

**STATE OF INDIANA
INDIANA CIVIL RIGHTS COMMISSION**

GREGORY L. WILSON, SR., in his official
capacity as EXECUTIVE DIRECTOR of the
INDIANA CIVIL RIGHTS COMMISSION,

Complainant,

vs.

GAMMA PHI BETA HOUSING
COOPERATION,

Respondent.

ICRC NO.: HOha18050295

HUD No.: 05-18-1521-8

DATE FILED

MAR 15 2019

ICRC
COMMISSION

FINAL ORDER

On February 25, 2019, Hon. Caroline A. Stephens Ryker, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC") issued her Initial Findings of Fact, Conclusions of Law, and Order ("Order"). The parties had opportunity to object to the Order; neither party objected. With no objection or intent to review on record, the Commission shall affirm the Order. IC 4-21.5-3-29(c). After consideration of the record in this matter and the Order,

THE COMMISSION HEREBY ORDERS:

1. The findings of fact and conclusions of law as stated in the Order, a copy of which is attached hereto, are incorporated herein by reference. IC 4-21.5-3-28(g)(2)
2. The Order is AFFIRMED under IC 4-21.5-3-29 and hereby becomes the Final Order disposing of the proceedings. IC 4-21.5-3-27(a)

Either party to a dispute filed under IC 22-9 may, not more than thirty (30) days after the date of receipt of the Commission's final appealable order, appeal to the court of appeals under the same terms, conditions, and standards that govern appeals in ordinary civil actions. IC 22-9-8-1.

ORDERED by the Commission the majority vote of 5 Commissioners on March 15th, 2019

Adrienne A. Slash, Adrienne Slash, Chair

Certificate of Service

Served this 15 day of March by United States Mail on the following:

Samantha Diefenbacher
430 West Wood Street
Room 532
West Lafayette IN 47906

Holly Couch
Gamma Phi Beta
810 David Ross Road
West Lafayette, IN 47906

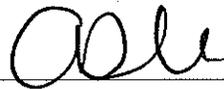
Delta Lota Chapter of Gamma Phi Beta Inc.
c/o Registered Agents, Inc., Registered Agent
117 Broadway, Suite 100
Chesterton, IN 46304

Beck, Jeffrey S. and Tareen Zafrullah
Faegre Baker Daniels
300 North Meridian Street, Suite 2700
Indianapolis, IN 46204

and to be personally served on the following:

Frederick S. Bremer, Esq.; Staff Counsel
Indiana Civil Rights Commission
Indiana Government Center North
100 North Senate Avenue, Room N300
Indianapolis, IN 46204-2255

Gregory Wilson, Executive Director
Indiana Civil Rights Commission
100 North Senate Avenue, Room N300
Indianapolis, IN 46204-2255



Docket Clerk,
Anehit Eromosele

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FEB 25 2019

OFFICE OF THE
ADMINISTRATIVE JUDGE

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

On February 22, 2019, Executive Director Gregory L. Wilson, Sr. ("Complainant") by counsel and Delta Iota Chapter of Gamma Phi Beta, Inc. ("Respondent") by counsel (collectively referred to herein as "the Parties") filed with the Indiana Civil Rights Commission ("Commission") their "Joint Stipulation of Dismissal with Prejudice" ("Stipulation").

Having carefully considered the foregoing and being duly advised in the premises, the undersigned ALJ for the Indiana Civil Rights Commission ("ICRC") issues the following initial findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. The Aggrieved Party filed a Complaint of Discrimination with the ICRC on May 18, 2018 against Respondent, alleging unlawful housing discrimination on the basis of disability in a violation of the Indiana Civil Rights Law, Ind. Code 22-9 ("the ICRL") and the Indiana Fair Housing Act, Ind. Code 22-9.5 ("the IFHA").

2. On November 2, 2018, the ICRC Deputy Director issued a Notice of Finding, finding reasonable and probable cause to believe a violation of the IFHA and ICRL had occurred.

3. On February 22, 2019, the Complainant and Respondent requested, in writing, that the complaint be dismissed by way of their Joint Stipulation of Dismissal With Prejudice.

4. The Parties jointly filed their Stipulation before a hearing on the record had begun.

5. There is no evidence of fraud, coercion, duress, or any other reason not to grant the requested dismissal.

6. Any Conclusion of Law that should have been deemed a Finding of Fact is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and the Parties.

2. The Parties did not file a "...agreement resolving the charge..." or a "consent agreement" requiring approval by and signature of a majority of the commissioners and enforceable as a final order. 910 IAC 2-7-9; IC 22-9-1-6(o); 910 IAC 1-3-4.

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 fifteen (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 Parties' Joint Stipulation of Dismissal with Prejudice is **GRANTED**.

2. Complainant's Complaint of Discrimination is **DISMISSED**, with prejudice.

3. All previously set deadlines, conferences, and hearings are hereby **VACATED**.

Dated this 25th of February, 2019



Hon. Caroline A. Stephens Ryker
Administrative Law Judge
Indiana Civil Rights Commission
100 North Senate Avenue, Room N300
Indianapolis, IN 46204-2255
Anehta Eromosele, Docket Clerk
317/234-6358

Certificate of Service

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Indiana Civil Rights Commission
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