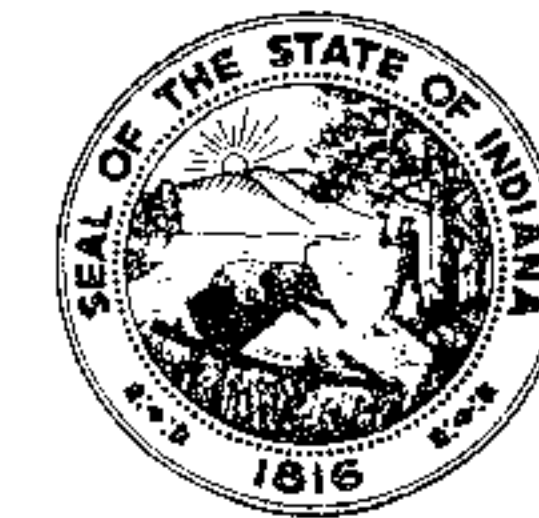




**INDIANA
CIVIL
RIGHTS
COMMISSION**

MITCHELL E. DANIELS, JR. GOVERNOR



GREGORY KELLAM SCOTT, DIRECTOR
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(866) 332-4748

February 7, 2008

The Harbours Condominiums Association
1 Riverpointe Plaza
Jeffersonville, IN 47130

RE: Elizabeth & Donald Cantrell
1 Riverpointe Plaza
Jeffersonville, IN 47130

ICRC No.: HOha08020061
HUD No.:
Date Filed: 01/30/08

A complaint was filed on the above date, which alleges that you have violated the Indiana Civil Rights Law and/or Indiana Fair Housing Act, as amended, by engaging in a discriminatory real estate practice. The complaint may be dual-filed with the U. S. Department of Housing and Urban Development (HUD) but will be investigated by the Indiana Civil Rights Commission.

The specific discriminatory real estate practice (or practices) alleged by the complaint is stated in the complaint, which is enclosed and incorporated by reference in this notification letter.

You must file a written answer to the complaint within ten (10) days of receipt of the complaint. Filing of a written answer is deemed complete upon receipt at the Commission office. The answer must be signed by you and affirmed with the words, "I declare under penalty of perjury that the forgoing is true and correct." An answer is insufficient if it is signed and affirmed by your attorney only. An answer may be amended at any time. Failure to file a written answer to the complaint within ten (10) days will be deemed an admission of all allegations in the complaint, and upon proper application to the Commission, an Order by Default will be entered for the Complainant.

All correspondence, including pleadings, motions, or instruments filed with the Commission must show your address, telephone number, docket number, and caption setting forth the title of the proceeding indicated above. An original and one (1) copy of all documents to be filed with the Commission, including your answer to the complainant, should be delivered or mailed to the "Docket Clerk" of the Commission. Except for the answer, which you must sign and affirm all documents must be signed by you, and your representative, or your attorney. If the investigation is not completed within 100 days, you will be advised, in writing, of the reasons for the delay. While this complaint is pending, you will have the opportunity to resolve it through conciliation/mediation. Any resolution must have the consent of all parties and is subject to the approval of the Commission and HUD. An explanation and instructions of how to pursue the conciliation/mediation process is enclosed.

"Morality cannot be legislated, but behavior can be regulated." – Dr. Martin Luther King, Jr

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The ICRC has a separate Alternative Dispute Resolution Unit (ADR). This case, as all real estate cases, automatically is referred to the ADR Unit for attempted resolution. Soon you will be contacted by a representative of the ADR Unit who, independently and neutrally, will endeavor to settle this dispute. We hope that you will cooperate and seek a settlement, which will be mutually satisfactory to all. If this matter goes to hearing or trial and a violation of Indiana Fair Housing (IC 22-9.5-6-1 et.seq.) is proven and the complainant can sufficiently prove his or her damages, he or she may be awarded appropriate relief, including actual damages, reasonable attorney's fees, court costs, and other injunctive or equitable relief. In addition, to vindicate the public interest, a civil penalty may be assessed against the Respondent(s).

