its senior vice president, Brian Lehner, and BHS real estate agents Miya Signor and Aileen Truesdale. The individual plaintiffs seek to represent a class of “all persons who have or will seek rental properties through BHS to inhabit with a child or children under the age of 18.” The complaint seeks a court order finding that the defendants have engaged in illegal housing discrimination, requiring the defendants to take all necessary steps to prevent future discrimination, and providing damages pursuant to the federal Fair Housing Act, the New York State Human Rights Law, and the New York City Human Rights Law.

“Twenty years after Congress amended the federal Fair Housing Act to prohibit family status discrimination, it is sad and troubling to find real estate brokers and agents, licensed by the State of New York, overtly discriminating against families with children” said Diane L. Houk, FHJC Executive Director. “This lawsuit should serve notice on real estate licensees that there are serious consequences when the unwise choice is made to cater to the discriminatory dictates of property owners rather than comply with fair housing laws,” Ms. Houk added.

The mission of the FHJC, opened in April 2005, is to challenge systemic housing discrimination, promote open and inclusive communities, and strengthen fair housing enforcement. If you believe that you have been discouraged or denied housing by Brown Harris Stevens because you are a family with children, please call the FHJC at 212-400-8201.

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