

**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**  
**Civil Division**

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**DISTRICT OF COLUMBIA,**  
a municipal corporation,  
441 Fourth Street, N.W.  
Washington, D.C. 20001,

Plaintiff,

v.

**GLOBAL ALLIANCE REALTY &  
MANAGEMENT SERVICES, LLC.,**  
8230 Old Courthouse Road  
Suite 150  
Vienna, Virginia 22182

*Serve on:*

**William Amaya**  
**Registered Agent**  
8230 Old Courthouse Road  
Suite 150  
Vienna, Virginia 22182,

**WILLIAM AMAYA,**  
8230 Old Courthouse Road  
Suite 150  
Vienna, Virginia 22182,

Defendants.

Case No.:

Jury Trial Demanded

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**COMPLAINT**

Plaintiff the District of Columbia (the District) brings this action against defendants Global Alliance Realty & Management Services, LLC, (Global Alliance); and William Amaya (Amaya) a Virginia based real estate broker, salesperson and agent of Global Alliance. Defendants are liable for discriminatory practices that limit

affordable housing and violate the District of Columbia Human Rights Act (DCHRA), D.C. Code §§ 2-1401.01, *et seq.* In support of its claims, the District states as follows.

## INTRODUCTION

1. The District of Columbia faces a housing crisis. Affordable housing stock has trended downward while rents have trended upward, squeezing out low-income tenants. The COVID-19 pandemic has exacerbated the pre-existing housing crisis in the District, because it has created an economic recession that makes access to fair housing even more important. Housing-assistance programs that subsidize rent are a core pillar of the District's response to these pressures. By subsidizing rent, housing assistance programs help the District's lowest-income populations avoid homelessness and maintain a foothold in private housing. This assistance is critical in the District, where many tenants spend more than half of their monthly income on rent.

2. The District brings this action against a Virginia licensed real estate brokerage salesperson and property manager who posted advertisements stating that housing assistance would not be accepted as rental payment for a property in the District. Neither defendant is licensed to do business in the District.

3. Although housing discrimination is problematic in any form, it is even more concerning when perpetuated by the real estate profession or someone posing as a real estate professional. Real estate professionals—including brokers, salespersons and property managers—play an integral role in connecting customers to housing, including low-income tenants seeking an affordable place to live. They

may dispense advice to property owners on how to market properties, and they act as gatekeepers for renters and buyers. When a real estate broker, property manager or salesperson discriminates against potential tenants who use housing assistance programs, he not only violates his professional licensing standards but lends dangerous credibility to discriminatory practices. When that broker is operating without a license, that broker exacerbates the danger to District residents, because he is fraudulently operating under the guise of a authority that he does not in fact have.

4. Defendants' discriminatory online advertisements for rental housing lend professional credence to the idea that turning away tenants based on their source of income is not only acceptable but lawful. In the District, it is neither. Instead, it is a DCHRA violation that is prohibited not only as source-of-income discrimination but, because of the large number of African Americans enrolled in housing assistance programs, as racial discrimination as well.

5. Consequently, the District seeks declaratory and injunctive relief, civil penalties, costs and attorney's fees to prevent and deter defendants from engaging in discriminatory practices that mislead District residents and limit access to housing for vulnerable District residents.

## JURISDICTION

6. The Attorney General for the District of Columbia brings this action on behalf of the District of Columbia to uphold the public interest and enforce District law, here, the DCHRA. *See District of Columbia v. ExxonMobil Oil Corp.*, 172 A.3d 412 (D.C. 2017); D.C. Code § 1-301.81(a)(1) (“The Attorney General for the District of Columbia ... shall be responsible for upholding the public interest.”).

7. This Court has subject matter jurisdiction over the claims and allegations in the Complaint. *See* D.C. Code § 11-921(a).

8. This Court has personal jurisdiction over defendants Global Alliance and Amaya, a Virginia licensed real estate broker, salesperson and property manager, because defendants are owners within the meaning of the DCHRA, conducted transactions in real property in the District and had the actual or perceived right to rent or lease 3935 S Street, S.E. D.C. Code § 2-1402.23; *see* D.C. Code § 2-1401.02(20) (identifying owners to include managing agents or other persons having the right of ownership or possession of, or the right to sell, rent or lease any real property); *see also* § 2-1401.02(30) (defining a “transaction in real property” as the “advertising ... [of] any interest in real property”). This Court also has personal jurisdiction over the defendants because the defendants have caused tortious injury in the District and transact business in the District of Columbia. § 13-423.