During the investigation period, the Commission will seek the voluntary cooperation of all persons to obtain access to premises, records, documents, individuals, and other possible sources of information. The Commission seeks your cooperation to examine, record, and copy necessary information for the furtherance of the investigation. The Commission may conduct discovery in aid of the investigation to the same extent it is available in the administrative proceeding before the Commission (910 IAC 2-7 and 910 IAC 1-4). The Commission may also issue subpoenas in support of the investigation. Discovery is available to the parties upon a motion sufficiently supported and due to exceptional circumstances and at the discretion of the Administrative Law Judge assigned to consider such motion.

The Complainant may have the right to commence a private action in an appropriate state court, as long as the Commission had not begun a hearing on this matter. Such civil action must begin no later than one year after the occurrence or termination of an alleged discriminatory real estate practice. The computation of this one (1) year excludes any time during which an administrative hearing under the Indiana Fair Housing Act is pending before the Commission with respect to the complaint.

Please be advised that retaliation against any person because he or she made a complaint or testified, assisted, or participated in an investigation, conciliation, or administrative proceeding before the Commission is a discriminatory real estate practice that is prohibited by the Indiana Fair Housing Act, Indiana. Code 22-9.5-1-1 et.seq. and the Indiana Civil Rights Law, Indiana. Code 22-9-1-1 et.seq.

Sincerely,

Christine Cde Baca,
Deputy Director,

Enclosures

The Harbours Condominiums Association
1 Riverpointe Plaza
Jeffersonville, IN 47130
CERTIFIED MAIL: 70062760000345542571

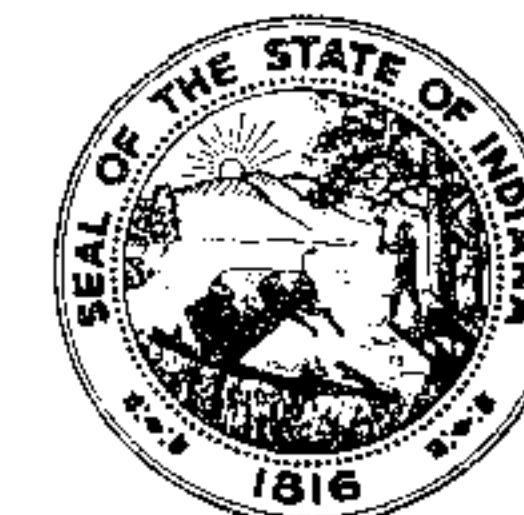
Please contact Michael Johnson, Investigator, at 1-800-628-2909, with any questions.

Rev. 1/98



**INDIANA
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(866) 332-4748

February 7, 2008

The Harbours Condominiums Association,

In reply refer to: Elizabeth & Donald Cantrell
1 Riverpointe Plaza
Jeffersonville, IN 47130

ICRC NO: HOha08020061
HUD NO:

Dear Sir(s) or Madam(s):

This letter is in response to the above complaint alleging that an act of discrimination has been committed in violation of the Indiana Civil Rights Law and/or the Indiana Fair Housing Act. This case has been assigned to the Indiana Civil Rights Commission (ICRC) Real Estate/Commercial Property unit for investigation.

In order to expedite the completion of the investigation, additional information is needed. Enclosed with this letter are questionnaires and document requests regarding this matter. Pursuant to the rules implementing the Indiana Civil Rights Law, and Indiana Fair Housing Act, we request that you make available the requested information and documents within ten (10) days from receipt of this letter.

Important

The regulations implementing the Indiana Fair Housing Act provide, in part:

In conducting an investigation under this section, the ICRC seek the voluntary cooperation of all persons to obtain access to premises, records, documents, individuals, and other possible sources of information (1) to examine, record, and copy necessary material; and (2) to take and record of the investigation. 910-IAC 2-6-4(d)

Please be advised that IC22-9.5-4-7 of the Indiana Fair Housing Act and 22-9-1-6 of the Indiana Civil Rights Law authorizes the Director to issue subpoenas and order discovery in aid of investigations and hearings at this time, we are seeking your voluntary cooperation in responding to the enclosed request. Should the requested information not arrive within ten (10) days as specified, a subpoena will be issued.

