

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA,)	
)	Civil Action No. 24-cv-1633 "L"(5)
Plaintiff,)	
)	JUDGE FALLON
v.)	
)	MAGISTRATE NORTH
TOWN OF FRANKLINTON, LOUISIANA,)	
)	
Defendant.)	
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CONSENT DECREE

I. INTRODUCTION

The Parties jointly submit this Consent Decree for approval and entry by the Court. This Consent Decree resolves all claims of the United States of America (“United States”) that were simultaneously filed in a Complaint to enforce the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended (“the Fair Housing Act” or “the FHA”), 42 U.S.C. §§ 3601-3619.

In the Complaint, the United States alleges that the Town of Franklinton (“Franklinton” or “the Town”) made housing unavailable or denied dwellings to persons because of race or color in violation of 42 U.S.C. § 3604(a) of the FHA and has interfered with the exercise or enjoyment of rights under the FHA in violation of 42 U.S.C. § 3617. Specifically, the United States alleges that Franklinton engaged in a pattern or practice of discrimination and denied rights to a group of persons because of race or color when it obstructed, delayed, and denied zoning for an affordable housing development in a majority-white part of Town that would have provided affordable housing to predominantly Black residents. The United States alleges that Franklinton’s conduct had the intent and effect of discriminating against Black residents and perpetuating segregation.

The Court has jurisdiction over the Parties and subject matter of this action. There have

been no factual findings or adjudication in this case. The Parties agree to this Consent Decree to voluntarily resolve all claims arising from the conduct alleged in the Complaint. The Parties agree that this matter should be resolved without further litigation. The Parties further agree that entry of this Consent Decree is in the public interest. The full implementation of the terms in this Consent Decree will provide a resolution to the claims asserted in the Complaint. The Parties therefore consent to and request that the Court enter this Consent Decree.

ACCORDINGLY, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

II. INJUNCTIVE RELIEF

A. Prohibited Conduct

1. Franklinton, including its City Council, its boards, commissions, agents, elected officials, officers, employees, and all persons in active concert or participation with it, are prohibited from engaging in any act or practice that discriminates on the basis of race or color in violation of the Fair Housing Act, including:

- a. making unavailable or denying a dwelling to any person because of race, color, or other protected status;
- b. interfering with any developer or individual in the exercise or enjoyment of, or on account of their having exercised or enjoyed, or on account of their having aided or encouraged any other person in the exercise or enjoyment of, any right protected by the Fair Housing Act;
- c. interfering with the funding, development, or construction of any multi-family or affordable housing units without a lawful, nondiscriminatory, substantial, material, and competent justification that is both neutral on its face and neutrally applied within the Town;

- d. taking any steps, including enacting any ordinances, regulations, or land-use criteria or measures, that have the intent or effect of reducing the total availability or development of residential multi-family or affordable housing in Franklinton on the basis of race, color, or other protected class; or
- e. discriminating on the basis of race or color, or other protected class, in any aspect of the administration of its zoning, land use, or building ordinances, policies, practices, requirements, or processes relating to the use, construction, or occupancy of dwellings.

B. Code of Ordinances Amendments

2. Franklinton agrees to amend its Code of Ordinances, specifically, Zoning Ordinance (Ordinance No. 1005), the Zoning Map (incorporated as part of Ordinance No. 1005 by reference), and the Fair Housing Ordinance (Chapter 8½, Article II), as described below in Sections B.i, B.ii, and B.iii. Within 90 days of the Effective Date, Franklinton will submit a status report to the United States describing its progress and the steps taken in complying with this provision. Within 6 months of the date the Court enters this Decree (hereafter “Effective Date”), Franklinton will submit written notice to the United States of the Town’s proposed amendments to the Zoning Ordinance, Zoning Map, and Fair Housing Ordinance for the United States’ approval. Within 60 days of the United States’ approval, Franklinton will follow its local procedures, along with state and federal laws, to enact the amendments that were approved by the United States.

