

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF HEARINGS AND APPEALS

Secretary, United States	:	
Department of Housing and Urban	:	
Development, on behalf of	:	
NAME REDACTED and	:	
NAME REDACTED	:	
her minor aggrieved child,	:	
	:	OHA No.
Charging Party,	:	
	:	
v.	:	FHEO No. 03-19-2531-8
	:	
Allen Woodcock and	:	
Heidi Woodcock,	:	
	:	
Respondents.	:	
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CHARGE OF DISCRIMINATION

I. JURISDICTION

NAME REDACTED (“Complainant”) timely filed a Complaint with the United States Department of Housing and Urban Development (“HUD”) on or about June 18, 2019, alleging that Allen Woodcock and Heidi Woodcock (aka Heidi Moon) (individually, “Mr. Woodcock” and “Mrs. Woodcock”; collectively, “Respondents”) discriminated against her because of her sex in violation of Subsections 804(a), 804(b), and Section 818 of the Fair Housing Act (“the Act”), as amended, 42 U.S.C. § 3601-19. 42 U.S.C. §§ 3604(a), 3604(b), and 3617.

The Act authorizes the Secretary of HUD to issue a Charge of Discrimination on behalf of aggrieved persons following an investigation and determination that reasonable cause exists to believe that a discriminatory housing practice has occurred. 42 U.S.C. § 3610(g)(1) and (2). The Secretary has delegated that authority to the General Counsel, who has redelegated the authority to the Regional Counsel. 24 C.F.R. §§ 103.400 and 103.405; 76 Fed. Reg. 42463, 42465 (July 18, 2011).

The Regional Director of the Office of Fair Housing and Equal Opportunity for Region III, on behalf of the Assistant Secretary for Fair Housing and Equal Opportunity, has determined that reasonable cause exists to believe that discriminatory housing practices have occurred in this case. Accordingly, this Charge of Discrimination is authorized under 42 U.S.C. § 3610(g)(2).

II. SUMMARY OF THE ALLEGATIONS IN SUPPORT OF THIS CHARGE

Based on HUD's investigation of the allegations contained in the aforementioned Complaint and the Determination of Reasonable Cause and No Reasonable Cause, Respondents, Allen Woodcock and Heidi Woodcock are hereby charged with violating the Act as follows:

A. Legal Authority

1. It is unlawful to make unavailable or deny a dwelling to any person because of sex. 42 U.S.C. § 3604(a); 24 C.F.R. § 100.60.
2. It is unlawful to discriminate against any person in the terms, conditions, or privileges of rental of a dwelling, or in the provision of services or facilities in connection with a dwelling, because of sex. 42 U.S.C. § 3604(b); 24 C.F.R. § 100.65.
3. It is unlawful to interfere with any person in the exercise or enjoyment of, or on account of that person having exercised or enjoyed, any right granted or protected by 42 U.S.C. §§ 3603, 3604, 3605, or 3606. 42 U.S.C. § 3617; 24 C.F.R. § 100.400.

B. Parties and Properties

1. Complainant, **NAME REDACTED**, is female and is an aggrieved person, as defined by the Act. 42 U.S.C. § 3602(i). At all times pertinent to this Charge of Discrimination, Complainant resided with her infant daughter, **NAME REDACTED**, at **ADDRESS REDACTED**, Oil City, PA 16301 ("the subject property"). Complainant presently resides at **ADDRESS REDACTED** Street, Oil City, PA 16301.
2. Respondents, Allen Woodcock and Heidi Woodcock own and manage several rental properties, including the subject property. Respondents reside at **ADDRESS REDACTED**, Cooperstown, PA 16317.
3. The subject property is a dwelling, as defined by the Act. 42 U.S.C. § 3602(b).

C. Factual Allegations

1. Complainant began renting the subject property from Respondents sometime between November 2017 and January 2018.

2. The Oil City Housing Authority issued Complainant a Housing Choice Voucher (“HCV”) on or about April 15, 2019. Complainant intended to use the HCV to continue renting at the subject property and provided the voucher paperwork to Mrs. Woodcock to be filled out.
3. On or about April 20, 2019, at or about 10:30 am, Respondent Allen Woodcock came to the subject property for the stated purpose of performing repairs prior to the HCV inspection and to bring Complainant the HCV paperwork for signature. Complainant was in the unit with her infant daughter.
4. Soon after arriving, Mr. Woodcock placed the HCV paperwork on the washing machine and asked Complainant to come sign it.
5. When Complainant went to the washing machine to review the paperwork, Mr. Woodcock came up behind her and placed his arms around her, rubbed his hands up and down her legs, and tried to kiss her. Mr. Woodcock’s actions were unsolicited and unwelcomed by Complainant. Complainant asked Mr. Woodcock to stop. She then quickly signed the HCV paperwork and moved away from Mr. Woodcock.
6. Soon thereafter, Mr. Woodcock asked Complainant to come upstairs to help him with an electrical repair that required him to turn off the power. Once upstairs, Mr. Woodcock grabbed Complainant’s arm, pushed her against the wall, and forcibly tried to kiss her again. Complainant put her hands on his chest to push him away, again telling him to stop.
7. At this point, Complainant’s neighbor, **NAME REDACTED**, who lives in the adjoining unit with Respondents’ daughter, entered Complainant’s unit and called out to Complainant. Complainant took this opportunity to quickly move away from Mr. Woodcock and go downstairs. She told Mr. **NAME REDACTED** what Mr. Woodcock had done.
8. After informing Mr. **NAME REDACTED** of Mr. Woodcock’s unwelcome advances, Complainant then left the unit with her daughter.
9. At or about 7:30 pm, Complainant received a call on her cell phone from Mr. Woodcock telling her that he was done with the repairs and she could come home.
10. After coming home, later that evening Complainant received a text message from Mr. Woodcock reading “Sweet dreams.”
11. On or about April 28, 2019, Mrs. Woodcock called Complainant to tell her that Mr. Woodcock needed to stop by the subject property that weekend as he needed to finish up some repair work. Complainant asked Mrs. Woodcock if

