
JERRICA SPENCE, :
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 : NEW JERSEY OFFICE OF
 : ADMINISTRATIVE LAW
 :
 Complainant, :
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 v. : DOCKET NO. CRT 15928-2016N
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 BROOKS-SLOATE TERRACE COOPERATIVE :
 ASSOCIATION, INC. and COLONIAL MUTUAL :
 HOUSING CORPORATION, :
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 Respondents. :
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Pursuant to the authority granted to the Director of the New Jersey Division on Civil Rights (the "Director") by the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -49 (the "LAD"), and with the consent of Complainant Jerrica Spence ("Complainant" or "Spence"), whose complaint to the United States Department of Housing and Urban Development ("HUD"), alleging discrimination on the basis of disability against Brooks-Sloate Terrace Cooperative Association, Inc. and Colonial Mutual Housing Corporation ("Respondents"), was referred to the New Jersey Division on Civil Rights (the "Division"), and a complaint alleging the same filed with the Division on February 11, 2016 (the "Verified Complaint"), the Director has agreed with the parties to resolve all issues in controversy in this matter on the terms set forth in this Consent Order. Without admitting any of the allegations set forth in the Verified Complaint or the Division's July 29, 2016 Finding of Probable Cause, and for the purpose of avoiding further litigation, Respondents consent to the form and entry of this Consent Order.

IT IS, THEREFORE, ON THIS 27TH DAY OF FEBRUARY 2019, ORDERED AND AGREED AS FOLLOWS:

LAD COMPLIANCE AND POLICY

1. Respondents agree that all policies and decisions affecting persons seeking housing or the continuance of housing in New Jersey shall comply in full with the LAD. Respondents agree not to implement any policy or carry out any act that has the purpose or effect of discriminating against any person because of race, creed, color, national origin, ancestry, marital status, civil union status, domestic partnership status, pregnancy or breastfeeding, sex, gender identity or expression, affectional or sexual orientation, familial status, disability, liability for service in the Armed Forces of the United States, nationality, or source of lawful income used for rental or mortgage payments.

2. Within fifteen (15) days of the date this Consent Order is fully executed, Respondents agree to provide verification to the Division of a written nondiscrimination policy (the "Policy") reflecting the agreement herein to practice compliance with all provisions of the LAD and applicable to the real property located at 9 Christina Place, Paterson, New Jersey ("Brooks-Sloate Terrace"). Respondents will deliver a copy of the Policy to counsel for the Division, Deputy Attorney General Megan Harris, New Jersey Department of Law & Public Safety, 124 Halsey Street, P.O. Box 45029, Newark, New Jersey 07101.

3. The Policy will state that Respondents accept for consideration requests from current or prospective residents for reasonable accommodations of a disability, which will include accommodations of a disability of the named leaseholder, named owner or shareholder, or any person permitted to reside in a unit at Brooks-Sloate Terrace. With respect to requests for reasonable accommodations, the Policy will, at minimum, state the following: (a) that requests for reasonable accommodations are permissible and may include a request to keep an emotional support animal as an exception to Respondents' "No Pets" policy; (b) to whom such requests

should be addressed; (c) that if Respondents find the particular request or preferred accommodation to be an undue financial or administrative burden, Respondents may offer a reasonable, alternative accommodation; (d) that Respondents will ask questions or request additional information only where necessary and appropriate in order to evaluate the request and provide a timely response; (e) a response to the request will be provided within a reasonable period of time and no later than 30 days from receipt of the request, unless additional information is necessary; (f) all information received in relation to the request will be kept confidential unless disclosure is required by law; and (g) that each person requesting a disability accommodation may contact the New Jersey Division on Civil Rights, at 866-405-3050 or online at www.NJCivilRights.gov, if he or she believes the accommodation was wrongfully denied.

4. Within 30 days of the date this Consent Order is fully executed, Respondents will provide a copy of the Policy to each current leaseholder and shareholder at Brooks-Sloate Terrace and begin providing a copy of the Policy to each person who applies to become a tenant or shareholder at Brooks-Sloate Terrace.

RELEASE OF CLAIMS AGAINST COMPLAINANT AND
REINSTATEMENT TO THE SHAREHOLDER WAITING LIST

5. Upon full execution of this Consent Order, Respondents hereby release all potential claims against Jerrica Spence for rent arrears, property damage, pet fees, legal fees, or any other expense related to or arising out of her tenancy at Brooks-Sloate from on or about April 1, 2015 to November 7, 2016. This provision supersedes any language or agreement to the contrary contained in the residential lease between Complainant and Respondents dated April 1, 2015.

6. Upon full execution of this Consent Order, and provided Jerrica Spence meets all applicable criteria established by the City of Paterson Housing Authority, Respondents agree to reinstatement of Jerrica Spence to the active waiting list for individuals and families who have

applied to become a shareholder/owner of a unit at Brooks-Sloate Terrace. Spence will have all attendant rights to be considered for shareholder status on the basis of Respondents' standard criteria. Nothing related to this action or the eviction action Respondents filed against Spence in 2016 will affect Spence's standing as an applicant or her eligibility to become a shareholder.

MONETARY PAYMENT

7. Respondents will pay to Complainant Jerrica Spence the sum of twenty-thousand dollars (\$20,000.00) in full resolution of the Verified Complaint and the allegations therein of unlawful discrimination. Within 15 days of the date this Consent Order is fully executed, a check made payable to "Jerrica Spence" will be delivered to Deputy Attorney General Megan Harris, New Jersey Department of Law & Public Safety, 124 Halsey Street, P.O. Box 45029, Newark, New Jersey 07101, for forwarding to Complainant.