3. Throughout the term of this Decree, for any amendments to Franklinton’s Zoning Map or Code of Ordinances relating to fair housing, land use, or zoning, Franklinton will submit the proposed amendment to the United States for its approval prior to the adoption or enactment

of the amendment. Franklinton will not adopt, enact, or amend the Zoning Map or Code of Ordinances provisions relating to fair housing, land use, or zoning, unless the proposed language is approved by the United States in advance of enactment.

i. Zoning Ordinance

4. Franklinton will amend its Zoning Ordinance (Ordinance No. 1005) to include, at minimum, the following:

- a. a detailed description of the timing requirements and process for zoning requests from application through appeal, the types of zoning requests available under the Ordinance, and the effect on a zoning request when the Town does not timely act;
- b. a description of all requirements for zoning requests, including application forms, fees, documents, public notices, and attendance at hearings;
- c. a description of all Town obligations throughout the zoning request process, *e.g.*, requisite hearings, advertising, and notice, including the Town's process for written notice of all Town action to applicants (at each step of the process: Planning and Zoning Commission ("Zoning Commission") action, Board of Aldermen action, final decision and basis for the decision, and appeal decision);
- d. a description of the Zoning Commission process and the criteria reviewed and considered by the Zoning Commission in deciding whether to recommend zoning requests;
- e. a description of the criteria considered by the Board of Aldermen in deciding whether to approve zoning requests;
- f. a description of the process and requirements for appeal; and
- g. the Town's policy about maintaining zoning records, including the time for

retention, person(s) or role(s) responsible for maintaining, and the process to request records.

ii. Zoning Map

5. Franklinton will amend its Zoning Map to provide for new development of multi-family housing. As part of Franklinton's proposed amendment to the Zoning Map, the Town will identify a minimum of 20 acres (not necessarily contiguous) that are vacant or non-occupied at the time of identification where the Town will permit future development of multi-family housing by right. Such land will not be located in industrial zone or flood zone (according to the Zoning Map as of the Effective Date) and identified parcels will not be solely contained to majority-Black areas of Town.¹

6. Nothing in this Decree requires Franklinton to annex property or exercise eminent domain to satisfy its obligations.

iii. Fair Housing Ordinance

7. Franklinton will amend its Fair Housing Ordinance to account for the 1988 Amendments to the federal Fair Housing Act and cover, at minimum, the protected classes of the FHA, including race, color, religion, sex, familial status, national origin, and disability. Franklinton will also include notice as part of its amended Fair Housing Ordinance that a violation of the Town's Fair Housing Ordinance may also implicate civil liability under the federal Fair Housing Act.

C. Comprehensive Land Use Master Plan

8. Within one year of the Effective Date, in accordance with Louisiana law, and in

¹ "Majority-Black" means over 50% Black residents within a census block as determined by U.S. Census Bureau data.

cooperation and consultation with parish and regional planning commissions, Franklinton “must make and adopt a master plan for the physical development of the municipality.” LA R.S.

33:106. This Comprehensive Land Use Master Plan (“Master Plan”) will consider Franklinton’s need for multi-family housing and affordable housing and will account for the future development of such housing.

9. The Master Plan adoption process will include, at minimum: assessment of Town and regional data and demographics; incorporation of public feedback on housing needs and development goals; multiple methods of public comment, including public hearings after public notice, community meetings, social media engagement, focus groups, meetings with citizens and community leaders; and consultation and cooperation with parish and regional planning commission representatives.

10. Within 9 months of the Effective Date and prior to the enactment of the Master Plan, Franklinton will submit to the United States for its approval: (i) the proposed Master Plan that incorporates public feedback, (ii) a description of the methods of public feedback and individuals and organizations consulted in developing the proposal, (iii) an explanation of the public feedback incorporated, and (iv) copies of all Town Council meeting minutes relating to the development of the Master Plan.

11. Within 60 days of the United States’ approval of the proposed Master Plan, the Town will follow its local procedures, along with state and federal laws, to enact the Master Plan that was approved by the United States.

12. Throughout the term of this Decree, if Franklinton seeks to amend its Master Plan, Franklinton will submit the proposed amendment to the United States for its approval prior to the adoption or enactment of the amendment.

D. Policy Revisions

13. Franklinton will establish and adopt a Fair Housing Policy and amend its Zoning Policies. Within 6 months of the Effective Date, Franklinton will submit a proposed Fair Housing Policy and proposed amendments to its Zoning Policies to the United States for approval. Within 30 days of the United States' approval of the Town's proposed policies, Franklinton will follow its local procedures, along with state and federal laws, to formally adopt the policies approved by the United States.