## PARTIES

9. Plaintiff District of Columbia, a municipal corporation, is the local government for the territory constituting the permanent seat of the government of

the United States. The District is represented by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General conducts the District's legal business and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1); *District of Columbia v. ExxonMobil Oil Corp.*, 172 A.3d 412 (D.C. 2017).

10. Defendant Global Alliance Realty & Management Services, LLC, is a limited liability company. Its principal place of business is 8230 Old Courthouse Road, Suite 150, Vienna, VA 22182.

11. Defendant William Amaya is a Virginia-licensed real estate broker salesperson and property manager, who leases residential real estate in the District and surrounding areas.

## FACTS

### **Housing Assistance and the Rental Housing Market in the District**

12. The ability to access affordable housing free from discrimination is District residents' top civil rights concern. Office of the Attorney General for the District of Columbia, *Community Voices: Perspectives on Civil Rights in the District of Columbia* 4 (2019) <https://oag.dc.gov/sites/default/files/2019-11/Civil-Rights-Report.pdf>. In 2018, more than 23% of the District's tenant households spent more than half of their monthly income on rent. Tom Acitelli, *Nearly half of D.C.-area renter households 'cost-burdened,' report says*, Curbed (Oct. 15, 2019), <https://dc.curbed.com/2019/10/15/20915332/dc-renter-households-burdened>. In recent years, the District's rental housing market has become more expensive while

the availability of affordable rental housing has plunged. WES RIVERS, DC FISCAL POLICY INSTITUTE, GOING, GOING, GONE: DC'S VANISHING AFFORDABLE HOUSING (2015), <https://www.dcfpi.org/wp-content/uploads/2015/03/Going-Going-Gone-Rent-Burden-Final-3-6-15format-v2-3-10-15.pdf>. Housing-assistance programs are a core pillar of the District's response to the growing affordable-housing crisis.

13. Housing assistance programs, including subsidized rent programs, are particularly crucial in the District, where high rents consume a disproportionate share of household expenditures. D.C. Housing Authority, *Housing Choice Voucher Program*, <https://www.dchousing.org/topic.aspx?topid=2&AspxAutoDetectCookieSupport=1> (last visited June 18, 2020). These programs are therefore increasingly important to low-income District tenants seeking to obtain affordable housing and navigate the city's high cost of living.

14. This case involves one of those housing-assistance programs: Housing Choice Vouchers. The United States Department of Housing and Urban Development administers the federally funded Housing Choice Voucher Program (HCVP). The HCVP is a successor to the Section 8 Rental Voucher Program.<sup>1</sup>

15. In the District, Section 8 vouchers are locally administered by the District of Columbia Housing Authority. Section 8 vouchers are tenant-based subsidies that enable participants to rent housing on the private market at market

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<sup>1</sup> Housing Choice Vouchers are still commonly referred to as Section 8 vouchers, terminology this Complaint adopts for ease of reference.

rates. Section 8 voucher participants pay a portion of the rent based on a percentage of their household income, and DCHA pays the remainder of the rent directly to the landlord.

16. In the District, over 90 percent of housing voucher holders are African American, although they only account for 48 percent of the total population. *See* Aastha Uprety and Kate Scott, “In the District, Source of Income Discrimination is Race Discrimination Too,” *Equal Rights Center* (Oct. 12, 2018) <https://equalrightscenter.org/source-of-income-and-race-discrimination-dc/> (last visited June 2, 2020). Given the disproportionate number of African Americans using Housing Choice Vouchers in the District, any discrimination based on source of income is 71 times more likely to discriminate against an African American renter rather than a white renter in the District. *Id.*

#### **Real Estate Professionals Face Myriad Licensing Requirements To Protect Consumers from Discrimination**

17. Tenants use many sources to identify affordable housing in the District, including real estate agents and online housing resources. A real estate broker is a firm or person who offers properties for sale, lease or rent. Brokers have responsibility for the actions of any real estate salespersons hired to undertake these activities. *See* D.C. Code § 47-2853.161.

18. A real estate salesperson is someone employed by a licensed real estate broker to offer properties for sale, lease or rent. *See* D.C. Code § 47-2853.171.

19. Recognizing the critical role that real estate professionals play in the housing market, including the market for affordable housing, the District of Columbia

Regulatory Affairs' Real Estate Commission requires these professionals to adhere to standards that mandate equitable treatment of housing consumers. *See, e.g.*, D.C. Code § 47-2853.02(d)(1) (requiring a license to “protect the public”); 17 DCMR 2609.1 (“A licensee shall not discriminate or assist any party in discriminating in the sale, rental, leasing, exchange, or transfer of property.”)

