

**UNITED STATES OF AMERICA  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

The Secretary, United States Department of Housing and Urban Development, on behalf of <span style="background-color: black; color: red;">NAME REDACTED</span> and <span style="background-color: black; color: red;">NAME REDACTED</span> , Charging Party,	)	
	)	
	)	
v.	)	
	)	
Blossom Associates, LLC and Maryanne Hart, Respondents.	)	
	)	
	)	22-JM-0058-FH-001

**INITIAL DECISION AND CONSENT ORDER**

**I. BACKGROUND**

1. This matter arose from a complaint of discrimination filed by Complainants NAME REDACTED and NAME REDACTED (“Complainants”), on behalf of themselves and NAME REDACTED’s minor children, R.D. and A.D., on November 13, 2020, with the United States Department of Housing and Urban Development (“Department” or “HUD”) pursuant to the Fair Housing Act, 42 U.S.C. §§ 3601-19 (“Act”).
  
2. On December 16, 2021, the Department issued a Charge of Discrimination (“Charge”) against Blossom Associates, LLC and Maryanne Hart (“Respondents”) alleging violations of 42 U.S.C. §§ 3604(a) and (c), which prohibit the refusal to rent or negotiate to rent or otherwise make unavailable or deny a dwelling to any person because of familial status and making discriminatory statements regarding the rental of housing on the basis of familial status. Respondents deny any violations of the Act and all allegations in the Charge.
  
3. Complainants, Respondents, and the Department (“parties”) have agreed to resolve this matter without the need for a hearing before a HUD Administrative Law Judge (“ALJ”). The parties have consented to the entry of this Initial Decision and Consent Order (“Consent Order”) as indicated by their signatures below.

**II. GENERAL PROVISIONS**

4. The parties acknowledge that this Consent Order is a voluntary and full resolution of the disputed Charge. No party has been coerced or in any way forced to become a party to this Consent Order. The parties acknowledge that they have read and fully understand the significance of the provisions of this Consent Order and their obligations as set forth below.

5. It is understood that the execution of this Consent Order does not constitute an admission by the Respondents of any violation of the Act. The Respondents deny any violation of the Act and all allegations of fault, wrongdoing, or liability alleged in the Charge.

6. The parties agree that HUD shall file with the Office of Administrative Law Judges a Motion for Entry of an Initial Decision and Consent Order, along with this Initial Decision and Consent Order, after this document is executed by all parties.

7. This Consent Order is binding upon Respondents, their members, principals, owners, employees, successors, agents, assigns, and all others in active concert with them in the rental and management of the residential properties at issue in this matter located at ADDRESS REDACTED, Haverhill, Massachusetts 01830.

8. This Consent Order is a full settlement of all claims by Complainants that are in any way related to the allegations set forth in the Charge.

9. In consideration of the Respondents' execution of this Consent Order, the Complainants hereby forever waive, release, and discharge the Department, Respondents, and their attorneys, representatives, employees, and agents from any and all claims, causes of action, demands, fees, and liabilities of any kind, whether known or unknown, that Complainants have, have had, or may have concerning the subject matter of HUD ALJ No. 22-JM-0058-FH-001 and the events described in the Charge.

10. In consideration of the Complainants' execution of this Consent Order, the Respondents hereby forever waive, release, and discharge the Department, Complainants, and their attorneys, representatives, employees, and agents from any and all claims, causes of action, demands, fees, and liabilities of any kind, whether known or unknown, that Respondents have, have had, or may have concerning the subject matter of HUD ALJ No. 22-JM-0058-FH-001 and the events described in the Charge.

11. Pursuant to 24 C.F.R § 180.680, this Consent Order is a public document.

### III. RELIEF FOR COMPLAINANTS

12. Within 15 days of the effective date of this Consent Order, Respondents shall pay to Complainants a total of eleven thousand dollars (\$11,000.00) in full settlement of Complainants' claims for damages arising out of the allegations presented in the Charge. Respondents shall make such payment to Complainants by certified or cashier's check(s) payable to "NAME REDACTED" and send the check(s) to:

NAME REDACTED  
ADDRESS REDACTED  
Haverhill, MA 01832

13. Complainants acknowledge that they are responsible for any tax consequences arising from the payment described above. Respondents disclaim liability for any tax consequences and will file all tax documents required by the Internal Revenue Service.