14. Throughout the term of this Decree, for any amendments to Franklinton's Fair Housing Policy or Zoning Policies, Franklinton will submit the proposed amendment to the United States for its approval prior to the adoption of the amendment. Franklinton will not adopt or amend the Fair Housing Policy or Zoning Policies, unless the proposed language is approved by the United States in advance of adoption and implementation.

i. Fair Housing Policy

15. Franklinton's Fair Housing Policy will:
- a. express the Town's commitment to ensuring that its zoning and land use decisions do not discriminate against persons based on race, color, religion, national origin, disability, familial status, or sex;
 - b. state the Town's commitment to affirmatively further fair housing and its goals to proactively take meaningful actions to overcome patterns of segregation, promote fair housing choice, eliminate disparities in housing-related opportunities, and foster inclusive communities free from discrimination;
 - c. describe how individuals can make a fair housing complaint to the Town, the Department of Housing and Urban Development ("HUD"), and the Department of

Justice; and

- d. list the name and contact information for the Town's Fair Housing Coordinator (see Section II.F below).

ii. Zoning Policies

16. Franklinton will amend its Zoning Policies, in coordination with the amendments to the Zoning Ordinance (Section II.B above), as follows:

- a. establish a policy for special use exceptions;
- b. describe the Town's duties relating to placing advertisements, providing written notice to zoning applicants, and maintaining records for the Zoning Commission, and identify the designated Town employee or official (by title) responsible for carrying out these and other necessary administrative duties of the Zoning Commission;
- c. establish or revise job descriptions for all Town officials involved in zoning and land use decisions (including Zoning Commissioners, Zoning Commission Chair, Zoning Commission Secretary, and the Code Enforcer) to list the duties, responsibilities, expected time commitment, and required training for each role; and
- d. require that the Town provide an informational packet (in hard copy or electronic form) to every person or entity seeking information from the Town about a planning or zoning request, or seeking to make a zoning request, that includes, at minimum: (i) the Town's written Zoning Policies, (ii) a copy of Zoning Ordinance No. 1005, (iii) zoning application(s), (iv) the Fair Housing Policy, and (v) contact information for the Town's Code Enforcer, Zoning Commission

administrative contact, and the Fair Housing Coordinator.

E. Public Notice Requirements

17. In addition to advertising Zoning Commission meetings in the Town’s official journal to provide public notice, Franklinton will take the following actions to increase transparency and notify the public of its actions:

- a. maintain the regular Zoning Commission meeting schedule on Town’s website;
- b. post any changes to the regular Zoning Commission meeting schedule and any special meetings on the Town’s website, on all official Town social media platforms, and by a physical notice posted on the door of Town Hall; and
- c. keep its website updated and post the following information on the Town’s website within 30 days of the Effective Date or within 10 days of enactment or adoption, whichever comes later, of each of the following:
 - i. the Town’s Code of Ordinances and Zoning Map;
 - ii. the Town’s Comprehensive Land Use Master Plan;
 - iii. all operative Zoning Policies, zoning applications, and the Fair Housing Policy;
 - iv. the identity of and contact information for the Code Enforcer, Zoning Commission administrative contact, and the Fair Housing Coordinator;
 - v. a brief description of the planning and zoning request process and person to contact with questions;
 - vi. a Fair Housing logo or “equal housing opportunity” statement; and
 - vii. methods to report housing discrimination complaints against the Town to the Fair Housing Coordinator, HUD (<https://www.hud.gov/fairhousing/>

[fileacomplaint](#)), and the Department of Justice's report portal (<https://civilrights.justice.gov/report/>).

F. Fair Housing Coordinator

18. Franklinton will designate a Town employee, or a qualified independent third-party contractor, as its Fair Housing Coordinator. The Fair Housing Coordinator will be the Town official designated to receive complaints of alleged housing discrimination against the Town, maintain fair housing information and materials for the public, participate in fair housing trainings, coordinate compliance with this Decree including the preparation of reports, and preserve all records and files as required under this Decree.

19. The Fair Housing Coordinator will also maintain copies of this Decree, the Town's Fair Housing Policy, and the HUD Complaint Form (903.1) and make these materials freely available to anyone, upon request, including all persons making a fair housing complaint.

20. Within 90 days of the Effective Date, Franklinton will provide written notice to the United States identifying its designated Town official appointed Fair Housing Coordinator or, alternatively, proposing its selected independent third-party contractor, and providing their qualifications, for the United States' approval. If Franklinton opts to use an independent contractor as its Fair Housing Coordinator, Franklinton will retain the contractor within 30 days of receiving the United States' approval of the Town's selection.

21. Franklinton will maintain the Fair Housing Coordinator position throughout the term of this Decree. If the approved Fair Housing Coordinator leaves their position, Franklinton will notify the United States within 5 days of the departure and identify a plan for appointing or retaining a new Fair Housing Coordinator immediately. If Franklinton seeks to change the appointed individual, Franklinton will notify the United States in writing, as soon as practicable

but no later than 5 days from the date of appointment of a new Town employee. If the Town chooses to retain a new qualified independent contractor, the Town must submit that person's qualifications to the United States for approval and will retain the contractor within 30 days of receiving the United States' approval.

