

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY
124 Halsey Street, 5th Floor
Newark, New Jersey 07101
Attorney for the New Jersey Division on Civil Rights

By: Megan J. Harris
Deputy Attorney General
Attorney Id No. 021912001
(973) 648-7819

CHRISTOPHER S. PORRINO, Attorney General of : SUPERIOR COURT OF NEW JERSEY
New Jersey, and CRAIG SASHIHARA, Director, : CHANCERY DIVISION: UNION COUNTY
New Jersey Division on Civil Rights, :
: DOCKET NO. _____
: Plaintiffs, :
: v. : CIVIL ACTION
: :
WILLIAM AND OTHILIA GREDA, and MAPLE : COMPLAINT
GARDEN, LLC, :
: Defendants. :

Christopher S. Porrino, as Attorney General of New Jersey, having offices at 25 Market Street, Trenton, New Jersey, and 124 Halsey Street, Newark, New Jersey; and Craig Sashihara, as Director of the New Jersey Division on Civil Rights, having offices at 31 Clinton Street, Newark, New Jersey, 140 East Front Street, Trenton, New Jersey, 5 Executive Campus, Cherry Hill, New Jersey, and 1325 Boardwalk, Atlantic City, New Jersey, allege the following:

JURISDICTION AND PARTIES

1. Plaintiffs Christopher S. Porrino, Attorney General of New Jersey (the “Attorney General”), and Craig Sashihara, Director of the New Jersey Division on Civil Rights (the “Director”), are charged with administering and enforcing the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to 49 (the “LAD”).

2. Pursuant to the foregoing duties, the New Jersey Division on Civil Rights (the “Division”) took the Verified Complaint of F.F. (“F.F.” or “Complainant”), filed with the Division on February 23, 2016, and conducted an investigation into F.F.’s allegations that on February 23, 2016, Defendants William and Othilia Greda subjected her to unlawful discrimination, through William Greda’s refusal to show or rent F.F. an apartment on the basis of her religion.

3. The Division’s investigation revealed sufficient evidence to credit Complainant’s allegations and generated additional allegations of discriminatory conduct. The Attorney General and the Director file this action, on the basis of the Division’s investigative findings, seeking remedies for Complainant in the form of damages, and for the State of New Jersey in the form of equitable relief, penalties, and costs.

4. Defendants William and Othilia Greda are co-owners of a 17-unit apartment complex located at 715 Garden Street in Elizabeth, New Jersey, known as Maple Garden (“Maple Garden” or the “Property”). Upon information and belief, the Property was listed for sale at \$2,000,000.00 within the past several years, but is not currently on the market.

5. With respect to each incident alleged in this Complaint, William “Bill” Greda (hereinafter “Greda”) was the individual answering phone inquiries regarding available units at Maple Garden and meeting with prospective tenants at Maple Garden.

6. Upon information and belief, Maple Garden, LLC is the name of the corporate entity to which Greda sold the Property on or about April 3, 2016, after being served with the Verified Complaint of F.F. on March 19, 2016. Greda is the registered agent of Maple Garden, LLC, which was incorporated on or about March 23, 2016. Greda received a mere \$1.00 in exchange for the Property.

FACTUAL ALLEGATIONS

7. On or before February 22, 2016, Defendants posted an advertisement on the website craigslist.org, soliciting applicants for a one-bedroom apartment at Maple Garden (the “ad” or the “craigslist ad”). Rent for the available apartment was listed as \$920.00 per month, which included heat, hot water, and gas. The ad directed those interested to call “Bill” and provided a telephone number.

8. On or about February 22, 2016, Complainant, who is female and Muslim, saw the craigslist ad and called the number provided.

9. Complainant spoke with Greda and made an appointment to view the apartment the following day, February 23, 2016, at 10:30 a.m.

10. Complainant arrived at Maple Garden on February 23, 2016, accompanied by a male friend. Complainant was wearing a khimar, which is a head covering or head scarf worn by some Muslim women. During the Division’s investigation, Complainant stated that it is her religious practice to wear a head scarf and to dress conservatively.

