BEFORE THE SOUTH CAROLINA STATE OF SOUTH CAROLINA **HUMAN AFFAIRS COMMISSION** COUNTY OF CHEROKEE SCHAC No. H-4-21-057 HUD No. 04-21-6872-8 Complainant, CONCILIATION AGREEMENT vs. 208 N. Georgia Ave Chesnee, SC 29323 317 Ruth Vista Road Lexington, SC 29073 32 Harleston Place Charleston, SC 29401 Respondents.

This compromise Conciliation Agreement is entered by and between the South Carolina Human Affairs Commission (bereinafter "Commission"), on behalf of hereinafter "Complainant"), versus and hereinafter "Respondents").

WHEREAS, a verified complaint was filed on May 27, 2021, by Complainant against Respondents alleging a violation of the South Carolina Fair Housing Law and dual-filed with the United States Department of Housing and Urban Development (HUD) under the Federal Fair Housing Act, as amended.

The name of the property is Country Creek Apartments. The property is located at 208 N. George Avenue, Chesnee, (Cherokee County), South Carolina 29323.

I. CASE SYNOPSIS

The Complainant alleged that the Respondent is subjecting her to discriminatory terms and conditions, harassment her concerning her reasonable accommodation request. The Complainant said the Respondent has been harassing her since January 9, 2021 about her emotional support animal (ESA). The Complainant said to look her she has to provide vet records and a letter from a certified service pet trainer. The Complainant said the Respondent has charged her \$400 in pet fees. The Complainant said the Respondent refers to her ESA as a service pet. The Complainant said the Respondent implied that she feels it is her job to determine whether it is a legitimate service animal or ESA or someone taking advantage of the protections for them. The Complainant stated, "The offered copy of the HUD guidelines was refused when I offered them, she refused to accept or even look at the documentation I was offering her." The Complainant said the called her on March 12, 2021 demanding a letter from a service pet trainer be provided by March 19, 2021. The Complainant believes the Respondent is discriminating against her

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because she has a disability and needs her ESA to accommodate her disability.

Respondents deny having discriminated against Complainant but agree to settle the claims in the underlying action by entering into this Conciliation Agreement.

WHEREAS, the Commission and the parties hereto wish to reach a just resolution of the aforementioned dispute, and reach a full, equitable and final settlement of all matters arising out of the aforementioned complaint.

NOW, THEREFORE, the parties hereby agree and stipulate to the following:

II. GENERAL PROVISIONS

The terms set forth herein are contractual and not merely a recital.

- A. The terms set forth herein are contractual and not merely a recital.
- B. The parties acknowledge that this Agreement is a full settlement of the disputed complaint. The parties hereto state that they have read and fully understand the significance of the terms set forth herein and have executed this compromise Conciliation Agreement freely and voluntarily. No party has been coerced, intimidated, threatened, or in any way forced to become a party to this Agreement.
- C. This conciliation agreement fully and completely resolves all issues arising out of SCHAC Case # H-4-21-057 / HUD Case # 04-21-6872-8 through the effective date of this agreement. The Commission and the Complainant will take no further legal action with respect to, and will not initiate any action pertaining to, the facts and events which led to the filing of the charge so long as the parties abide by the terms of this Conciliation Agreement.
- D. This Agreement, after it has been approved by the Commissioner of South Carolina Human Affairs Commission (SCHAC) is binding upon all Respondents, their employees, successors and all others in active concert with them in the ownership or operation of [208 N. George Avenue, Chesnee, (Cherokee County), South Carolina 29323].
- E. It is understood that, pursuant to Section 31-21-120 (D) of the South Carolina Code of Laws Fair Housing Law, upon approval of this Agreement by the Commissioner of SCHAC, it is a public document.
- F. This Agreement does not in any way limit or restrict SCHAC's authority to investigate any other complaint involving Respondents made pursuant to the Fair Housing Law, or any other law within SCHAC's jurisdiction.
- G. This Conciliation Agreement constitutes closure of the complaint at HUD and South Carolina Human Affairs Commission upon a determination that the Complainant and Respondents have complied with the terms of the Agreement.

