

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOHAMAD HUSSEIN,

Defendant.

Civil Action No.

**COMPLAINT AND
JURY DEMAND**

The United States of America alleges as follows:

1. The United States brings this action to enforce the provisions of Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. §§ 3601-3619, 3631 (“Fair Housing Act”).

JURISDICTION AND VENUE

2. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1345, and 42 U.S.C. § 3614(a).

3. Venue is proper in this district under 28 U.S.C. § 1391(b) because the actions and omissions giving rise to the United States’ allegations occurred in the Eastern District of Michigan, and the Defendant resides in the Eastern District of Michigan.

FACTUAL ALLEGATIONS

4. The defendant Mohamad Hussein, also known as “Moe,” resides in Canton Township, in Wayne County, Michigan.

5. During part or all of the period of time relevant to this action, the defendant owned and/or managed at least twenty-six (26) residential rental properties (“Subject Properties”) in Dearborn Heights, Michigan.

6. All of the Subject Properties are single family homes.

7. The Subject Properties include, but are not limited to, the following properties: 4641 Detroit Street, 4696 Roosevelt Boulevard, and 3912 Weddel Street.

8. The Subject Properties are all “dwellings” within the meaning of 42 U.S.C. § 3602(b).

9. At all times relevant to this action, the defendant has actively participated in the daily management of the Subject Properties, including, but not limited to: advertising for units; showing units to prospective tenants; accepting and approving tenant applications; signing leases; collecting rent; receiving maintenance requests; making repairs; communicating with tenants regarding late rental payments; and, initiating eviction proceedings.

10. On multiple occasions from at least 2017 through at least 2020, the defendant subjected actual and prospective female tenants of the Subject Properties to discrimination on the basis of sex, including unwelcome and severe or pervasive sexual harassment. Many of these instances took place in the Spring of 2020, during the first wave of COVID-19. At that time, the state was subject to various lockdown protocols and it was very difficult to secure housing in Michigan. This conduct included, but was not limited to:

a. Making unwelcome sexual comments and sexual advances;

- b. Demanding that prospective female tenants engage in sex acts with him or send him sexually explicit images of themselves to obtain housing;
- c. Offering to grant tangible housing benefits – such as paying utility bills, lowering rent, or lowering security deposits – in exchange for sex acts or sexually explicit images; and
- d. Sending sexually explicit images of himself to prospective tenants.

11. For example, in or around April 2020, a prospective female tenant met the defendant to tour one of the Subject Properties, a single-family home. At this meeting, the defendant told her she needed to pay \$2,100 to move in, which included the first month's rent and a security deposit. After this meeting, in a text conversation, the defendant told the prospective tenant that other people were interested in the home but he was trying to work with her. The defendant stated, "you take care of me I take care of you."¹ The prospective tenant responded by offering to pay \$1,400 that day to secure the rental and move in. The defendant responded by stating, "you aren't getting it," "let's have a little fun," "everything will be secret don't worry," and "I want to do you honey." He also asked her to send him nude pictures. The prospective tenant understood the defendant to be demanding that she engage in sex acts with him or send him sexually explicit photos of herself in exchange for securing the home and paying \$1,400 to move in. She rejected defendant's sexual advances and told him that he was violating her fair housing rights. After she rejected

¹ Defendant's text messages are quoted verbatim; all spelling and grammatical errors are included as originally written.

his requests, the defendant refused to proceed with her rental application unless she paid more than \$1,400. Based on the defendant's explicit sexual advances, the prospective tenant did not pursue the application further.

12. In another example, in or around March 2019, after showing another prospective female tenant one of the Subject Properties, the defendant sent her a text message in which he said that if she would give him a "blow job" they could come to an agreement. The prospective tenant understood the defendant to be asking her to give him oral sex in order to secure the single-family home. She declined. The defendant continued to send the prospective tenant text messages requesting oral sex. He also sent her nude photos of himself. The prospective tenant rebuffed all of the defendant's sexual advances and asked him "what sex had to do with renting a house" or words to that effect. When the defendant continued to pressure her for sex, she blocked his number and did not pursue renting from him any further. In or around April 2020, the defendant texted the same prospective tenant again, from a new number, saying that he had a home available. Still in need of housing, and not knowing it was the defendant, she responded and scheduled a tour of another one of the Subject Properties. Once she arrived and saw the defendant, she realized it was the same man who had harassed her in 2019. During the tour, the defendant asked her to meet him later, alone, so they could "talk business," or words to that effect. After the tour, the defendant texted her, saying, "we going to do it right??" "so you can give me a blow then right??" and "I need a blow today." Based on the defendant's

explicit and repeated sexual advances, the prospective tenant did not pursue the rental property.