11. Complainant told the Division that shortly after Greda escorted her and the friend who accompanied her into the building at Maple Garden, Greda turned around toward her and asked, “Are you Muslim?” When Complainant replied affirmatively, she said Greda stated, “I don’t rent to Muslims,” and asked Complainant and her friend to leave.

12. There was a brief disagreement between the three individuals present, which according to Complainant, concerned Greda’s statement “I don’t rent to Muslims,” and his request that Complainant and her friend leave the Property.

13. Complainant captured a portion of the disagreement on video with her cell phone camera. The video captures Complainant repeatedly asking Greda “You don’t wanna

rent to me because I'm Muslim?" Greda does not answer. As Complainant and her friend leave the building as requested, the camera moves away from Greda, who is picking up a coffee cup from the staircase and handling his cell phone. The video then shows Greda standing in the doorway to the building, holding the coffee cup, as Complainant and her friend are outside walking away.

14. Complainant told the Division that she and her friend left the Property shortly after Greda's alleged statement regarding Muslims, without viewing an apartment.

15. Complainant reported the incident to the Elizabeth Police Department after she left Maple Garden on February 23, 2016. The Elizabeth Police Department generated an investigation report but determined that the incident was a civil matter.

16. Complainant also reported the incident to the Division on the same day, and visited the Division's Newark office the following day, February 24, 2016, to sign a verified complaint (the "Verified Complaint") and relate the alleged incident in person to a Division investigator.

17. The Division commenced an investigation after F.F. signed the Verified Complaint. Pursuant to the investigation, on or about March 16, 2016, the Division viewed another advertisement on craigslist.org for an available apartment at Maple Garden. The March 16, 2016 advertisement listed the same telephone number used by F.F. to contact Greda on February 23, 2016. A female DCR Investigator ("Tester 1") called the number, spoke with Greda, learned that a studio apartment was available, and set up a viewing appointment for the same day.

18. Tester 1 arrived for the appointment on time, accompanied by a male DCR Investigator ("Tester 2"), and wearing a head scarf. Tester 1 wore a head scarf in order to

appear Muslim. The Division deemed both Tester 1 and Tester 2 suitable to appear as individuals who, like Complainant, are of Middle Eastern descent and Muslim.

19. Tester 1 and Tester 2 did not see anyone upon arrival at the Property and could not gain access to the building. After walking around the building, Testers 1 and 2 saw Greda standing in the parking lot, looking back at them. Tester 2 approached and asked Greda twice if he was “Bill.”

20. After the second or third time Greda was asked whether he is “Bill,” he nodded his head affirmatively. Tester 1 then approached Greda and introduced herself using a Muslim name. Testers 1 and 2 both reported that Greda was fixated on Tester 1 and stared at her in a stunned manner while uttering one-word answers to questions.

21. Greda led Testers 1 and 2 into the building and showed them a basement-level, studio apartment. Tester 1 expressed interest and requested a rental application. Greda retrieved an application but then refused to give it to Tester 1, stating, “[the apartment] is not good for you.” When Tester 1 questioned why, Greda replied because she is a woman and would need to lift things up on bricks in case of flooding. Tester 1 reported the impression that Greda intended to discourage her from pursuing the rental, but she nonetheless told Greda she had to see another apartment and would be in contact again. Testers 1 and 2 then left the Property without an application.

22. Approximately 90 minutes after Testers 1 and 2 departed the Property, another female Division employee (“Tester 3”) called Greda posing as an individual looking for an apartment. Tester 3 made an appointment with Greda for later that day (March 16, 2016). Greda informed Tester 3 during the call that the apartment had damage from Super

Storm Sandy, but did not discourage her from making the appointment or mention possible flooding.

23. Tester 3 arrived at the Property accompanied by a female Division investigator (Tester 4). Tester 3 did not wear a head scarf or otherwise present herself as Muslim, nor did Tester 4 present herself as Muslim.