“Morality cannot be legislated, but behavior can be regulated.” – Dr. Martin Luther King, Jr

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Please be further advised that this request is not exhaustive. As the investigation proceeds, additional information may be required.

We will be contacting you after receipt of the requested documentation for scheduling of interviews of yourself and any witness you have.

If you have any questions, please call me at (317) 233-4813 between the hours of 7:00 a.m. and 3:30 p.m.

Sincerely,

Henrietta Poindexter
Investigation Supervisor

Please Note: You only need to respond to the questions, which are relevant to the allegations of the complaint of discrimination filed in this matter.

The Harbours Condominiums Association
1 Riverpointe Plaza
Jeffersonville, IN 47130
CERTIFIED MAIL: 70062760000345542571

The investigator assigned to this case is Michael Johnson. He/She can be reached at 1-800-628-2909.

Honda 08026961 Complaint of Discrimination

ICRC Docket No:

EEOC Charge No:

HUD No:

Complaint taken by: Mills, Verneda

1. Complainant: Elizabeth & Donald Cantrell

Address: 1 Riverpointe Plaza #712
Jeffersonville IN 47130

Home: (812) 280-9712

Cell:

Email:

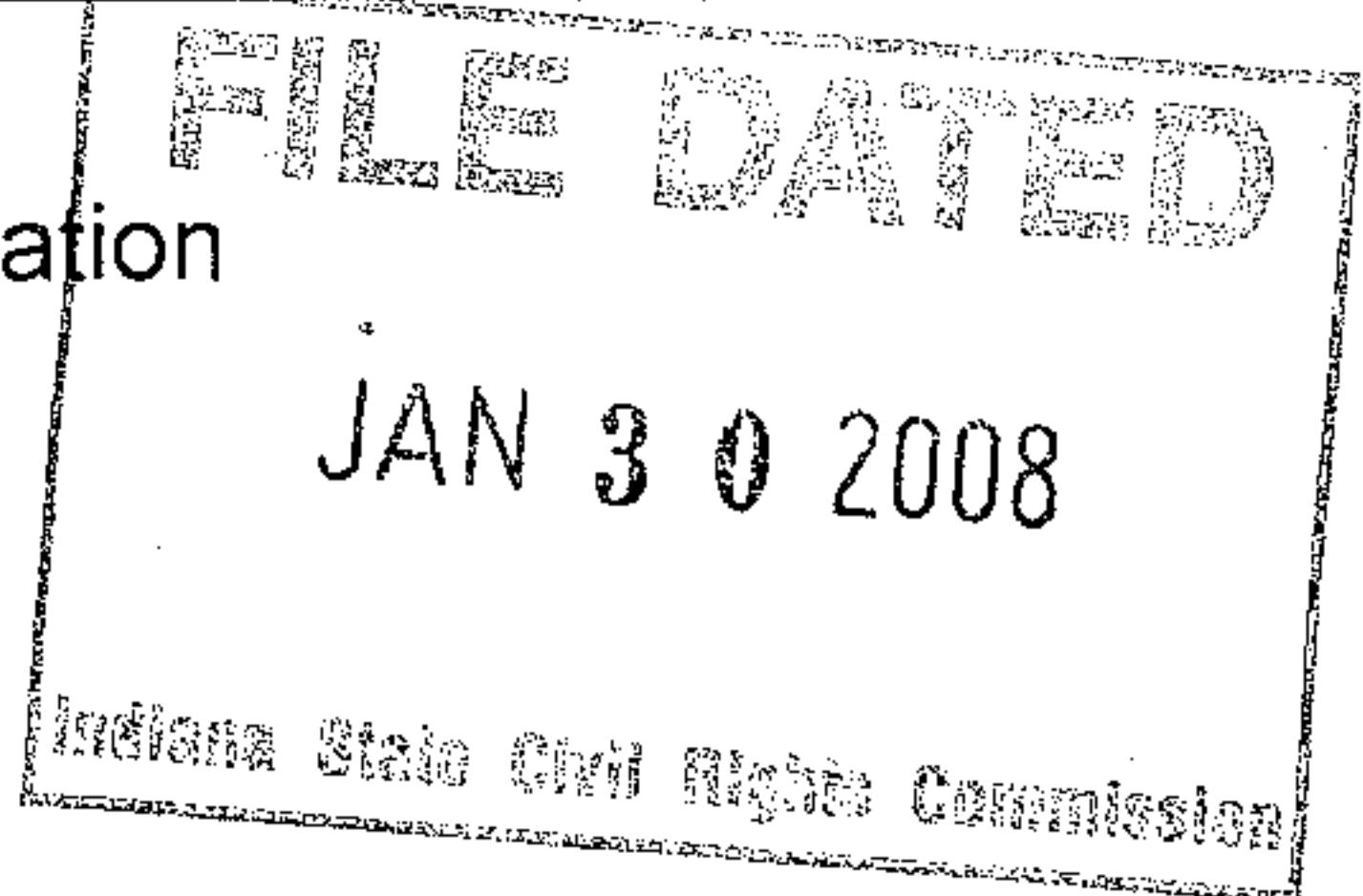
Respondent:

The Harbours Condominiums Association

Address: 1 Riverpointe Plaza
Jeffersonville IN 47130

Address 2

Office: (812) 288-1100



2. GRIEVANCE OR OTHER ACTION FILED REGARDING THIS MATTER:

Name of procedure or agency:

When filed:

Status/Disposition:

Date of disposition:

3. BASIS OF ALLEGED DISCRIMINATION: Handicap/Disability

4. AREA OF ALLEGED DISCRIMINATION: Housing

5. STATEMENT OF ALLEGATIONS: DATE OF ALLEGED DISCRIMINATORY ACT: 8/28/2007

I. On August 28, 2007 Respondent denied our rights after we requested a reasonable accommodation of a marked Handicapped parking space.

II. I believe Respondent discriminated against us on the basis of a disability because:

A. Respondent continues to deny us the use of a clearly marked handicapped accessible parking spot reasonably close to our condominium. I have repeatedly asked Respondent for a reasonable accommodation of a marked handicapped parking spot at the building entrance in the surface parking lot. Previously there were two clearly marked handicapped spots that were removed by Respondent and replaced by unmarked parking spots. If we use the unmarked spots for loading and unloading items we are ticketed and threatened with having our vehicles towed.

B. I have requested in writing on several occasions the need for this handicapped spot and Respondent continues to deny me and my husband who is disabled. I was sent a threatening letter by Barb Hilb for parking a short time in a spot that was assigned to an owner who was not a resident at the time, and I was told if I used the parking spot again I would be towed. I also received numerous disparaging emails from Kevin Zipperle, the Association's Board President.

C. I hold that Respondent treats its non-disabled tenants more favorably which subjects us to disparate treatment based on disability.

III. As a remedy, I am requesting a handicapped accessible parking spot and any others available for a violation of the Indiana Civil Rights Laws.

I swear or affirm under penalties for perjury that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

1/27/08

Date

Donald J. Cantrell & Elizabeth Cantrell

Complainant's Signature

January 26, 2008

Dear Ms. Mills,

Enclosed is the signed complaint for Donald and Elizabeth Cantrell.

Thank you for looking into this matter.

Elizabeth Cantrell
1 Riverpointe Plaza #712
Jeffersonville, In 47130
ph: 812-280-9712

5. Provide the names and addresses of all banks, lending institutions, and mortgage companies involved in the sale or rental of the property and/or that have an ownership interest in the property.

6. State the type of dwelling, or if vacant land is involved the type of dwelling intended to be constructed or located on such land identified in the complaint.

