



\$4500 Settlement Achieved in Complaint Alleging Discrimination Based on Familial Status

September 13, 2016 - John Osburn and Breanna Preston, of Pewaukee, have settled a housing discrimination complaint against the owners and managers of their apartment building on Morris Street. As part of the settlement agreement, John Westberry and Kathy Westberry, who manage the building, and the Chi Tung & Wei Peng Family Trust and the Samuel and Aileen Huang Family Trust, which own it, agreed to pay Osburn and Preston \$4,500.

In their complaint against the Westberrys and the Trusts, Osburn and Preston alleged discrimination on the basis of familial status. Shortly after moving into their second-floor apartment in September 2015, Osburn mentioned to John Westberry that his 7-year-old nephew would be visiting overnight. Westberry objected, and pointed out a provision in their lease that read, "no kids allowed in upper apartments." This was also of grave concern to Preston, who anticipated having partial custody of a child in the future.

Osburn and Preston contacted the Metropolitan Milwaukee Fair Housing Council (MMFHC) and filed a complaint. MMFHC counseled them on their fair housing rights.

With assistance from MMFHC, Preston and Osburn filed housing discrimination complaints with the U.S. Department of Housing and Urban Development (HUD) and the Wisconsin Equal Rights Division (ERD). In March 2016, the ERD issued an initial determination in favor of Preston and Osburn, determining that there was probable cause to find that the respondents had violated fair housing law.

The complaints were ultimately settled through the HUD administrative process in July 2016. In addition to the \$4500 paid to Osburn and Preston, the settlement will permit them to end their lease early if they wish. Further, as part of the settlement, the Westberrys agreed to receive fair housing training and use a fair housing logo or the words "equal opportunity housing" in all advertising.