24. Tester 3 called Greda from a cell phone when she arrived at the Property and Greda opened the front door. Greda showed Tester 3 and Tester 4 the same basement-level, studio apartment that was shown to Testers 1 and 2 earlier that day. Greda did not mention flooding or the apartment's suitability for a woman with Testers 3 and 4 (both female). He nodded in response to several questions and Testers 3 and 4 left the Property, with Tester 3 stating to Greda that she would be in contact again.

25. Following visits to the Property from Testers 1 through 4 on March 16, 2016, the Division continued its investigation.

26. During the Division's investigation, Defendants William and Othilia Greda (hereinafter the "Gredas") made several unsupported claims in explanation of Greda's refusal to rent or show an apartment to Complainant. For one, the Gredas claimed that Complainant (who is single and does not have children) requested, during her visit to the Property on February 23, 2016, to have her "husband or male companion," her mother-in-law, and two children live with her in the available, one-bedroom apartment. The Gredas claimed that after William Greda stated to Complainant that five people could not occupy the one-bedroom apartment, Complainant's friend began punching Greda and threatened to kill him.

27. The video Complainant presented to the Division, which appears to partially capture the February 23, 2016 encounter as Complainant and her friend peaceably leave the

Property and stand outside, belies Greda's allegations. The video also captures Greda retrieving a cup of coffee from the staircase and calmly putting away his phone as Complainant and her friend leave the building, rather than trying to summon assistance or otherwise showing signs of distress.

28. The Gredas also claimed during the Division's investigation that there were past and current Muslim tenants at the Property. The Gredas could not, however, provide any supporting evidence or contact information for such tenants.

29. Ultimately, the Division's investigation revealed that Complainant's allegations were credible. Moreover, the Division's investigation revealed no legitimate, nondiscriminatory reason for refusing to show Complainant an apartment on February 23, 2016, or refusing to consider renting an apartment to Complainant. The credible evidence, including the outcome of the testing the Division conducted on March 16, 2016, supported Complainant's allegations that she was turned away from the Property on the basis of her religion.

30. On March 18, 2016, the Division sent the Verified Complaint of F.F. to both addresses on file for Defendants (one at the Property and the other located in Whitehouse Station, New Jersey) via United Parcel Service next day delivery. Defendants received the Verified Complaint, but returned both parcels to UPS, who in turn sent the parcels back to the Division. The parcel sent to Whitehouse Station was marked "Receiver Did Not Want, Refused Delivery. Original Receiver: Greda and William Othilia." The parcel sent to the Property was simply marked "Return" and appeared to have been shipped back to the Division from a drugstore in Elizabeth.

31. On April 5, 2016, Division investigators attempted to personally serve Defendants with the Verified Complaint at the Property. They rang the doorbell of the apartment number on file as Defendants' address, but no one answered.

32. On April 6, 2016, the Division mailed copies of the Verified Complaint via regular and certified mail to both addresses on file for Defendants. The mailings were not returned.

33. On April 18, 2016, the Division received a Notice of Appearance from an attorney representing William and Othilia Greda, accompanied by an Answer to the Verified Complaint.

COUNT I

DEFENDANTS REFUSED TO RENT TO F.F. WHOLLY OR PARTIALLY ON THE BASIS OF HER CREED IN VIOLATION OF N.J.S.A. 10:5-12g(1)

34. Plaintiffs repeat the allegations set forth in the preceding paragraphs of this Complaint as though set forth fully herein.

35. On February 23, 2016, Defendants refused to rent real property to F.F. on the basis of her creed in violation of N.J.S.A. 10:5-12g(1). Specifically, Defendant William Greda inquired whether F.F. is Muslim, stated that he does not rent to Muslims, and asked F.F. to leave the Property.

36. Each instance of refusing to rent real property on the basis of creed is a separate violation of N.J.S.A. 10:5-12g(1) and renders Defendants liable for all damages suffered as a result.

37. Each instance of refusing to rent real property on the basis of creed is a separate violation of N.J.S.A. 10:5-12g(1) and cause for the assessment of a civil monetary penalty pursuant to N.J.S.A. 10:5-14.1a and attorney's fees pursuant to N.J.S.A. 10:5-27.1.

38. The willful and egregious manner in which Defendants refused to rent real property to F.F. on the basis of her creed is cause for the assessment of punitive damages.