13. In another example, in or around March 2020, a 19-year-old prospective female tenant and her father reached out to the defendant because they were interested in one of the Subject Properties, a single-family home. The defendant ignored the father's inquiries but replied to the prospective female tenant. She toured the home with the defendant. The prospective female tenant told the defendant she liked the house and called her father to schedule a time for him to see it. In a subsequent text conversation with the defendant, she asked when she and her father could pay their security deposit. Instead of providing instructions about the security deposit, the defendant responded by saying, "You seem a really nice girl I like you," and "Maybe we can get together sometimes." When the prospective female tenant told him her age, the defendant (who was then forty-eight years old) said, "Does age matter lol." The prospective female tenant understood the defendant to be asking her to engage in sexual activity with him. She rejected the defendant's invitation to "get together" and told him her father would be upset. The family stopped pursuing the rental property based on the defendant's unwelcome sexual advances.

14. The experiences of the women described above in paragraphs 10-13 were not the only instances of the defendant's sexual harassment of actual or prospective female tenants. Rather, they were part of the defendant's pattern or practice of illegal sexual harassment of multiple actual and prospective tenants.

15. The conduct of the defendant described in this Complaint caused actual and prospective female tenants to suffer fear, anxiety, and emotional distress, and interfered with their ability to secure and maintain rental housing for themselves and their families.

CAUSES OF ACTION

16. By the actions and statements described above, the defendant has:

- a. Denied dwellings or otherwise made dwellings unavailable because of sex, in violation of 42 U.S.C. § 3604(a);
- b. Discriminated in the terms, conditions, or privileges of the rental of dwellings, or in the provision of services or facilities in connection therewith, because of sex, in violation of 42 U.S.C. § 3604(b);
- c. Made statements with respect to the rental of dwellings that indicate a preference, a limitation, or discrimination based on sex, in violation 42 U.S.C. § 3604(c); and
- d. Coerced, intimidated, threatened, or interfered with persons in the exercise or enjoyment of, or on account of their having exercised or enjoyed, their rights granted or protected by the Fair Housing Act, in violation of 42 U.S.C. § 3617.

17. Under 42 U.S.C. § 3614(a), the defendant's conduct constitutes:

- a. A pattern or practice of resistance to the full enjoyment of the rights granted by the Fair Housing Act, and

- b. A denial to a group of persons of rights granted by the Fair Housing Act that raises an issue of general public importance.
18. Actual and prospective female tenants have been injured by the defendant's discriminatory conduct. These persons are "aggrieved persons" as defined in 42 U.S.C. § 3602(i) and have suffered damages as a result of the defendant's conduct.
19. The defendant's conduct was intentional, willful, and taken in reckless disregard of the rights of others.

PRAYER FOR RELIEF

WHEREFORE, the United States requests that the Court enter an Order that:

- a. Declares that the defendant's discriminatory practices violate the Fair Housing Act, as amended, 42 U.S.C. §§ 3601-3619, 3631;
- b. Enjoins the defendant, his agents, employees, and successors, and all other persons in active concert or participation with him, from:
 - i. Discriminating on the basis of sex, including engaging in sexual harassment, in any aspect of the rental of a dwelling;
 - ii. Interfering with or threatening to take any action against any person engaged in the exercise or enjoyment of rights granted or protected by the Fair Housing Act;
 - iii. Failing or refusing to take such affirmative steps as may be necessary to restore, as nearly as practicable, the victims of the

defendant's past unlawful practices to the position they would have been in but for the discriminatory conduct; and

- iv. Failing or refusing to take such affirmative steps as may be necessary to prevent the recurrence of any discriminatory conduct in the future and to eliminate, as nearly as practicable, the effects of the defendant's unlawful practices;
- c. Awards monetary damages to each person aggrieved by the defendant's discriminatory conduct, under 42 U.S.C. § 3614(d)(1)(B);
- d. Assesses civil penalties against the defendant to vindicate the public interest, under 42 U.S.C. § 3614(d)(1)(C); and
- e. Awards such additional relief as the interests of justice may require.

JURY DEMAND

The United States hereby demands a trial by jury of all issues triable pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: March 14, 2022

Respectfully submitted,

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