20. Real estate professionals are reminded of the District’s non-discrimination laws and their obligations during the fair housing training they must take every two years to maintain their licenses. *See* D.C. Code § 47-2853.13.

21. Under their licensing standards, a real estate broker or real estate salesperson who violates the DCHRA may have her real estate license revoked and face civil—or even criminal—penalties. *See* D.C. Code §§ 47-2843.01, *et seq.*

### **Online Discriminatory Advertising**

22. Many tenants in the District—including those who receive housing assistance—rely on online housing advertisements to locate rental housing. An apartment-industry survey showed that at least 83 percent of apartment hunters used an online resource to search for housing. J Turner Research, *The Internet Adventure: The Influence of Online Ratings on a Prospect’s Decision Making 3* (2016), [https://www.jturnerresearch.com/hubfs/Docs/J\\_Turner\\_Research-The\\_Internet\\_Adventure\\_Nov2016.pdf](https://www.jturnerresearch.com/hubfs/Docs/J_Turner_Research-The_Internet_Adventure_Nov2016.pdf). Among the most popular online resources is Craigslist.com, a website where housing providers can list available units. Approximately 17 percent of all tenants rely on Craigslist.com to find an apartment. J Turner Research, *Marketing to Different Generations: Emerging Online, Language,*



and Lifestyle Trends 12 (2015), <https://www.jturnerresearch.com/courting-the-baby-boomers>. Online internet platforms, such as Craigslist.com act as a third-party website where housing providers can post listings at no or low cost.

23. More prospective tenants turning to online advertising has led to new opportunities for discriminatory advertising. In 2017 alone, more than 120 advertisements contained language suggesting that the housing provider discriminated based on source of income in the District. Equal Rights Center, *The Equal Rights Center Annual Report 2018* 6 (2018), <https://equalrightscenter.org/wp-content/uploads/6.20.19-annual-report-2018-final.pdf>.

24. Discriminatory postings and advertisements create permanent barriers in the rental market each day the advertisements are visible. Unlike temporary restrictions such as “no one-bedroom units available,” warnings like “no vouchers accepted” send a lasting message to voucher holders and are likely to permanently discourage them from pursuing that housing opportunity. *Cf.* John M. Yinger et al., *The Status of Research into Racial Discrimination and Segregation in American Housing Markets*, 6 OCCASIONAL PAPERS IN HOUSING AND COMMUNITY AFF. 60 (1979), <https://tinyurl.com/housingresearchagenda> (describing discrimination that discourages housing seekers from considering certain areas).

### **Specific Discriminatory Conduct of Defendants**

25. On February 25, 2020, Virginia-licensed real estate broker salesperson and property manager defendant Amaya, acting under the brokerage of defendant Global Alliance, posted a discriminatory advertisement for 3935 S Street, Apartment

