

STATE OF INDIANA
CIVIL RIGHTS COMMISSION

DOCKET NO. Hofs11070417
HUD NO. 05-11-1250-8

JAMAL L. SMITH, in his official capacity as EXECUTIVE
DIRECTOR of the INDIANA CIVIL RIGHTS COMMISSION;

Complainant,

v.

GUY and CORDELIA EMBRY/ EMBRY RENTALS,

Respondents.

FILE DATED

MAR 23 2012

INDIANA CIVIL RIGHTS COMMISSION

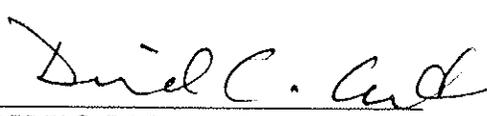
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On January 5, 2012, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

No objections have been filed to the ICRC's adoption of the proposed decision.

Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

INDIANA CIVIL RIGHTS COMMISSION


COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

Dated: 23 March 2012

To be served by first class mail on the following parties and attorneys of record:

Courtney Looker
Bryan Shockey, Jr.
303 Darby Street
Otterbein, IN 47909

Guy and Cordelia Embry/ Embry Rentals
740 East 725 North
Lafayette, IN 47906

BALL EGGLESTON PC
BY: Jason R. Ramsland, Esq.
Attorneys for Respondents Guy and Cordelia Embry/ Embry Rentals
210 Main Street, Suite 810
P.O. Box 1535
Lafayette, IN 47902-1535

and to be personally served on the following attorney of record:

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

JAMAL L. SMITH, in his official capacity as EXECUTIVE
DIRECTOR of the INDIANA CIVIL RIGHTS COMMISSION;

Complainant
FILE DATED

v.

FEB 20 2012

GUY and CORDELIA EMBRY/ EMBRY RENTALS,

INDIANA CIVIL RIGHTS COMMISSION

Respondents.

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

On February 17, 2012, Complainant– Jamal L. Smith, in his official capacity as Executive Director of the Indiana Civil Rights Commission (“the Director”) –and Respondents, Guy and Cordelia Embry/ Embry Rentals (“the Embrys”), filed their Joint Motion To Dismiss..

Having carefully considered the foregoing and being duly advised in the premises, the undersigned Administrative Law Judge for the Indiana Civil Rights Commission (“ICRC”) proposes that the ICRC enter the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. This proceeding began when Courtney Looker filed a complaint with the ICRC alleging that she had been denied an opportunity for housing by the Embrys because of familial status. HOUSING DISCRIMINATION COMPLAINT (July 22, 2011).

2. The Embry's denied that they committed unlawful discrimination. ANSWER (October 6, 2011).
3. The Joint Motion is expressly motivated by settlement.
4. There is no evidence of fraud, coercion, duress, or any other reason not to approve of the requested dismissal.
5. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

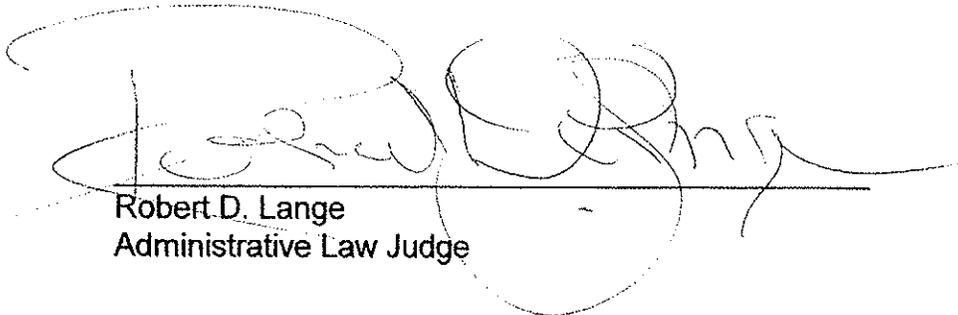
CONCLUSIONS OF LAW

1. The ICRC has jurisdiction over the subject matter and the parties.
2. Settlement is a favored resolution and should be encouraged.
3. Administrative review of this proposed decision may be obtained by the filing of a writing identifying with reasonable particularity each basis of each objection within 15 days after service of this proposed decision. IC 4-21.5-3-29(d).
4. Any Finding Of Fact that should have been deemed a Conclusion Of Law is hereby adopted as such.

ORDER

1. The Joint Motion To Dismiss is **GRANTED**.
2. The complaint is **DISMISSED**, with prejudice.

Dated: 20 February 2012


Robert D. Lange
Administrative Law Judge

To be served by first class mail this 20th day of February, 2012 on the following parties and attorneys of record:

Courtney Looker
Bryan Shockey, Jr.
303 Darby Street
Otterbein, IN 47909

Guy and Cordelia Embry/ Embry Rentals
740 East 725 North
Lafayette, IN 47906

BALL EGGLESTON PC
BY: Jason R. Ramsland, Esq.
Attorneys for Respondents Guy and Cordelia Embry/ Embry Rentals
210 Main Street, Suite 810
P.O. Box 1535
Lafayette, IN 47902-1535

and to be personally served this 20th day of February, 2012 on the following attorney of record:

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

and to be served by electronic mail this 20th day of February, 2012 on the following:

Indiana Civil Rights Commission
c/o Jamal L. Smith, Executive Director