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From the Boston Business Journal:

<https://www.bizjournals.com/boston/news/2018/08/21/hud-charges-western-mass-real-estate-firm-with.html>

HUD charges Western Mass. real estate firm with housing discrimination

Aug 21, 2018, 5:45am EDT

The U.S. Department of Housing and Urban Development has issued a finding of discrimination against Pleasant Valley Estates in Granby and its management company, Bernashe Realty, for allegedly refusing to rent to people who use assistance animals.

The case, which names Diane Bernashe-Lecca and James Lecca, is in response to a complaint from the Mass Fair Housing Center. The organization investigated an ad posted by Bernashe Realty that

included terms such as "no dogs" and "no service animals," according to a statement from the Mass Fair Housing Center.

"After MFHC's fair housing tests indicated that Bernashe had a policy and practice of refusing to allow assistance animals for people with disabilities, it filed a housing discrimination complaint with HUD," the statement said. "HUD then conducted its own investigation of Bernashe Realty's practices, which revealed a pattern of ignoring or denying requests for assistance animals."

No one from Bernashe Realty could be reached for comment Monday.

The Fair Housing Act prohibits housing providers from denying or limiting housing to persons with disabilities, or refusing to make reasonable accommodations in policies or practices. This includes waiving no pet policies for assistance or service animals, according to a HUD press release.

The Mass Fair Housing Center said Bernashe Realty manages a 31-unit apartment complex, as well as a 15-unit complex in Granby.

"Bernashe Realty's policy and practice of refusing to rent to someone with an assistance or service animal is so extreme that it would improperly exclude an individual who is blind and needs a guide dog from renting an apartment," the statement said. "This violates the federal Fair Housing Act, which, since 1988, has given qualified individuals with disabilities the statutory right to a reasonable accommodation of a landlord's policy."

The statement continued: "It is well established that this includes the right to live with an assistance



A Granby real estate company has been charged with discriminating against people with disabilities who need service animals.

animal in public or private housing."

According to a HUD press release, a U.S Administrative Law Judge will hear the case unless any party elects to have the case heard in federal court.

"If an administrative law judge finds after a hearing that discrimination has occurred, he or she may award damages to the complainant for its losses because of the discrimination," according to the press release.

"The judge may also order injunctive relief and other equitable relief, as well as payment of attorney fees," the statement said. "In addition, the judge may impose civil penalties in order to vindicate the public interest. If the case is heard in federal court, the judge may also award punitive damages to the complainant."