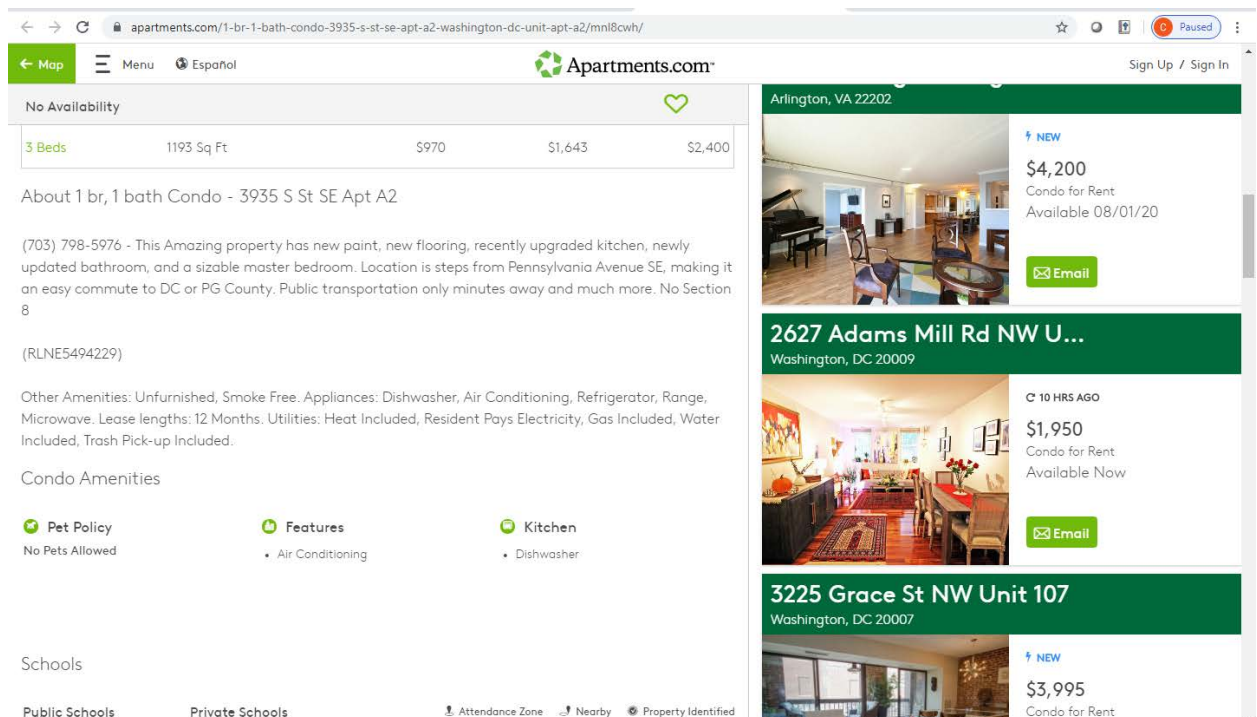
2A, S.E., Washington, D.C. 20020 (the Property). The advertisement stated that the Property was a one-bedroom, one-bath condominium available to rent in the District. The advertisement stated “No Section 8” vouchers. The discriminatory advertisement was on Apartments.com.

26. Defendant Global Alliance, through its agent defendant Amaya, acted as the point of contact and real estate broker for the discriminatory advertisement on Apartment.com., that was active for at least two weeks.

27. The Apartments.com advertisement indicates that defendant Amaya was acting under the authority of his real estate company, defendant Global Alliance.

28. The Apartments.com advertisement explicitly stated: “No Section 8” housing vouchers.

29. A screenshot of the Apartment.com advertisement is included here:



30. Defendants violated the DCHRA when they posted a discriminatory advertisement. Defendants' discriminatory advertisement discouraged potential tenants of the Property based on their source of income

**COUNTS I**  
**DISCRIMINATORY ADVERTISEMENT IN VIOLATION OF THE DCHRA**  
(All Defendants)

31. Paragraphs 1-30 are incorporated here.

32. Defendant Amaya, a Virginia-licensed real estate broker, salesperson, property manager and agent of Global Alliance, and defendant Global Alliance are both responsible for the discriminatory advertisement posted for the Property on Apartments.com.

33. Under the DCHRA it is an “unlawful discriminatory practice” to make “any ... statement, or advertisement, with respect to a transaction, or proposed transaction, in real property ... [that] unlawfully indicates or attempts unlawfully to indicate any preference, limitation, or discrimination based on ... source of income ... of any individual.” D.C. Code § 2-1402.21(a)(5).

34. Rental payment from a Section 8 voucher is a source of income under the DCHRA. *See* OHR Guidance No. 16-01 (stating that source of income includes “short- and long-term rental subsidies” such as “Housing Choice Vouchers”). *see also* D.C. Code § 2-1402.21(e) (the DCHRA expressly defines “source of income” broadly to encompass income from all legal sources, including funding from “section 8 D.C. Code § 2-1402.21(e) including funding from “section 8 of the United States Housing Act of

1937[.]”; D.C. Code § 2-1402.21(29) (expressly defining “source of income” to include “federal payments”).

35. Defendants’ statements in the Property’s Apartments.com posting that they would not rent to Housing Choice Voucher holders—“No Section 8”—is a discriminatory advertisement based on the source of income of individuals in violation of D.C. Code § 2-1402.21(a)(5). The Apartments.com advertisement was identified by OAG on February 25, 2020, and upon information and belief, the advertisement was active for two weeks.

36. Defendants Global Alliance and Amaya violated the DCHRA when they posted a discriminatory advertisement. Defendants’ discriminatory advertisement discourage potential tenants of 3935 S Street, S.E., apartment 2A based on their source of income.

**COUNTS II**  
**DISPARATE IMPACT BASED ON RACE IN VIOLATION OF THE DCHRA**  
(All Defendants)

37. Paragraphs 1-36 are incorporated here.

38. Defendants posted an advertisement on Apartments.com that discriminate against Section 8 voucher holders.

39. Under the DCHRA, it is an “unlawful discriminatory practice” to “refuse or fail to initiate or conduct any transaction in real property” where such refusal or failure is “wholly or partially ... based on the actual or perceived ... race ... of any individual.” D.C Code § 2-1402.21(a)-(a)(1).