#### **IV. RELIEF IN THE PUBLIC INTEREST**

14. Respondents, their agents, employees, successors and assigns as well as any other person in active concert or participation with any of them are hereby enjoined from discriminating in the sale or rental of a dwelling on the basis of familial status, as prohibited by the Act.

15. Within ninety (90) days of the effective date of this Consent Order, Respondent Maryanne Hart shall attend one of the following online educational programs: (1) Institute of Real Estate Management's FHS201 Fair Housing and Beyond; (2) National Center for Housing Management's Fair Housing Essentials; (3) The Fair Housing Institute's Fair Housing Training for Property Managers, The New Basics of Fair Housing; or (4) Fair Housing in a Flash. Respondent Hart is responsible for any and all costs associated with the aforementioned training. Proof of attendance of training must be submitted to:

Daniel Weaver, Regional Director  
U.S. Department of Housing and Urban Development  
Office of Fair Housing and Equal Opportunity  
10 Causeway Street, Room 308  
Boston, MA 02222

16. The Respondents shall include the following statement in all future rental advertisements:

“We comply with all federal and state fair housing laws and lead paint laws. Families welcome.”

#### **V. NONDISPARAGEMENT**

17. Complainants and Respondents agree that they shall refrain from making written or oral statements concerning this matter that are intended or reasonably expected to be viewed as disparaging of the character of any Complainant or Respondent in this case for the duration of this Consent Order. This provision shall not apply to any written or oral statements describing the terms of this Consent Order or made as part of any future judicial or administrative proceeding. Complainants and Respondents agree that a violation of this clause shall be deemed a material breach of this Consent Order entitling the harmed party to injunctive relief or damages.

#### **VI. REPORTING AND RECORD KEEPING**

18. During the term of this Consent Order, Respondents shall notify HUD of any formal complaint filed against them with a local, state, or federal agency regarding equal opportunity or discrimination in housing within ten (10) days of receipt of any such complaint. Respondents shall provide a copy of the complaint with the notification to HUD. Respondents shall provide such notification to:

Daniel Weaver, Regional Director  
U.S. Department of Housing and Urban Development  
Office of Fair Housing and Equal Opportunity

10 Causeway Street, Room 308  
Boston, MA 02222

## **VII. COMPLIANCE**

19. Upon breach of any provision of this Consent Order, HUD may refer this matter to the Department of Justice to petition the United States Court of Appeals for the First Circuit to enforce the Consent Order and for any other appropriate relief in accordance with 42 U.S.C. § 3612(j).

## **VIII. ADMINISTRATION**

20. This Consent Order is entered into pursuant to 42 U.S.C. § 3612(g)(3) and 24 C.F.R. § 180.450. This Consent Order will become effective and final thirty (30) calendar days from the date it is issued by the HUD ALJ or earlier, if affirmed by the Secretary within that time (“effective date”). 24 C.F.R. § 180.680(b).

21. The signatures of Complainants and Respondents on this Consent Order constitute a waiver of any right to withdraw their consent during the thirty-day period of review by the Secretary and a waiver of any right to challenge the validity of the Consent Order at any time.

22. This Consent Order shall remain in effect for a period of two (2) years from its effective date.

23. This Consent Order does not in any way limit or restrict HUD’s authority to investigate any other unrelated complaints involving Respondents made pursuant to the Act, or any other complaints within HUD’s jurisdiction.

24. If Respondents need an extension of time in order to satisfy a deadline provided in this Consent Order, such extension must be obtained in writing from counsel for the Department.

25. The signature of the parties to this Consent Order constitute a waiver of any right to apply for attorney fees or costs pursuant to 24 C.F.R. § 180.705. Each party is responsible for its own attorney fees and costs, if any.

