

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH PEDALINE  
AND YLP LLC,

Defendants.

Civil Action No.

COMPLAINT

DEMAND FOR JURY TRIAL

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 (the “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’ claims occurred in the Northern District of Ohio, and the Defendants reside and do business in the Northern District of Ohio.

**DEFENDANTS AND SUBJECT PROPERTIES**

4. Defendant Joseph Pedaline resides in the City of Youngstown, in Mahoning County, Ohio.

5. Defendant YLP LLC is a domestic for-profit limited liability company incorporated in Ohio on August 4, 2017, with its principal office located at 216 Lora Ave. in the City of Youngstown, Mahoning County, Ohio.

6. During the period relevant to this action, Defendants owned and/or managed over a dozen residential rental properties (the “subject properties”) in the City of Youngstown. The subject properties include single-family homes, duplexes, and apartments.

7. The subject properties include, but are not limited to, the following locations: 216-224 Lora Ave., 227 Lora Ave., 229-231 Lora Ave., 230-232 Lora Ave., 1447-1449 Ohio Ave., 1448 Ohio Ave., and 262 Fairgreen Ave., all located in the City of Youngstown.

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

9. During the period relevant to this action, Defendant Pedaline owned and/or was involved in the management of the subject properties, including, but not limited to, showing the properties to prospective tenants, executing leases, collecting rent, receiving maintenance requests, communicating with tenants regarding paying rent, and initiating eviction proceedings.

10. During part of the period relevant to this action, Defendant YLP LLC owned some of the subject properties, including but not limited to 216-224 Lora Ave., 230-232 Lora Ave., and 1447-1449 Ohio Ave., and was responsible for the management of the subject properties, including, but not limited to, executing leases, collecting rent, receiving maintenance requests, communicating with tenants regarding paying rent, issuing notices to quit, and otherwise initiating and pursuing relief in eviction proceedings.

11. Defendant Pedaline acted on behalf of Defendant YLP LLC and actively participated in the management of the subject properties Defendant YLP LLC owned.

### **FACTUAL ALLEGATIONS**

12. Since at least 2009 and continuing until at least 2020, Defendant Joseph Pedaline subjected female tenants of the subject properties to discrimination on the basis of sex, including

unwelcome and severe or pervasive sexual harassment. Defendant Pedaline's conduct included, but was not limited to:

- a. Offering to grant tangible housing benefits, such as reducing rent, excusing late or unpaid rent, or providing repairs and maintenance, to female tenants in exchange for sexual acts;
- b. Subjecting tenants to unwelcome sexual touching, including touching their breasts and buttocks;
- c. Making unwelcome sexual comments and sexual advances to tenants, including commenting on tenants' bodies and inviting them to engage in sexual acts with him;
- d. Menacing female tenants by entering their homes without their permission and with no apparent legitimate reason; and
- e. Taking adverse housing actions, such as initiating evictions, or threatening to do so, against tenants who objected to or refused his sexual advances.

13. For example, around May 2020, Defendant Pedaline subjected a female tenant to unwelcome sexual comments, made unannounced visits to her home, and subjected her to unwelcome severe or pervasive sexual harassment. While showing her a vacant apartment, he locked the door, approached her from behind, and positioned himself with his hands on her hips and his groin against her buttocks, stating "This is the place where we have our rendezvous," or words to that effect. The tenant made clear this conduct was not welcome and successfully escaped from the apartment. The tenant informed one or more agents of Defendant YLP LLC about Defendant Pedaline's unlawful conduct, as described above. Defendant YLP LLC failed to take any corrective action. The tenant moved out of the apartment.

14. In another example, in 2018, a tenant contacted Defendant Pedaline to inform him that her rent would be late. He offered that she could clean out an empty apartment to reduce her rent balance. When she arrived at the apartment, there were no cleaning supplies. She asked Defendant Pedaline whether she was supposed to bring her own. He replied, “There are other ways to work off the rent.” When she asked what he meant, Defendant Pedaline said that she would not have to worry about the rent if she had sex with him. The tenant refused and rapidly left the vacant apartment. Soon after this, Defendant YLP LLC filed a complaint in forcible entry and detainer, seeking to evict the tenant for failure to pay rent. The tenant moved out of the apartment.

15. In another example, around 2012, Defendant Pedaline repeatedly made unwelcome propositions for sex to a tenant while she was cleaning rental units to pay her rent. He also touched her without her permission, including on her breasts and buttocks. He came to her home, where he attempted to pull away a blanket with which she had covered herself to answer the door, and he stated that she could pay her rent with sex. She refused, stating that she had worked for him the entire week to pay the rent. Shortly after this, Defendant Pedaline evicted the tenant without court process by changing the locks, and her family lost all their possessions.

