



**Conciliation Agreement**

██████████ v Pelham Square Condominiums Owners Association, Inc., et al.

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WHEREAS, the Commission and the parties hereto wish to reach a just resolution of the aforementioned dispute, and reach a full, equitable and final settlement of all matters arising out of the aforementioned complaint.

**NOW, THEREFORE, the parties hereby agree and stipulate to the following:**

**II. GENERAL PROVISIONS**

The terms set forth herein are contractual and not merely a recital.

- A. The parties acknowledge that this Agreement is a full settlement of the disputed complaint. The parties hereto state that they have read and fully understand the significance of the terms set forth herein and have executed this compromise Conciliation Agreement freely and voluntarily. No party has been coerced, intimidated, threatened, or in any way forced to become a party to this Agreement.
- B. By signing this Agreement both Complainant and Respondent state that they have had the opportunity to seek legal counsel regarding the effects of this Agreement.
- C. This conciliation agreement fully and completely resolves all issues arising out of SHAC Case # H-3-19-029/HUD Case # 04-19-8885-8 through the effective date of this agreement. The Commission and the Charging Party will take no further legal action with respect to, and will not initiate any action pertaining to, the facts and events which led to the filing of the charge so long as the parties abide by the terms of this Conciliation Agreement.
- D. This Agreement, after the Commissioner of South Carolina Human Affairs Commission (SCHAC) has approved it, is binding upon all Respondents, their employees, successors and all others in active concert with them in the ownership or operation of Pelham Square Condominiums, Greer, SC 29650.
- E. It is understood that, pursuant to Section 31-21-120 (D) of the South Carolina Code of Laws Fair Housing Law, upon approval of this Agreement by the Commissioner of SCHAC, it is a public document.
- F. This Agreement does not in any way limit or restrict SCHAC's authority to investigate any other complaint involving Respondents made pursuant to the Fair Housing Law, or any other law within SCHAC's jurisdiction.
- G. This Conciliation Agreement constitutes closure of the complaint at HUD and South Carolina Human Affairs Commission upon a determination that Complainant and Respondents have complied with the terms of the Agreement.

**III. PROVISIONS FOR THE PUBLIC INTEREST**

In order to assure that the public interest is protected, Respondent, without admitting to any violation of the South Carolina Fair Housing Law or Federal Fair Housing Act, agrees to continue to take such affirmative action as may be necessary to assure the elimination of discriminatory housing practices and the prevention of their occurrence in the future, including, but not limited to the following:

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- A. Respondents agree to comply with all federal and state housing laws.
- B. Respondent agrees to allow any qualified person the right to purchase, rent, or occupy a dwelling regardless of race, color, religion, sex, disability, familial status, or national origin.
- C. Respondents ██████████ Company, Inc. and Pelham Square Condominium Owners Association, Inc. will include the Fair Housing logo and/or slogan on all advertising, brochures, handouts, stationery, forms, and other documents that Respondents routinely use to communicate with owners, tenants, prospective buyers, prospective tenants, or provided by Respondents to the public. Such logo and slogan must be prominently placed and legible. This provision does not apply to other management companies operating at the subject property with whom Respondents have no business relationship.
- D. Respondents and Respondent's employees agree to attend Fair Housing training provided by the South Carolina Human Affairs Commission within six months from the date of this executed agreement. All current Board Members for Respondent Pelham Square Condominium Owners Association, Inc. must attend training. Respondents are responsible for scheduling training with Commission in the appropriate period in order to remain in compliance with this Agreement.
- E. Respondent Pelham Square Condominium Owners Association, Inc. will create Reasonable Accommodation policies, subject to the approval of the Commission, within 45 days of the date from date of this executed agreement. Respondent will implement the policy immediately after receiving approval from the Commission. Respondent agrees to cooperate with Commission employees to make recommended updates to the policies prior to implementation of the policies. Respondent must make copies available to and notify all owners and/or residents of the policy within 15 days from the date of receiving approval from the Commission.
- F. Respondents must report all accommodation requests made at Pelham Square Condominiums for a period of one year from the date of this executed Agreement to the Commission as indicated in Section VI of this Agreement. Information reported for each accommodation should include the following:
  - a. Name and address of person(s) requesting an accommodation
  - b. Description of the requested accommodation
  - c. Name of individual(s) who received and/or reviewed the request
  - d. Response to the request
  - e. Outcome of the requested accommodation and correspondence
  - f. A timeline of events from the initial request to the final outcome
- G. Complainant and Respondent agree that the Commission shall monitor compliance with the terms and conditions specified in this Agreement. As part of such monitoring, the Commission may inspect Respondents' pertinent records and practices and interview witnesses associated with the future compliance events described in this Agreement. Respondent agrees to provide their full cooperation in any monitoring review undertaken by the Commission to ensure compliance with this Agreement.