G. Mandatory Education and Training

22. Franklinton will deliver live, in-person, and interactive trainings on the Fair Housing Act and zoning law and procedures. Franklinton will also provide a live, in-person, and interactive training to citizens about their fair housing rights. Each training described below will be provided by an independent, qualified, third-party trainer, selected by the Town and approved by the United States, who will develop the curriculum and present the training. The trainer(s) will maintain an attendance log for each training and will provide each attendance log to the United States. Franklinton will bear all costs associated with the trainings.

i. Fair Housing Act Training

23. Franklinton will provide training on the Fair Housing Act, including zoning and land use practices, and on the Town's obligations under the Consent Decree ("Fair Housing Training") to all employees, officials, or agents who have duties related to the planning, zoning, permitting, construction, or occupancy of residential housing, including the mayor and aldermen, all employees of Franklinton's administrative department, including the code enforcer, town clerk, and all administrative assistants or clerks, all planning and zoning commissioners, the Town's attorney, and the designated Fair Housing Coordinator (hereafter, "Covered Officials").

24. Franklinton will provide three installments of the Fair Housing Training throughout the term of this Decree. The first will be delivered within 90 days of the Effective Date; the second will be delivered within one year of the Effective Date; and the third installment

will be delivered in 2028.

25. Within 30 days of the Effective Date, Franklinton will submit the proposed selected trainer for the Fair Housing Training and submit their qualifications to the United States for approval. Within 45 days of the United States' approval of the selected trainer, the Town will submit the approved trainer's proposed training curriculum and materials to the United States for approval.

26. As part of each Fair Housing Training, Franklinton will provide all Covered Officials with a copy of the Complaint and this Decree and provide an opportunity for any Covered Official's questions to be answered.

27. For each Fair Housing Training, each Covered Official will acknowledge, in the form of **Appendix A**, that they completed the required training and received a copy of the Complaint and Consent Decree, and the Town will provide these acknowledgements to the United States.

ii. **Zoning Law and Procedures Training**

28. Within 4 months of the Effective Date, Franklinton will deliver a training on Louisiana zoning laws, best practices for reviewing planning and zoning requests, permissible municipal action, and compliance with Franklinton's amended Zoning Ordinance and zoning policies for all Covered Officials ("Zoning Training").

29. Within 60 days of the Effective Date, Franklinton will submit to the United States the proposed independent third-party trainer for the Zoning Training and submit their qualifications to the United States for approval. Within 30 days of the United States' approval of the selected trainer, the Town will submit the approved trainer's proposed training curriculum and materials to the United States for approval.

30. Each Covered Official will acknowledge that they completed the Zoning Training, in the form of **Appendix B**, and the Town will provide these acknowledgements to the United States.

31. Additionally, all Zoning Commission officials and the code enforcer must annually attend Capital Region Planning Commission trainings on planning and zoning. Franklinton will certify its compliance with this obligation each year as part of its periodic reporting requirements under Section II.L.

iii. Citizens’ “Know Your Rights” Training

32. Within 6 months of the Effective Date, Franklinton will hold a public training on the Fair Housing Act and citizens’ rights to be free from discrimination in the provision of housing and in land use decisions (“Know Your Rights Training”). The Know Your Rights Training will provide a period for citizen feedback to Town officials at the end. The entire Town Council will be encouraged to attend and no less than three officials from the Town Council are required to attend the event in their official capacity as representatives of the Town. Franklinton will maintain an attendance log for all individuals who attended the Know Your Rights Training and submit the log to the United States.

33. Franklinton will work with community partners to advertise the Know Your Rights Training. Franklinton must advertise notice of the event in the Town’s official journal on at least three separate occasions in advance of the training. It must also advertise the event on its website, social media accounts, and post physical notices in the Town Hall chambers and on the external door of Town Hall.

34. Within 90 days of the Effective Date, Franklinton will submit to the United States the proposed independent third-party trainer for the Know Your Rights Training and will submit

their qualifications to the United States for approval.

35. Within 45 days of the United States' approval of the selected trainer, the Town will submit the approved trainer's proposed training curriculum and materials to the United States for approval. Also within 45 days of the United States' approval of the selected trainer, Franklinton will submit copies of the notices and advertisements required by Paragraph 33 to the United States for approval.