8. Upon full execution of this Consent Order, Respondents are liable for the full amount of \$20,000.00. This Consent Order may be enforced as a judgment against Respondents for the full amount of \$20,000.00 plus interest and the costs of enforcement if payment is not made within the time set forth herein.

SUSPENDED STATUTORY PENALTY

9. If Respondents materially default on or violate any provision of this Consent Order, or if within two (2) years from the date this Consent Order is fully executed, Respondents receive an additional, adverse investigative finding from the Division as the result of an alleged violation of the LAD, Respondents will be liable to the Division for a penalty of ten-thousand dollars (\$10,000.00) in this matter, which amount will be in addition to the payment of \$20,000.00 to Complainant set forth above, and will not affect the Division's right to pursue monetary remedies as a result of the subsequent, investigative finding. If after expiration of a two-year period,

Respondents have complied with all terms of this Consent Order and have not received a subsequent, adverse investigative finding from the Division as the result of an alleged violation of the LAD, the suspended penalty will be automatically vacated by operation of this provision.

GENERAL PROVISIONS

10. Nothing in this Consent Order shall in any manner be construed to limit or affect the rights of any persons, other than the parties to this Consent Order, who may have a claim against Respondents or any individual or entity involved in this matter.

11. The parties to this Consent Order acknowledge that for the purpose of enforcement of this Consent Order, New Jersey law shall govern the terms and provisions herein.

12. As used in this Consent Order, the plural shall include the singular and the singular shall include the plural. In addition, “or” and “and” shall be interpreted conjunctively.

13. The parties to this Consent Order represent that a person authorized to sign a document legally binding each party to its terms has signed this Consent Order with full knowledge, understanding, and acceptance of its terms.

14. This Consent Order constitutes the entire agreement between the Director, Complainant, and Respondents, with respect to its subject matter. Any addition, deletion, or change to this Consent Order must be in writing and signed by all parties to be bound by such addition, deletion, or change.

15. The parties to this Consent Order have negotiated and fully reviewed its terms. Uncertainty or ambiguity shall not, therefore, be construed against the drafter.

16. This Consent Order is executed in settlement of the allegations made against Respondents in the above-captioned matter, and shall not be construed to otherwise limit the authority of the New Jersey Attorney General or the Director of the New Jersey Division on Civil

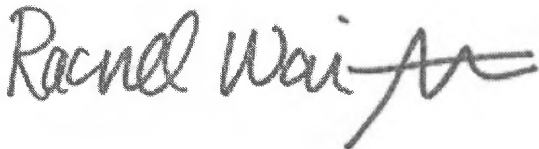
Rights to protect the interests of the State of New Jersey or the people of the State of New Jersey.

17. If any portion of this Consent Order is held invalid or unenforceable by operation of law, the remaining terms of this Consent Order shall not be affected.

18. This Consent Order shall be binding upon the parties to this agreement and their successors. In no event shall assignment of any right, power or authority avoid compliance with the terms of this Consent Order.

19. In the event that Respondents default on any provision of this Consent Order, Respondents consent to the entry of this Consent Order in New Jersey Superior Court for the purpose of enforcement.

20. Any signature required for the entry of this Consent Order may be executed in counterparts, each of which shall be deemed an original, but all of which shall together constitute one and the same Consent Order.



Rachel Wainer Apter
Director, New Jersey Division on Civil Rights

RESPONDENTS HEREBY CONSENT TO THE FORM, CONTENT, AND ENTRY OF THIS ORDER:

BROOKS-SLOATE TERRACE COOPERATIVE ASSOCIATION, INC.

Signature: _____

Print name: _____

Dated: _____

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Rachel Wainer Apter
Director, New Jersey Division on Civil Rights

RESPONDENTS HEREBY CONSENT TO THE FORM, CONTENT, AND ENTRY OF THIS ORDER:

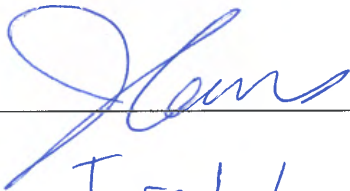
BROOKS-SLOATE TERRACE COOPERATIVE ASSOCIATION, INC.

Signature:  _____

Print name: Bobby Jacobs-Faison Vice President

Dated: 02/14/2019

COLONIAL MUTUAL HOUSING CORPORATION

Signature: 

Print name: Jared Lans, Attorney in Fact

Dated: 2/15/19

BROOKS-SLOATE MUTUAL HOUSING, INC. (SUCCESSOR ENTITY TO COLONIAL MUTUAL HOUSING CORPORATION)

Signature: _____

Print name: _____

Dated: _____

COMPLAINANT HEREBY CONSENTS TO THE FORM, CONTENT, AND ENTRY OF THIS ORDER:

Signature: _____

Print name: _____

Dated: _____

COLONIAL MUTUAL HOUSING CORPORATION

Signature: _____

Print name: _____

Dated: _____

BROOKS-SLOATE MUTUAL HOUSING, INC. (SUCCESSOR ENTITY TO COLONIAL MUTUAL HOUSING CORPORATION)

Signature: ~~Shawn~~ ^{error} Shawn Quack _____

Print name: Shawn Quack _____

Dated: 2/13/19 _____

COMPLAINANT HEREBY CONSENTS TO THE FORM, CONTENT, AND ENTRY OF THIS ORDER:

Signature: J Spence _____

Print name: Jerrica Spence _____

Dated: 2/20/19 _____