



## **HOUSING DISCRIMINATION CASE SETTLES FOR \$80,000**

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Mary Marsh, an African American DeForest resident, has successfully settled a race discrimination complaint against Lee W. Merrick, a Dane County landlord. Marsh's complaint, filed with the US Department of Housing and Urban Development (HUD) in March of this year, settled for \$80,000. Marsh's is the largest settlement ever reached by an individual client of the Metropolitan Milwaukee Fair Housing Council and its satellite office, the Fair Housing Center of Greater Madison.

Marsh's complaint stemmed from a series of interactions in which she was given false information about the availability of an apartment owned by Merrick. Marsh inquired about a Marshall duplex for rent on January 18, 2005. She was told she could come see the apartment that day, but when she arrived at Merrick's office to see the apartment, one of his employees told Marsh it had been rented. She called again on January 24, and this time was told the apartment was still available. Marsh made an appointment to see it, but when she arrived, no one was available to show her the apartment. When she called on January 27 to ask why her appointment had not been kept, Merrick's employee told her that the apartment was rented "today".

Marsh contacted the Metropolitan Milwaukee Fair Housing Council, filed a complaint and received counseling on her options for legal remedy. The Fair Housing Center of Greater Madison conducted an investigation into Marsh's complaint. During the course of the investigation, Merrick's agent told a white tester that Merrick was prejudiced against African Americans. The agent went on to say that although "we've had quite a few black people call," Merrick had instructed his employees to tell African American home seekers that apartments had been rented even when they were still available.

Attorney David Sparer, of Herrick & Kasdorf, L.L.P, represented Marsh. According to Sparer, “the Fair Housing Center’s testing is critically important to successful prosecution of people who violate the fair housing laws. Testing evidence made all the difference in successfully settling this case.”

Lee W. Merrick owns numerous rental properties as well as Little A-Merrick-A, the Marshall amusement park. In addition to the monetary relief provided by the settlement, Merrick agreed to attend fair housing training, display a HUD fair housing poster in his office and use the phrase “Equal Housing Opportunity” in all advertising of rental property. Further, HUD will monitor Merrick’s rental practices for a period of two years.