H. Town Council Listening Session on Housing Needs

36. Within 90 days of the Effective Date, at a regularly scheduled Town Council meeting, the Franklinton Town Council will hold a listening session to seek input from the public about the housing needs of the community. The Town Council will invite community partners and community leaders to speak about the housing needs of their community groups and potential solutions. Residents will also be permitted time to speak about their concerns and housing needs. Franklinton will maintain an attendance log for all individuals who attended the listening session and submit the log to the United States.

37. Franklinton must advertise notice of the listening session in the Town's official journal on at least three separate occasions in advance of the session. It must also advertise the event on its website, social media accounts, and physical notice postings in the Town Hall chambers and on the external door of Town Hall. Within 45 days of the Effective Date, Franklinton will submit copies of these notices and advertisements to the United States for approval.

I. Affordable Housing Development

38. Within the term of this Decree, Franklinton will approve the development of at least 40 units of affordable housing in the town and will support the development of those

housing units.²

39. Franklinton agrees to work with Rosemark Real Estate, LLC and Keyridge Ventures, LLC (“Quail Run Developers”) to meet the requirement in Paragraph 38. Quail Run Developers represent that they will seek LIHTC funding for the purpose of constructing at least 40 units of multifamily affordable housing in Franklinton (“Quail Run housing”). If the LIHTC process or the building permitting processes require affirmative statements or information from the Town, Franklinton will not unreasonably withhold statements or information to facilitate the LIHTC and permitting processes.

40. Franklinton will work cooperatively and in good faith with Quail Run Developers in the ordinary course of zoning, permitting, and construction processes, including with respect to inspections, approvals, occupancy permits, as applicable, or modifications, changes, and clarifications to the plans during the pendency of any approvals or construction, and other similar matters. If permits or approvals are required from Washington Parish, the State of Louisiana, or other entity for the construction or completion of Quail Run housing, Franklinton will work with these entities and Quail Run Developers, to provide information and to obtain, as promptly as possible, the necessary permits and approvals. Franklinton will not unlawfully prevent or unlawfully delay any completed zoning application submitted by Quail Run Developers for Quail Run housing.

41. Franklinton employees and officials, including the code enforcer and, if required under the Town’s Code of Ordinances, the Zoning Commission and Board of Aldermen, will

² “Affordable housing” means housing, any portion of which is income-restricted and rent-restricted and is designed to serve low-to-moderate income persons. *See* 24 C.F.R. § 5.603 (a “low income family” is a family whose annual income does not exceed 80% of the median income for the area). This includes, but need not be limited to, housing financed through the federal Low Income Housing Tax Credit Program (“LIHTC”). 26 U.S.C. § 42 *et seq.*

review and approve expeditiously any necessary applications for Quail Run housing. Franklinton will work cooperatively and in good faith with Quail Run Developers to achieve a submission that complies with the Town's Code of Ordinances and with the use, site, and architectural requirements contained therein. Franklinton will make its best efforts to ensure that Quail Run Developer's application will be submitted with its recommendation for approval to any other governing entity requiring approvals.

42. Nothing in this Decree will be construed to prevent the Town from ensuring that Quail Run housing complies with valid requirements of applicable law or to prevent the Town from applying its zoning requirements equitably and in a non-discriminatory manner.

43. If, within 24 months from the Effective Date, Quail Run Developers are not successful in securing LIHTC funding or are not otherwise able to build the Quail Run housing, the Town will work to attract a different LIHTC-funded housing development or other affordable housing development to meet the requirements of Paragraph 38. (Nothing in this paragraph prevents the Town from continuing to work with and support Quail Run Developers to pursue funding to construct affordable housing in Franklinton.)

J. Development and Outreach Plan

44. Within 25 months of the Effective Date, if Quail Run housing has not been funded or construction approved, the Town will submit a proposed Development and Outreach Plan to the United States for its approval that outlines how the Town plans to achieve the development of affordable housing, as required in Paragraph 38, and attract developers. The Town will bear all costs associated with the Development and Outreach Plan.

45. The Development and Outreach Plan will take into account information learned during the Town Council Listening Session on Housing Needs, the Comprehensive Land Use

Master Plan, and the goals of this Decree. As part of the Development Plan, the Town will identify community partners with whom the Town will work to achieve development of affordable housing in Franklinton and how those partners will help achieve the development of affordable housing, including funding of affordable housing, constructing affordable housing, or conducting outreach efforts.

46. The Development and Outreach Plan will also address the Town's plan for encouraging housing developers to construct affordable housing and advertising affordable housing opportunities available in Franklinton and will include, at minimum:

- a. a description of the specific outreach activities the Town will undertake, including but not limited to requests for proposals;
- b. entities that the Town will contact to encourage development and advertise development opportunities;
- c. materials that the Town will use to encourage multi-family housing or affordable housing developers;
- d. materials that the Town will use to advertise affordable housing opportunities available in Franklinton to all households, regardless of race;
- e. an estimated timetable for implementing the outreach plan; and
- f. the officials or employees responsible for each action item.