COUNT II

DEFENDANTS MADE AN INQUIRY OF SPECIFICATION AS TO CREED IN CONNECTION WITH THE RENTAL OF REAL PROPERTY IN VIOLATION OF N.J.S.A. 10:5-12g(3)

39. Plaintiffs repeat the allegations set forth in the preceding paragraphs of this Complaint as though set forth fully herein.

40. On February 23, 2016, in connection with the rental of real property, Defendant William Greda asked F.F. to specify her creed, which inquiry is a violation of N.J.S.A. 10:5-12g(3). Specifically, before showing an apartment to F.F., Greda asked F.F., “Are you Muslim?”

41. Each instance of making an inquiry of specification as to creed is a separate violation of N.J.S.A. 10:5-12g(3) and renders Defendant liable for all damages suffered as a result.

42. Each instance of making an inquiry of specification as to creed is a separate violation of N.J.S.A. 10:5-12g(3) and cause for the assessment of a civil monetary penalty pursuant to N.J.S.A. 10:5-14.1a and attorney’s fees pursuant to N.J.S.A. 10:5-27.1.

43. The willful and egregious manner in which Defendant requested that F.F. specify her creed is cause for the assessment of punitive damages.

COUNT III

DEFENDANTS MADE A STATEMENT EXPRESSING DISCRIMINATION AS TO CREED IN VIOLATION OF N.J.S.A. 10:5-12g(3)

44. Plaintiffs repeat the allegations set forth in the preceding paragraphs of this Complaint as though set forth fully herein.

45. On February 23, 2016, in connection with the rental of real property, Defendant William Greda made a statement expressing discrimination as to creed, which statement is a violation of N.J.S.A. 10:5-12g(3). Specifically, Greda stated to F.F., “I don’t rent to Muslims.”

46. Each instance of making a statement expressing discrimination as to creed is a separate violation of N.J.S.A. 10:5-12g(3) and renders Defendant liable for all damages suffered as a result.

47. Each instance of making a statement expressing discrimination as to creed is a separate violation of N.J.S.A. 10:5-12g(3) and cause for the assessment of a civil monetary penalty pursuant to N.J.S.A. 10:5-14.1a and attorney's fees pursuant to N.J.S.A. 10:5-27.1.

48. The willful and egregious manner in which Defendant Greda expressed to F.F. a discriminatory practice as to her creed is cause for the assessment of punitive damages.

COUNT IV

DEFENDANTS MADE A STATEMENT EXPRESSING DISCRIMINATION AS TO GENDER IN VIOLATION OF N.J.S.A. 10:5-12g(3)

49. Plaintiffs repeat the allegations set forth in the preceding paragraphs of this Complaint as though set forth fully herein.

50. On March 16, 2016, in connection with the rental of real property, Defendant William Greda made a statement expressing discrimination as to gender, which statement is a violation of N.J.S.A. 10:5-12g(3). Specifically, Greda stated to Tester 1 that the available apartment was not suitable for her as a woman.

51. Each instance of making a statement expressing discrimination as to gender is a separate violation of N.J.S.A. 10:5-12g(3) and renders Defendant liable for all damages suffered as a result.

52. Each instance of making a statement expressing discrimination as to gender is a separate violation of N.J.S.A. 10:5-12g(3) and cause for the assessment of a civil monetary penalty pursuant to N.J.S.A. 10:5-14.1a and attorney's fees pursuant to N.J.S.A. 10:5-27.1.

COUNT V

DEFENDANTS TRANSFERRED MAPLE GARDEN WITH THE INTENT TO HINDER, DELAY, OR DEFRAUD PLAINTIFFS IN VIOLATION OF N.J.S.A. 25:2-25(a)

53. Plaintiffs repeat the allegations set forth in the preceding paragraphs of this Complaint as though set forth fully herein.

54. At the time Greda transferred the Property on April 3, 2016, he was aware of the Verified Complaint and that legal action was being taken or threatened against him and the co-owner of the Property, Othilia Greda.