26. The parties agree that in the interest of a prompt conclusion of this matter, the execution of this Consent Order may be accomplished by the parties’ signatures on separate pages of this Consent Order, with the signature pages and Consent Order to constitute one document to be filed with the Office of Administrative Law Judges. Signature pages may be provided by facsimile or electronic transmission.

## **IX. AGREEMENT OF THE PARTIES**

26. The parties below have read this Consent Order in HUDOHA 22-JM-0058-FH-001 and have willingly signed it with a full understanding of the rights it confers and the responsibilities it imposes upon them, as signified by their signature, or that of their counsel, below:  
[SIGNATURE PAGES TO FOLLOW]

**COMPLAINANTS:**

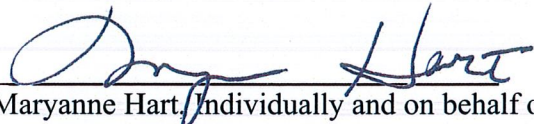
**NAME REDACTED**

Date: 4/18/2022

**NAME REDACTED**

Date: 4/18/2022

**RESPONDENTS:**



Maryanne Hart Individually and on behalf of  
of Blossom Associates, LLC

Date: 4/14/22

**FOR THE DEPARTMENT:**

*Derya Samadi*

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Derya Samadi  
Acting Regional Counsel for New England  
U.S. Department of Housing and Urban  
Development  
10 Causeway Street, Room 310  
Boston, MA 02222

Date: 4/18/22

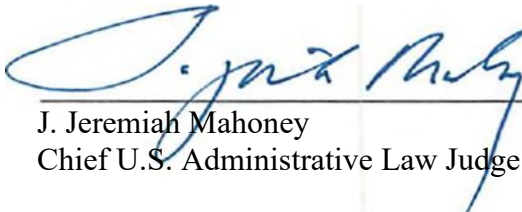
**X. ORDER OF THE COURT**

The foregoing order was presented to the undersigned Administrative Law Judge for approval on April 19, 2022. In accord with 24 C.F.R. § 180.450, the Administrative Law Judge shall accept a settlement agreement agreed to by the parties if he finds the agreement to be in the public interest, by issuing an Initial Decision and Consent Order.

After considering the record in its entirety, the undersigned Administrative Law Judge has independently determined that the agreement between the parties does not offend the public interest and it is approved. All parties have given their consent and signed the agreement incorporated in the foregoing Consent Order, which is hereby accepted and issued.

This Consent Order carries no precedential weight, as the matter has been reviewed solely to determine that the parties' settlement does not offend the public interest. No opinion is expressed on legal or policy statements contained herein, nor the form and quantum of the agreed relief.

So **ORDERED**, this 19<sup>th</sup> day of April 2022.



J. Jeremiah Mahoney  
Chief U.S. Administrative Law Judge



**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing **INITIAL DECISION AND CONSENT ORDER** issued by J. Jeremiah Mahoney, Chief Administrative Law Judge, in HUDOHA 22-JM-0058-FH-001 were sent to the following parties on this 19th day of April 2022, in the manner indicated:



**VIA EMAIL:**

Cinthia Matos, Docket Clerk

NAME REDACTED  
NAME REDACTED  
ADDRESS REDACTED

Complainants

Haverhill, Massachusetts 01832  
ADDRESS REDACTED  
ADDRESS REDACTED

Nicholas S. Guerrero  
Shaheen Guerrero & O’Leary, LLC  
820A Turnpike Street  
North Andover, Massachusetts 01845  
[nguerrera@sgolaw.com](mailto:nguerrera@sgolaw.com)

RES’ Counsel

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Shampagne Robinson  
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10 Causeway Street, Room 310  
Boston, MA 02222  
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[Shampagne.L.Robinson@hud.gov](mailto:Shampagne.L.Robinson@hud.gov)

Officials

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Amy M. Frisk  
Acting Deputy Assistant Secretary for Enforcement & Programs  
Denver, CO 80202  
[Amy.M.Frisk@hud.gov](mailto:Amy.M.Frisk@hud.gov)