III. PROVISIONS FOR THE PUBLIC INTEREST

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In order to assure that the public interest is protected, Respondents, without admitting to any violation of the South Carolina Fair Housing Law or Federal Fair Housing Act, agree to continue to take such affirmative action as may be necessary to assure the elimination of discriminatory housing practices and the prevention of their occurrence in the future, including, but not limited to the following:

- A. Respondents agree to comply with all federal and state housing laws.
- B. Respondents agree to consistently apply its standards for acceptance and rejection of housing applicants in an objective manner.
- C. Respondents agree to allow any qualified person the right to purchase, rent, or occupy a dwelling regardless of race, color, religion, sex, disability, familial status, or national origin.
- D. Respondents' employees, who interact with applicants, and tenants, shall complete Fair Housing training, provided by the South Carolina Human Affairs Commission or a qualified agency of Respondents' choosing, within six months from the date of the signed agreement. Respondents shall provide certificates/proof of training to the Commission within six months from the date of the signed agreement.

IV. RELIEF FOR COMPLAINANT

- A. Respondents agree to refund Complainant the previously paid pet deposit of \$400.00 within 10-days of the execution of this conciliation agreement.
- B. Respondents agree that there shall be no discrimination or retaliation of any kind against Complainant or any person who assisted the Commission in the filing of this charge or in the investigation of this matter.

V. RELEASE BY COMPLAINANT

A. Upon compliance with the terms of Paragraph IV through herein, Complainant agrees to release and forever discharge Respondents and Respondents' employees, members, officers, agents, successors, insurers, parent companies, affiliated entities, and assigns from any and all claims which may be raised on account of the matters raised herein.

VI. BREACH OF CONCILIATED TERMS

- A. Nothing in this Agreement shall be construed to preclude the Commission and/or any aggrieved individual(s) from suing to enforce this Agreement if Respondents fails to perform the promises and representations contained herein. Neither does it preclude the Commission from filing charges in the future concerning events occurring after the execution of this conciliation agreement. The Commission shall determine whether Respondents has complied with the terms of this agreement. If the Commission determines that Respondents has not complied with the terms hereof, the Commission shall send written notice to Respondents and Respondents shall be given a reasonable time period to remedy such non-compliance.
- B. Complainant(s) and Respondent(s) agree that this Agreement may be used as evidence in a

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subsequent prodeeding in which any of the parties allege a breach of this Agreement.

VII. REPORTING & RECORDKEEPING

Parties shall submit proof of compliance with the terms of this Agreement to:

South Carolina Hur an Affairs Commission Fair Housing Department Attention: 1026 Sumter Street, Suite 101 Columbia, SC 2920

The submitter of an occumentation should include the SCHAC and HUD case numbers, which are as follows:

SCHAC No. H-4-2 -057 HUD No. 04-21-51-6-8

VIII, COMMISSION REVIEW

A. Subject to the provisions of Section 814 of the Fair Housing Act, as amended, 42 U. S. C. Section 3614, and in accordance with the provisions of State Regulations R. 65-225.G., the Commission may, from time to time, review compliance with this Conciliation Agreement, and, if necessary, recommend to the South Carolina Attorney General that a civil action be filed to seek the enforcement of any of the terms set forth herein.

IX. EFFECTIVE DATE

This agreement shall become effective on the date on which it is approved and signed by the Commissioner of the South Carolina Human Affairs Commission.

IN WITNESS WHEREDF, the parties have subscribed their names hereto on the day and date indicated.

	06-18-2021
Complai tan	(Date)
	June 18, 2021
Representative, Respondent	(Date)
	June 18, 2021
Representative, Respondent	(Date)
	6-18-21
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	6/18/2021
Conciliato	(Date)

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Approved on Behalf of the Commission

June 25, 2021
Vanie A. Davis, Commissioner (Date)