

JAN 28 2014

INDIANA STATE
CIVIL RIGHTS COMMISSION

**STATE OF INDIANA
INDIANA CIVIL RIGHTS COMMISSION**

JEFF MOORE and ALICE BURKE,

Complainants,

vs.

SOUND BUILT STRATEGIES, INC. d/b/a CREEK

SIDE MOBILE HOME PARK ,

Respondent.

) Docket No.: HOha11050209

) HUD No.: 05-11-1035-8

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

On December 9, 2013, Noell F. Allen Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC") entered her Proposed Findings of Fact, Conclusions of Law, And Order ("the proposed decision").

No objections have been filed to the ICRC's adoption of the proposed decision.

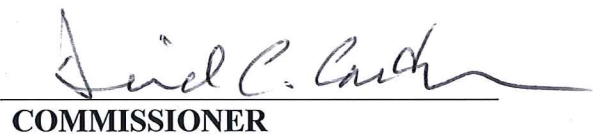
Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

INDIANA CIVIL RIGHTS COMMISSION


COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

Dated this 24th day of January, 2014

To be served by Certified Mail on the following parties and attorneys of record:

Jeff Moore and Alice Burke
143 ½ Elm Street
Hope, IN 47246

Sound Built Strategies, Inc. d/b/a Creekside Mobile Home Park
c/o Sondra Settles
8475 North 700 East
Indianapolis, IN 46259-9542

McNEELY STEPHENSON THOPY & HARROLD
BY: Cynthia A. Burdick, Esq. and Jody M. Butts, Esq.
Attorneys for Respondent Sound Built Strategies, Inc. d/b/a Creekside Mobile Home Park
2150 Intelliplex Drive, Suite 100
Shelbyville, IN 46176

and to be personally served on the following attorney of record:

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
Attorney for Complainants Jeff Moore and Alice Burke
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

STATE OF INDIANA
INDIANA CIVIL RIGHTS COMMISSION

INDIANA STATE
CIVIL RIGHTS COMMISSION

JEFF MOORE and ALICE BURKE,

Complainants,

vs.

SOUND BUILT STRATEGIES, INC. d/b/a CREEK

SIDE MOBILE HOME PARK ,

Respondent.

) Docket No.: HOha11050209

) HUD No.: 05-11-1035-8

PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On December 9, 2013, Complainants, Jeff Moore and Alice Burke, by counsel, and Respondent, Sound Build Strategies, Inc. d/b/a Creek Side Mobile Home Park, by counsel, filed their JOINT MOTION TO DISMISS (“Motion”).

Having carefully considered the foregoing and being duly advised in the premises, the undersigned Administrative Law Judge (“ALJ”) for the Indiana Civil Rights Commission (“ICRC”) proposes that the ICRC enter the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. This proceeding involves a complaint of discrimination against Respondent alleging unlawful discriminatory housing practices based on disability in violation of the Indiana Fair Housing Act, Indiana Civil Rights Law and the Federal Fair Housing Act. (Notice of Finding, 8/24/2011).
2. The parties have reached a private settlement agreement.
3. The parties are satisfied with the terms of the settlement agreement.
4. There is no evidence of fraud, coercion, duress, or any other reason not to approve of the requested dismissal.

5. Any Conclusion of Law that should have been deemed a Finding of Fact is hereby adopted as such.

CONCLUSIONS OF LAW

1. The ICRC has jurisdiction over the subject matter and the parties.
2. Settlement is a favored resolution and should be encouraged.
3. Administrative review of this proposed decision may be obtained by the filing of a writing identifying with reasonable particularity each basis of each objection within fifteen (15) days after service of this proposed decision. IC 4-21.5-3-29(d).
4. Any Finding of Fact that should have been deemed a Conclusion of Law is hereby adopted as such.

ORDER

1. The parties' Joint Motion to Dismiss is **GRANTED**.
2. The complaint is **DISMISSED**, with prejudice.

Dated this 9th day of December, 2013



Hon. Noel F. Allen
Administrative Law Judge
Indiana Civil Rights Commission

To be served by first class mail on the following parties and attorneys of record:

Jeff Moore and Alice Burke
143 ½ Elm Street
Hope, IN 47246

Sound Built Strategies, Inc. d/b/a Creekside Mobile Home Park
c/o Sondra Settles
8475 North 700 East
Indianapolis, IN 46259-9542

McNEELY STEPHENSON THOPY & HARROLD
BY: Cynthia A. Burdick, Esq. and Jody M. Butts, Esq.
Attorneys for Respondent Sound Built Strategies, Inc. d/b/a Creekside Mobile Home Park
2150 Intelliplex Drive, Suite 100
Shelbyville, IN 46176

and to be personally served on the following attorney of record:

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
Attorney for Complainants Jeff Moore and Alice Burke
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255