47. As part of its reporting requirements in Section II.L, Franklinton will report on the progress and effectiveness of the Development and Outreach Plan and will propose additional efforts, if necessary, to achieve the goals of Paragraph 38.

K. Land Donation Program and Plan

48. The Town will establish a land donation program for the purpose of developing

affordable housing and will designate land parcels available for donation to, or cooperative endeavors with, affordable housing developers who agree and commit to constructing or rehabilitating affordable housing, as defined by this Decree, and maintaining affordability.³ The Town will bear all costs associated with the Land Donation Program and Plan.

49. Within 9 months of the Effective Date, Franklinton will submit a proposed Land Donation Program and Plan for United States' approval. As part of the Plan, Franklinton will:

- a. identify vacant or non-occupied land, owned by the Town as of the Effective Date, where the Town would permit development of affordable housing (not in an industrial or flood zone), to be donated as part of the program;
- b. describe the legal process by which the Town intends to carry out donations of land for the purpose of developing affordable housing;
- c. describe the actions that the Town will take to notify the public and developers about its Land Donation Program;
- d. describe the process by which affordable housing developers will be required to apply for the program;
- e. describe the process by which the Town will identify and select eligible affordable housing developers to participate in the program;
- f. describe any requirements that apply to developers as a program beneficiary, including the commitment to develop and maintain affordable housing; and
- g. identify the Town official or employee responsible for administering the program and the Town approvals required under the program.

³ As used in this Decree, "affordable housing developers" is intended to be construed broadly and may include private developers, public developers, non-profits, community organizations, or community land trusts.

50. The Town will begin implementing the Land Donation Program and Plan within 30 days of receiving approval by the United States and must maintain the program for the term of this Decree.

51. Nothing in this Decree requires Franklinton to annex property or exercise eminent domain to satisfy its obligations under the Land Donation Program.

L. Reporting, Record-Keeping, and Monitoring

52. Within 6 months of the Effective Date and every 6 months thereafter for the term of this Decree, the Town will submit periodic reports to the United States detailing the Town's actions and progress in complying with each of the terms in this Decree. The final report will be delivered to the United States at least 60 days before the expiration of the Decree. The reports will also include the following:

- a. Certification that the Town has met each obligation of this Decree that falls within the prior six months ("the reporting period").
- b. Copies of the enacted Code of Ordinances, the enacted zoning map, and all City Council meeting minutes related to the amendments and enactment of the Code of Ordinances and zoning map (consistent with Section II.B requirements).
- c. A copy of the enacted Master Plan and copies of all City Council meeting minutes related to the enactment of the Master Plan (consistent with the requirements of Section II.C).
- d. Copies of the adopted Fair Housing Policy and Zoning Policies (consistent the requirements of Section II.D).

- e. In the reporting period that precedes the required trainings under Section II.G, the Town will provide the planned date(s) that it will deliver each Fair Housing Training.
- f. All training acknowledgements and attendance logs obtained within the reporting period and a list of all Covered Officials and their titles (consistent with the requirements of Section II.G).
- g. A certification that all Zoning Commission officials and the Code Enforcer completed their annual Capital Region Planning Commission training on planning and zoning (consistent with the requirements of Section II.G).
- h. Copies of all public notices and advertisements for the Town Council Listening Session and all Town Council meeting minutes related to the Listening Session (consistent with the requirements of Section II.H).
- i. Copies of complaints of housing discrimination pertaining to zoning and land use laws or regulations that the Town has received during the reporting period, along with any documents associated with the complaint, any written response to the complaint by the Town, and a description of the status of the complaint, including any efforts the Town has taken to resolve the complaint.
- j. Any requests to the Town for action related to affordable housing or multi-family housing (e.g., action by the Planning and Zoning Commission or City Council) during the reporting period, including: (i) a summary of each application seeking the Town's consideration or approval; (ii) a description of actions taken by the Town; (iii) the Town's final decision on the application or request, including any decision on appeal; (iv) the reasons for each decision, including a summary of the

facts upon which the Town relied; and (v) complete copies of the application, Town notices to applicants, public notices or advertisements, meeting minutes, and audio or video recordings from all meetings or hearings discussing the request or application.