she could come with Mr. Woodcock. Mrs. Woodcock asked why Complainant wanted her to accompany Mr. Woodcock. Complainant then told Mrs. Woodcock that she should ask Mr. Woodcock. After some discussion, Complainant told Mrs. Woodcock what Mr. Woodcock had done to her at the subject property on April 20, 2019. Mrs. Woodcock attempted to initiate a three-way telephone call between herself, Complainant, and Mr. Woodcock, but Mr. Woodcock did not answer.

12. Later that day, Mrs. Woodcock successfully initiated the three-way telephone call between herself, Complainant, and Mr. Woodcock. During the call, Mrs. Woodcock asked Complainant to explain what had happened during her April 20, 2019 encounter with Mr. Woodcock. Complainant again explained what Mr. Woodcock had done to her. Mr. Woodcock denied that he had done anything to Complainant and asked why she was doing this. Complainant reiterated that she was telling the truth and asked him not to deny what he had done. Mr. Woodcock began cursing and screaming at Complainant and said that her allegations were “f-ing bullshit,” before abruptly ending the telephone call.
13. Later that day, Mrs. Woodcock texted Complainant the following: “You are out.” “You got 10 days.” “You are a liar.” Respondents issued Complainant a Notice to Vacate the premises within ten days.
14. On or about May 10, 2019, despite knowing that Complainant had just received an HCV, Respondents filed a Landlord Tenant Complaint seeking to evict Complainant and demand payment for rent and utilities.
15. On or about May 24, 2019, Complainant attended an eviction hearing before the Magistrate Judge hearing the case. During the hearing, the Complainant and Respondents agreed that Complainant would vacate the subject property by June 3, 2019, and would pay Respondents unpaid rent in the amount of \$1,900.00, plus court costs and services fees of \$218.75.
16. Complainant moved out of the subject property on or about June 3, 2019.
17. As a result of Respondents’ discriminatory actions, Complainant has suffered actual damages, including emotional distress.

D. Fair Housing Act Violations

1. By subjecting Complainant to unwanted sexual contact, and then evicting Complainant as a result of her having reported the unwanted sexual contact, Respondents discriminated against Complainant by refusing to rent or make unavailable a dwelling because of sex. 42 U.S.C. § 3604(a); 24 C.F.R. §§ 100.60(a); 100.60(b)(5); and 100.60(b)(6).

2. By subjecting Complainant to unwanted sexual contact, and then evicting Complainant as a result of her having reported the unwanted sexual contact, Respondents discriminated against Complainant in the terms, conditions, privileges of the rental of a dwelling because of sex. 42 U.S.C. § 3604(b); 24 C.F.R. §§ 100.65(a); 100.65(b)(6); and 100.65(b)(7).
3. By subjecting Complainant to unwanted sexual contact, and then evicting Complainant as a result of her having reported the unwanted sexual contact, Respondents interfered with Complainant in the exercise or enjoyment of right(s) granted by 42 U.S.C. §§ 3603, 3604, 3605, or 3606. 42 U.S.C. § 3617; 24 C.F.R. §§ 100.400(b); 100.400(c)(2); and 100.400(c)(5).

III. CONCLUSION

WHEREFORE, the Secretary of the United States Department of Housing and Urban Development, through the Office of Regional Counsel for the Philadelphia Regional Office, and pursuant to 42 U.S.C. § 3610(g)(2)(A), hereby charges Respondents with engaging in discriminatory housing practices in violation of 42 U.S.C. §§ 3604(a), 3604(b), and 3617, and requests that an order be issued that:

1. Declares that Respondents' discriminatory housing practices, as set forth above, violate 42 U.S.C. §§ 3604(a), 3604(b), and 3617;
2. Enjoins Respondents and all other persons in active concert or participation with Respondents from discriminating against any person based on sex in any aspect of the occupancy or rental of a dwelling;
3. Awards such damages as will fully compensate Complainant;
4. Assesses a civil penalty against Respondents for each violation of the Act, pursuant to 42 U.S.C. § 3612(g)(3) and 24 C.F.R. § 180.671;
5. Awards any additional relief as may be appropriate, pursuant to 42 U.S.C. § 3612(g)(3).

Respectfully submitted on this 17th day of February, 2021.

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