40. Over 90 percent of voucher holders in the District are African American. Defendants' refusal to accept Section 8 voucher holders is also a discriminatory practice against African Americans.

41. Defendants' policy to discriminate against voucher holders disparately impacts African Americans in the District and is a violation of D.C. Code § 2-1402.21(a)-(a)(1).

42. Defendants violated the DCHRA each time they posted a discriminatory advertisement.

**COUNT III  
ACTS OF DISCRIMINATION BY A  
REAL ESTATE SALESPERSON AND PROPERTY MANAGER IN VIOLATION OF  
THE DCHRA  
(Amaya)**

43. Paragraphs 1-42 are incorporated here.

44. Defendant Amaya is a property manager, licensed broker and real estate salesperson in the State of Virginia who posted and acted as the point of contact for the discriminatory advertisement of the District property.

45. The discriminatory language was published in an advertisement on Apartments.com.

46. It is an "unlawful discriminatory practice" to make "any ... statement, or advertisement, with respect to a transaction, or proposed transaction, in real property ... [that] unlawfully indicates or attempts unlawfully to indicate any preference, limitation, or discrimination based on ... source of income ... of any individual." D.C. Code § 2-1402.21(a)(5). *See* D.C. Code § 2-1402.23 (holding any real

estate salesperson who violates the discrimination provisions of the DCHRA as a danger to the public interest).

47. Defendant Amaya violated the DCHRA when he posted an advertisement with discriminatory language on Apartments.com. The advertisement violated the DCHRA based on both source of income and race.

48. As a registered real estate broker, salesperson and property manager, defendant Amaya discriminatory acts are a violation of the DCHRA and therefore have endangered the public interest.

49. His violations of the DCHRA also violate D.C. Code § 2-1402.23.

**COUNT IV**  
**ACTS OF DISCRIMINATION BY A**  
**REAL ESTATE BROKER IN VIOLATION OF THE DCHRA**  
(Global Alliance)

50. Paragraphs 1-49 are incorporated here.

51. Defendant Global Alliance is a Virginia-registered brokerage corporation, and through its agent defendant Amaya, posted a discriminatory advertisement of the Property on Apartments.com.

52. It is an “unlawful discriminatory practice” to make “any ... statement, or advertisement, with respect to a transaction, or proposed transaction, in real property ... [that] unlawfully indicates or attempts unlawfully to indicate any preference, limitation, or discrimination based on ... source of income ... of any individual.” D.C. Code § 2-1402.21(a)(5). *See* D.C. Code § 2-1402.23 (holding any real estate salesperson who violates the discrimination provisions of the DCHRA as a danger to the public interest).

53. Defendant Global Alliance violated the DCHRA when its agent defendant Amaya posted an advertisement with discriminatory language on Apartments.com. The advertisement violated the DCHRA based on both source of income and race.

54. As a real estate brokerage, defendant Global Alliance discriminatory acts are violations of the DCHRA and therefore have endangered the public interest.

55. Defendant Global Alliance's violation of the DCHRA also violate D.C. Code § 2-1402.23.

#### **PRAYER FOR RELIEF**

WHEREFORE, the District requests that this Court enter judgment in its favor and grant relief against defendants as follows:

- (a) Injunctive and declaratory relief;
- (b) Damages;
- (c) Civil penalties;
- (d) The District's reasonable attorney's fees and costs and
- (e) Such other and further relief as this Court deems appropriate based on the facts and applicable law.

#### **JURY DEMAND**

The District of Columbia demands a jury trial by the maximum number of jurors permitted by law.

Dated: June 29, 2020.

Respectfully submitted,

KARL A. RACINE  
Attorney General for the District of Columbia

TONI MICHELLE JACKSON  
Deputy Attorney General  
Public Interest Division

/s/ Michelle D. Thomas  
MICHELLE D. THOMAS [993514]  
Chief, Civil Rights Section  
Public Interest Division

/s/ James A. Towns  
JAMES A. TOWNS [433435]  
Assistant Attorneys General  
441 Fourth Street, N.W., Suite 630 South  
Washington, D.C. 20001  
Tel: (202) 724-6645  
Fax: (202) 741-0584  
Cell: (202) 285-0194  
Email: tony.towns@dc.gov

*Attorneys for the District of Columbia*