- k. An evaluation of the progress of the Development and Outreach Plan as required under Section II.J and any proposals to improve the effectiveness of the Plan.
- l. An accounting of the Land Donation Program and Plan, including: the identity of parcels available for donation and parcels donated; the applications received as part of the program and copies of applications; if any applications were rejected, the reasons and basis for the rejection, and copies of the notices of rejection.

53. All reports and materials required by this Decree will be sent to counsel for the United States by email: Jenna Raden (jenna.raden@usdoj.gov), Kinara Flagg (kinara.flagg@usdoj.gov), and Sandra Gutierrez (sandra.gutierrez@usdoj.gov). The United States will notify the Town in writing if the assigned attorneys change. Upon request by counsel for the United States, the Town will submit materials required by this Decree by commercial overnight delivery service addressed as set forth in Paragraph 55.

54. The Town will retain all records related to its obligations under this Decree and all activities to carry out its obligations under this Decree. The United States has the right to review and copy the records upon request.

III. MONETARY RELIEF FOR AGGRIEVED PERSONS

55. Within 30 days of the Effective Date, Franklinton will deliver payment to Quail Run Developers in the total sum of Two Hundred Five Thousand Dollars (\$205,000.00)—one check in the amount of \$102,500.00 made out to Rosemark Real Estate, LLC, and one check in

the amount of \$102,500.00 made out to Keyridge Ventures, LLC—by commercial overnight delivery the United States as follows:

Chief, Housing and Civil Enforcement Section
Civil Rights Division
U.S. Department of Justice
150 M Street NE, 8th Floor
Washington, DC 20002
Attn: Franklinton, DJ# 175-32-238

56. The requirement to pay damages under this Section is a debt within the meaning of 11 U.S.C. § 523(a)(6). Accordingly, Defendants shall not seek to discharge any part of this debt in bankruptcy.

57. Before receiving payment by the United States, Quail Run Developers will execute a release of all claims, legal or equitable, that it may have against Franklinton related to the claims asserted in this lawsuit, as set forth in **Appendix C**. Counsel for the United States will deliver a copy of the executed releases to Franklinton before delivering payment to Quail Run Developers.

IV. CIVIL PENALTY

58. Within 30 days of the Effective Date, Franklinton will pay Twenty-Five Thousand Dollars (\$25,000) to the United States Treasury as a civil penalty under 42 U.S.C. § 3614(d)(1)(C) to vindicate the public interest. The payment will be in the form of an electronic funds transfer in accordance with written instructions to be provided by the United States.

V. SCOPE, DURATION, AND ENFORCEMENT

59. This Decree will remain in effect for a period of 5 years after the Effective Date, except as required under Paragraph 60.

60. The United States may move the Court to extend the duration of the Decree in the event of noncompliance, whether intentional or not, with any of its terms, or if it believes the interests of justice so require.

61. The provisions of this Decree will apply to the Town, its officers, agents, employees, consultants, including its City Council, boards, commissions, elected officials, as well as all persons acting in active concert or participation with them,

62. The Parties will endeavor in good faith to resolve informally any differences regarding interpretation of, and compliance with, this Decree prior to bringing such matters to the Court for resolution. However, in the event that the United States contends that there has been a failure by Franklinton, whether willful or otherwise, to perform in a timely manner any act required by this Decree or otherwise to act in conformance with any provision thereof, the United States may move this Court to impose any remedy authorized by law or equity, including, but not limited to, an order requiring performance of such act, and an award of any damages, costs, and reasonable attorneys' fees that may have been occasioned by the violation or failure to perform.

63. Any time limits for performance imposed by this Decree may be extended by mutual written agreement of the Parties.

64. The Parties agree that, as of the Effective Date, litigation is not "reasonably foreseeable" concerning the matters described herein. To the extent that any party previously implemented a litigation hold to preserve documents, electronically stored information, or things related to the matter described in this Decree, the party is no longer required to maintain such a litigation hold. However, nothing in this paragraph relieves either party of any other obligations imposed by this Decree, including the record-keeping requirements described above.

65. Each Party will bear their own costs and attorneys' fees associated with this litigation.

66. The Court will retain jurisdiction to enforce the terms of this Decree for its duration.

IT IS SO ORDERED in New Orleans, Louisiana this 28th day of June, 2024.

A handwritten signature in black ink, reading "Eldon C. Fallon". The signature is written in a cursive style with a large initial "E".