16. In another example, in 2009 and 2010, Defendant Pedaline made sexual comments to a tenant. The comments included asking her if she was pregnant and suggesting, “We could go try and see if it still works.” Defendant Pedaline later told the tenant that if her dress came up a little higher, he would give back her rent check and they could “go somewhere and make other arrangements” for rent. Defendant Pedaline also entered this tenant’s unit without notice. After the tenant asked Defendant Pedaline to cease this conduct, he gave her a water bill for the first time in her tenancy, even though the landlord was responsible for the water, and subsequently sued her for eviction when she did not pay it.

17. The experiences of the women described above were not the only instances of Defendant Pedaline's sexual harassment of tenants. Rather, they were part of his longstanding pattern or practice of illegal sexual harassment of multiple tenants from at least 2009 until at least 2020.

18. Defendants' conduct described in this complaint caused female tenants and persons associated with them to suffer fear, anxiety, and emotional distress, and interfered with their ability to secure and maintain rental housing for themselves and their families.

19. Defendant Pedaline's discriminatory conduct that occurred at the subject properties owned by Defendant YLP LLC, occurred while he was exercising authority as an agent for that entity. Defendant YLP LLC is therefore vicariously liable for Defendant Pedaline's conduct.

### **CAUSE OF ACTION**

#### **FAIR HOUSING ACT**

20. By the actions and statements described above, the Defendants have:
- 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.

21. Under 42 U.S.C. § 3614(a), the Defendants' 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.

22. Female tenants have been injured by the Defendants' 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 Defendants' conduct.

23. Defendants' 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 Defendants' discriminatory practices violate the Fair Housing Act, as amended, 42 U.S.C. §§ 3601-3619;
- b. Enjoins the Defendants, their agents, employees, and successors, and all other persons in active concert or participation with them, from:
  - i. Discriminating on the basis of sex, including engaging in sexual harassment, in any aspect of the rental of a dwelling;
  - ii. Discriminating on the basis of sex in the terms, conditions, or privileges of the sale or rental of a dwelling, or in the provision of services or facilities in connection therewith;
  - iii. Making statements with respect to the sale or rental of a dwelling that indicate a preference, limitation, or discrimination based on sex;

- iv. Coercing, intimidating, 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;
- v. Failing or refusing to take such affirmative steps as may be necessary to restore, as nearly as practicable, the aggrieved persons affected by the Defendants' past unlawful practices to the position they would have been in but for the discriminatory conduct; and
- vi. Failing or refusing to take such affirmative steps as may be necessary to prevent the recurrence of any discriminatory conduct in the future;
- c. Awards monetary damages to each person aggrieved by the Defendants' discriminatory conduct, under 42 U.S.C. § 3614(d)(1)(B);
- d. Assesses civil penalties against the Defendants 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.

**DEMAND FOR JURY TRIAL**

24. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, the United States hereby demands a trial by jury.

Dated: September 6, 2023

Respectfully submitted:

MERRICK GARLAND  
Attorney General

REBECCA C. LUTZKO  
United States Attorney  
Northern District of Ohio

KRISTEN CLARKE  
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Attorneys for Plaintiff  
United States of America

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Michelle Heyer, Assistant United States Attorney, 801 W. Superior Ave., Suite 400, Cleveland, OH 44113, Phone: (216)-6223686

DEFENDANTS

Joseph Pedaline; YLP, LLC

County of Residence of First Listed Defendant Mahoning (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. §§ 3601-3619 (the "Fair Housing Act"). Brief description of cause: Defendant subjected female tenants of the subject properties to discrimination on the basis of sex including severe or pervasive sexual harassment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [ ] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD MICHELLE HEYER

Digitally signed by MICHELLE HEYER Date: 2023.09.06 09:28:21 -0400

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

I. Civil Categories: (Please check one category only).

- 1.  General Civil
- 2.  Administrative Review/Social Security
- 3.  Habeas Corpus Death Penalty

\*If under Title 28, §2255, name the SENTENCING JUDGE: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

II. **RELATED OR REFILED CASES** See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action:  is **RELATED** to another **PENDING** civil case  is a **REFILED** case  was **PREVIOUSLY REMANDED**

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III. In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county  
**COUNTY:** Mahoning  
Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.  
**COUNTY:**

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.  
**COUNTY:**

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

**EASTERN DIVISION**

- AKRON (Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)
- CLEVELAND (Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)
- YOUNGSTOWN (Counties: Columbiana, Mahoning and Trumbull)

**WESTERN DIVISION**

- TOLEDO (Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca VanWert, Williams, Wood and Wyandot)

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.



Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



Civil Action No. \_\_\_\_\_

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*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

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I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*: \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: