

EQUAL OPPORTUNITIES COMMISSION
CITY OF MADISON
210 MARTIN LUTHER KING, JR. BOULEVARD
MADISON, WISCONSIN

Ebony Cooley
2418 Winnebago St Apt 401
Madison Wi 53704

Complainant

vs.

Carbon Apartments
2418 Winnebago Street
Madison WI 53704

Respondent

NOTICE OF HEARING

CASE NO. 20191127

Notice is hereby given that a hearing will be held in the above-entitled matter before the Hearing Examiner of the Madison Equal Opportunities Commission on the date and at the location listed below:

Date: October 12, 2021

Time: 9:00 a.m.

Location: Madison Municipal Building
215 Martin Luther King, Jr. Blvd., Room 206
Madison, Wisconsin

Parties and their attorneys are advised that they and their witnesses be available on the date listed and on the following day in the event that a second day of hearing is necessary. Arrangements to continue a hearing beyond a second day will be made as appropriate.

Issues to be determined at hearing:

1. Did the Respondent discriminate against the Complainant on the basis of her disability in the terms and conditions of housing specifically in the application of the late rent policy?

2. Did the Respondent discriminate against the Complainant on the basis of her lawful source of income in the terms and conditions of housing specifically in the application of the late rent policy?

3. Did the Respondent retaliate against the Complainant for her exercise of a right protected by the Ordinance in the terms and conditions of housing specifically in the application of the late rent policy?

4. Did the Respondent discriminate against the Complainant on the basis of her disability by failing or refusing to renew her lease?

5. Did the Respondent discriminate against the Complainant on the basis of her lawful source of income by failing or refusing to renew her lease?

6. Did the Respondent retaliate against the Complainant for her exercise of a right protected by the Ordinance by failing or refusing to renew her lease?

7. Did the Respondent retaliate against the Complainant for her exercise of a right protected by the Ordinance by turning off her utilities?

8. Did the Respondent discriminate against the Complainant on the basis of her familial status in its refusal to give her child access to her apartment when he was locked out?

9. Did the Respondent discriminate against the Complainant on the basis of her lawful source of income when it commenced an eviction action against her?

10. If discrimination or retaliation are demonstrated, to what damages, if any, is the Complainant entitled?

The foregoing is alleged to constitute a violation of Section 39.03(4) and (9) of the Madison General Ordinances.

You are hereby ordered and required to produce at the hearing any papers, records, or communications of any kind which may be relevant to the above mentioned matter. Necessary

witnesses should be informed and arrangements made for their presence. Witnesses may be subpoenaed, if necessary, by contacting our office.

The following procedures will be followed at this hearing:

1. Either party may be represented by counsel.
2. Proceedings are taped.
3. Each party is given an opportunity to make arguments, present evidence, examine witnesses, and cross examine witnesses of the other party.
4. Testimony shall be taken under oath.
5. The Rules of Evidence contained in Wisconsin Statutes, Section 227.45 shall be followed.

Respondent is required by Madison General Ordinances 39.03(10)(C)2.a to answer this Notice setting forth its position and its defenses within ten (10) days.

If the parties are not ready to proceed as of the date of the receipt of this notice, they must notify this office immediately. Postponements will be granted only for good cause. They will not be granted for the convenience of the parties. They will be granted within one week of the date of the hearing only where an emergency exists.

Attorneys should be cognizant of the provisions of Sec. 49.89, Wisconsin Statutes and any obligations they may have thereunder.

The Department of Civil Rights is a public body subject to the provisions of the Wisconsin Public Records Laws, Wis. Stats. §§19.31 through 19.37. In order to reduce the opportunity for theft of personally identifying information, it is recommended that parties redact or remove sensitive and personally identifying information such as Driver's License Numbers, Social Security Numbers and credit references from any submissions to the Department. Should the need arise, it will be the responsibility of the redacting party to provide the redacted or removed information if the Department of Civil Rights requires access to such information.

Signed and dated this 24 day of March, 2021.

EQUAL OPPORTUNITIES COMMISSION

A handwritten signature in black ink, appearing to read "Clifford E. Blackwell, III". The signature is written in a cursive style with a large initial "C" and "B".

Clifford E. Blackwell, III
Hearing Examiner