UNITED STATES DISTRICT JUDGE

The undersigned apply for and consent to the entry of this Consent Decree:

Dated: June 27, 2024

FOR THE UNITED STATES OF AMERICA:

DUANE A. EVANS
United States Attorney
Eastern District of Louisiana

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division

s/ Sandra Ema Gutierrez

SANDRA EMA GUTIERREZ
(LA Bar No. 17888)
Assistant U.S. Attorney
U.S. Attorney's Office
650 Poydras Street, Suite 1600
New Orleans, LA 70130
Phone: (504) 680-3124
Fax: (504) 680-3186
Email: sandra.gutierrez@usdoj.gov

s/ Jenna A. Raden


CARRIE PAGNUCCO
Chief
TIMOTHY J. MORAN
Deputy Chief
JENNA A. RADEN (DC Bar No. 1724701)
KINARA A. FLAGG (NY Bar No. 5092143)
Trial Attorneys
Housing and Civil Enforcement Section
Civil Rights Division
U.S. Department of Justice
150 M Street, NE
Washington, D.C. 20530
Phone: (202) 305-5452
Fax: (202) 514-1116
Email: jenna.raden@usdoj.gov

FOR THE TOWN OF FRANKLINTON, LOUISIANA:

Dated: June 26, 2024

Dated: June 26th, 2024

MOULEDOUX, BLAND, LEGRAND &
BRACKETT LLC

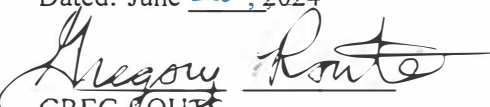

MARK E. HANNA, Esq.
701 Poydras Street, Suite 600
New Orleans, LA 70139
Phone: 504-595-3000
Fax: 504-522-2121
MHanna@mblb.com

LSB # 19336

KNIGHT LAW, LLC


JAMES KNIGHT, Esq.
1073 Cleveland St.
Franklinton, LA 70438
Phone: (985) 795-9200
jknight@knightlawllc.com

Dated: June 26th, 2024


GREG ROUTE
Mayor of the Town of Franklinton

APPENDIX A

RECEIPT OF CONSENT DECREE AND CERTIFICATION OF FHA TRAINING

I, _____, certify that I have received a copy of the Consent Decree resolving *United States v. Town of Franklinton, Louisiana*, Case No. _____, filed in the United States District Court for the Eastern District of Louisiana. I have read and understand the Consent Decree and had an opportunity to have my questions about the Decree answered. I understand my legal responsibilities under the Consent Decree and will comply with those responsibilities. I further understand that the Court may impose sanctions against the Town of Franklinton in the underlying action if I violate any provisions of the Decree.

I further certify that I attended training on the federal Fair Housing Act (“FHA”). I understand my obligation to not discriminate against any person in any aspect of residential dwelling or land use and zoning decisions because of race, color, religion, national origin, disability, familial status, or sex. I also understand my obligation not to retaliate against any person for exercising a right protected by the Fair Housing Act. I have had all of my questions about the topics in the Fair Housing Act training answered to my satisfaction. I further understand that the Court may impose sanctions against the Town of Franklinton in the underlying action if I violate the FHA.

Name of Course & Instructor: _____

Training Date: _____ Number of hours spent taking the course: _____

Signature

Name (print)

Title of Town official

Date Executed

APPENDIX B

CERTIFICATION OF ZONING TRAINING

I, _____, certify that I attended the annual Capital Region Planning Commission training on planning and zoning on _____ [Date] for _____ hours of training.

Signature

Name (print)

Title of Town official

Date Executed

APPENDIX C

FULL AND FINAL RELEASE OF CLAIMS

In consideration for the Parties' agreement to the terms of the Consent Decree entered into the case of *United States v. Town of Franklinton, Louisiana*, Case No. _____ in the United States District Court for the Eastern District of Louisiana, and in consideration of the total payment of \$205,000 (\$102,500.00 to Rosemark Real Estate, LLC and \$102,500.00 to Keyridge Ventures, LLC), Rosemark Real Estate, LLC, Keyridge Ventures, LLC, and Quail Run 2019, LP, do hereby fully release and forever discharge the Town of Franklinton, as well as their insurers, attorneys, agents, employees, former employees, heirs, and executors from any and all Fair Housing Act claims, whether federal or state, based on the facts alleged in the Complaint in this lawsuit that Rosemark Real Estate, LLC, Keyridge Ventures, LLC, or Quail Run 2019, LP may have had against the Town of Franklinton, for any of their actions or statements related to those claims through the date of the entry of the Consent Decree.

FOR ROSEMARK REAL ESTATE, LLC:

FOR KEYRIDGE VENTURES, LLC:

Signature

Signature

Name

Name

Title

Title

Date

Date

FOR QUAIL RUN 2019, LP:

Signature

Name

Title

Date