- a. _____ single-family house.
- b. _____ apartment complex.
- c. _____ dwelling containing four (4) or fewer separate living units.
- d. _____ office complex/ commercial real estate.
- e. _____ other, identify: _____

7. According to the categories listed in Question 6 above, identify all other properties owned by the legal owner of the property identified in the charge. Provide the exact address of each such property.

8. If the property in question is a single-family house, provide the following information:
a. Was the house sold _____ or rented _____ or for sale _____ or rent _____ on or about the time period referenced in the complaint?

b. (I) Were you and/or the legal owner the most recent resident at the time of the sale or rental? Yes _____ No _____

(II) If 'no' was the house sold or rented more than once in the twenty-four (24) month period preceding the date of the complaint? Yes _____ No _____. How many times? _____

c. Do you:

(I) Own the house? Yes _____ No _____

(II) Have any ownership interest in the title to the house? Yes _____ No _____

(III) Have such rights to proceed from the sale or rental of such house?
Yes _____ No _____

d. In the twenty-four (24) month period preceding the date of the complaint:

(I) Was the house sold or rented with the use of the sales or rental facilities of a licensed real estate broker, agent, or salesperson, or its agents or employees? Yes _____ No _____.

(II) If "yes" state the name and address of all such brokers, agents, salespeople, or other individuals and entities:

(III) Was the house advertised for sale or rental? Yes ____ No ____

(IV) If "yes" provide any and all publications, notices, postings, and other materials used.

9. If the property in question is an apartment complex provide the following information:

a. Was the dwelling in question a:

- ____ Studio apartment?
- ____ One bedroom apartment?
- ____ Two bedroom apartment?
- ____ Three bedroom apartment?
- ____ Four bedroom apartment?
- ____ Other? Identify: _____

b. For each type of dwelling unit below, provide the number of each such unit with the apartment complex and rental rate for each unit at the time of the complaint.

	Number of units	Rental Rate
____ Studio apartment?	_____	\$ _____
____ One bedroom apartment?	_____	\$ _____
____ Two bedroom apartment?	_____	\$ _____
____ Three bedroom apartment?	_____	\$ _____
____ Four bedroom apartment?	_____	\$ _____
____ Other, Identify:	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

10. If the property in question is a dwelling containing four or fewer separate living units, provide the following information:

- a. How many separate living units does this dwelling contain? _____
- b. Are the living quarters occupied or intended to be occupied by persons independently of each other? Yes _____ No _____
- c. Does Respondent and/or legal owner maintain and occupy one (1) of the living quarters as his or her residence? Yes _____ No _____

11. a. State Respondent's legal status and/or legal status of Respondent's organization, i.e. corporation, partnership, tax-exempt, non-profit, etc.

b. If incorporated, identify the state of incorporation:

c. If a partnership, state whether it is a general or a limited partnership:

d. If a general partnership, identify all partners. If a limited partnership, identify all general partners:

12. Is your organization:

a. a religious organization, association, or society? Yes _____ No _____

b. a nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society? Yes _____ No _____

c. a private club not open to the public? Yes _____ No _____

13. If you answered "yes" to any or all Questions "12a" through "12c" above, provide the following information:

a. What is your organization's policy regarding the sale or rental of its dwelling(s) to or occupancy by its members?

b. What is your organizations specific criteria for membership?

c. Does your organization give preference in the sale, rental, and/or occupancy of its dwelling to its member? If so, what is your policy and procedure for implementing this preference? Yes _____ No _____

d. Are any of your organization's dwellings owned or operated for commercial purposes? Yes _____ No _____

14. Do you or your organization receive any federal, state, and/or local subsidies, loans, grants, or other financial assistance? If so, state the specific program(s) from which you or your organization receive such assistance and the type and amount of such assistance?

15. State all federal and state and/or local licensing agencies, regulatory agencies associations, institutions, and other governing entities under which you or your organization are regulated or controlled. Provide all laws, regulations, codes, and other authority governing such entities.

RP/juris: Rev 4/95