55. Greda transferred the Property to an entity, Maple Garden, LLC, that he created. Upon information and belief, Greda currently controls Maple Garden, LLC. Greda, therefore, retained possession and control of the Property after transfer.

56. Greda received \$1.00 in exchange for the Property, which has been listed for sale at \$2,000,000.00 within the past several years.

57. Each instance of transferring real estate with knowledge of legal action taken or threatened against the owner, and through a transfer whereby the owner (a) retains possession or control of the property, and (b) does not receive consideration reasonably equivalent to the value of the real estate, is a violation of N.J.S.A. 25:2-25(a).

58. Each violation of N.J.S.A. 25:2-25(a) is cause for the imposition of all equitable remedies necessary to ensure satisfaction of Plaintiffs' claims, including an injunction against further disposition of the Property by Defendants and entry of judgment against Maple Garden for all amounts the Gredas, jointly or individually, are adjudged liable.

DEMAND FOR RELIEF

ACCORDINGLY, Plaintiffs petitions this Court for judgment as follows:

- (a) Finding that Defendants committed the acts or omissions set forth in this Complaint;
- (b) Finding that such acts or omissions constituted violations of the LAD;
- (c) Granting Plaintiffs appropriate equitable relief against Defendants to redress violations of the LAD, including but not limited to, reporting and monitoring of Defendants' rental practices and policies;
- (d) Granting Plaintiffs appropriate equitable relief against Defendants to redress the fraudulent transfer of the Property and ensure that the Property or its value is available for the satisfaction of Plaintiffs' claims, including but not limited to an injunction against further disposition of the Property and entry of judgment against Maple Garden for all amounts the Gredas, jointly or individually, are adjudged liable
- (e) Awarding F.F. the costs incurred as a result of Defendants' actions, damages for mental and emotional distress, and any other damages associated with Defendants' unlawful conduct;
- (f) Assessing punitive damages against Defendants for the willful nature of their conduct in violation of the LAD;
- (g) Assessing Defendants a civil monetary penalty for each violation of the LAD in accordance with N.J.S.A. 10:5-14.1a.;
- (h) Granting Plaintiffs attorney's fees, expenses, and costs in accordance with N.J.S.A. 10:5-27.1.

- (i) Affording F.F., Plaintiffs, and other affected parties any additional relief the Court may deem just and equitable.

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: _____
Megan J. Harris
Deputy Attorney General

Dated: October ____, 2016

RULE 4:5-1(b)(2) CERTIFICATION

I certify that other than as specified herein, Plaintiffs in this matter have not initiated any other civil action in any court of this State against Defendants and are not now engaged in any arbitration proceeding against Defendants, nor is any other civil action or arbitration proceeding contemplated. This complaint subsumes the Verified Complaint F.F. filed with the Division on February 23, 2016 against Defendants William and Othilia Greda, and there will be no administrative proceedings related to the Verified Complaint while this action is pending. I certify that Plaintiffs are not aware of any other party who should be joined in this action at the current time.

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: _____
Megan J. Harris
Deputy Attorney General

Dated: October _____, 2016

JURY DEMAND

Pursuant to N.J.S.A. 10:5-13, Plaintiffs demand a jury trial for all claims brought under the LAD and any other issues triable by a jury.

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: _____
Megan J. Harris
Deputy Attorney General

Dated: October ____, 2016

DESIGNATION OF TRIAL COUNSEL
PURSUANT TO R. 4:5-1(c)

Deputy Attorney General Megan J. Harris is hereby designated as trial counsel for
this matter.

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: _____
Megan J. Harris
Deputy Attorney General

Dated: October _____, 2016

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to R. 4:10-2(b), demand is made upon Defendants, with the service of this Complaint, that they disclose to Plaintiffs whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or indemnify or reimburse such Defendants for payments to satisfy any judgment rendered herein and provide Plaintiffs with those insurance agreements or policies, including, but not limited to, all and any declaration sheets. This demand shall include not only primary coverage, but also any excess, catastrophe, and umbrella policies.

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: _____
Megan J. Harris
Deputy Attorney General

Dated: October ____, 2016