**IV. RELIEF FOR COMPLAINANT**

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- A. Respondent Pelham Square Condominiums Association, Inc. agrees to create a handicap parking space, compliant with Fair Housing Law regulations, in the agreed upon space within 30 days from the executed agreement. Respondent agrees to appropriately maintain the space by keeping all paint and striping visible for the duration of the complainant's residence in the community. Respondent agrees to notify the Commission once the space is complete and the created space shall be inspected by Commission employees for compliance with Fair Housing guidelines. Respondent agrees to correct any deficiencies in the space noted by the Commission within 30 days of receiving such notification.
- B. Respondent agrees that there shall be no discrimination or retaliation of any kind against Complainant or any person who assisted the Commission in the filing of this charge or in the investigation of this matter.

**V. RELEASE BY COMPLAINANT**

- A. Upon compliance with the terms of Paragraph IV through herein, Complainant agrees to release and forever discharge Respondent and Respondent's employees, agents, successors, insurers, and assigns from any and all claims which may be raised on account of the matters raised herein.

**VI. BREACH OF CONCILIATED TERMS**

- A. Nothing in this Agreement shall be construed to preclude the Commission and/or any aggrieved individual(s) from bringing suit to enforce this Agreement in the event that Respondent fails to perform the promises and representations contained herein. Neither does it preclude the Commission from filing charges in the future concerning events occurring after the execution of this conciliation agreement. The Commission shall determine whether Respondent has complied with the terms of this Agreement. In the event that the Commission determines that Respondent has not complied with the terms hereof, the Commission shall send written notice to Respondent and Respondent shall be given a reasonable time period to remedy such non-compliance.
- B. Complainant and Respondents agree that this Agreement may be used as evidence in a subsequent proceeding in which any of the parties allege a breach of this Agreement.

**VII. REPORTING & RECORDKEEPING**

Parties shall submit proof of compliance with the terms of this Agreement to:

South Carolina Human Affairs Commission  
Fair Housing Division  
Attention: [REDACTED]  
1026 Sumter Street, Suite 101  
Columbia, SC 29201

The submitter of any documentation should include the SHAC and HUD case numbers, which are as follows:

SHAC No. H-3-19-029  
HUD No. 04-19-8885-8

SHAC No. H-3-19-029  
HUD No. 04-19-8885-8

**VIII. COMMISSION REVIEW**

A. Subject to the provisions of Section 814 of the Fair Housing Act, as amended, 42 U. S. C. Section 3614, and in accordance with the provisions of State Regulations R. 65-225.G., the Commission may, from time to time, review compliance with this Conciliation Agreement, and, if necessary, recommend to the South Carolina Attorney General that a civil action be filed to seek the enforcement of any of the terms set forth herein.

**IX. EFFECTIVE DATE**

This agreement shall become effective on the date on which it is approved and signed by the Commissioner of the South Carolina Human Affairs Commission.

IN WITNESS WHEREOF, the parties have subscribed their names hereto on the day and date indicated.

11/5/19

[Redacted signature line]

Complainant

(Date)

11-4-2019

Pelham Square Condominiums Owners Association, Inc., Representative  
Respondent

(Date)

[Redacted signature line]

11-4-2019

Company, Representative

(Date)

Respondent

[Redacted signature line], Respondent

(Date)

[Redacted signature line]

11-5-19

Conciliator

(Date)

Approved on Behalf of the Commission

*Raymond Buxton II*  
Raymond Buxton II, Commissioner

11/12/19

(Date)