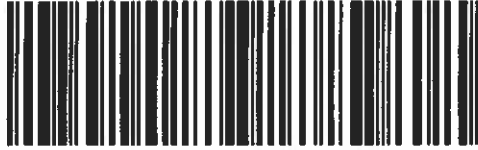


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IMPORTANT HUD NOTICE



ALEXANDER PAYNE (HOA PRESIDENT)
MILBURN FIELDS HOMES ASSOCIATION, INC.
C/O:
PO BOX 4277
OVERLAND PARK KS 66204-0277



**U.S. Department of Housing and Urban Development**

Region VII
Office of Fair Housing and Equal Opportunity
Gateway Tower II, 4th Floor
400 State Avenue
Kansas City, KS 66101-2406

May 03, 2023

Alexander Payne (HOA President)
MILBURN FIELDS HOMES ASSOCIATION, INC.
C/O:
PO Box 4277
OVERLAND PARK, KS 66204

Dear Respondent:

Subject: Housing Discrimination Complaint
King vs. Payne/ Milburn Fields Home Associations, Inc et al.
Inquiry No.: 718982
HUD File No.: 07-23-1640-8

We have received a formal complaint alleging that you have engaged in one or more discriminatory housing practices under the Federal Fair Housing Law, 42 U.S.C. Sections 3601-3619. We are required by statute to send you a copy of the complaint.

We are enclosing a copy of the complaint for you. The alleged discriminatory practices are identified in this complaint. We have made no determination as to whether the complaint against you has merit.

The purpose of this letter is to inform you of: 1) the rights you have in responding to this complaint, 2) the rights each complainant has, and 3) the steps the U.S. Department of Housing and Urban Development (the Department) will take to determine whether the complaint has merit.

In order to ensure that the Department informs you properly of the law's requirements, this notification letter contains language required by the law. A similar letter is used to notify all parties whenever a formal complaint has been filed with the Department under the Federal Fair Housing Law.

We are governed by federal law, which sets out what steps we must take when a formal complaint is filed. The law also includes steps that you can take to answer or refute the allegations of this complaint.

Under federal law, any answer from you to this complaint can be filed within 10 calendar days of your receipt of this letter or receipt of a letter notifying you of any amendments to this complaint. Your answer must be signed and you must affirm that you have given a truthful



response by including the statement "I declare under penalty of perjury that the foregoing is true and correct."

You will be allowed to amend your statement at any time, if our investigation shows that it is reasonable and fair for you to do so.

Our responsibility under the law is to undertake an impartial investigation and, at the same time, encourage all sides to reach an agreement, where appropriate, through conciliation. The law requires us to complete our investigation within 100 days of the date of the official filing of the complaint. If we are unable to meet the 100-day requirement for issuing a determination, the law requires that we notify you and the complainant(s) and explain the reasons why the investigation of the complaint is not completed.

In handling this complaint, we will conduct an impartial investigation of all claims that the Fair Housing Act has been violated. If the investigation indicates that there is not evidence establishing jurisdiction, the case will be dismissed. At any point, you can request that our staff assist you in conciliating (or settling) this complaint with the complainant(s). If the case is not resolved, we will complete our investigation and decide whether or not the evidence indicates that there has been a fair housing violation. If the parties involved have not reached an agreement to settle the complaint, the Department will issue a determination as to whether there is reasonable cause to believe a discriminatory housing practice has occurred.

If our investigation indicates that there is reasonable cause to believe that an unlawful discriminatory housing practice has occurred, the Department must issue a charge. If the investigation indicates that there is no reasonable cause to believe that discrimination has occurred, the complaint will be dismissed. In either event, you will be notified in writing. If the determination is one of reasonable cause, the notification will advise you and the complainant(s) of your rights to choose, within 20 days, whether you wish to have the case heard by an Administrative Law Judge, or to have the matter referred for trial in the appropriate U.S. District Court.

Each complainant has the legal right to file such a suit, even if the complaint formed the basis for a charge, as long as an Administrative Law Judge has not started a hearing on the record with respect to the charge. Under federal law, even if the Department dismisses the complaint, each complainant still has the right to file an individual lawsuit under the Fair Housing Law in an appropriate federal, state or local court within two years of the date of the alleged discriminatory practice or of the date when a conciliation agreement has been violated. The law does not count, as part of the two-year period, any of the time when a proceeding is pending with the Department.

There may be other applicable federal, state or local statutes under which you and/or the complainant(s) may initiate court action. You may consult a private attorney in this regard.

The law also requires us to notify you that section 818 of the Fair Housing Act makes it unlawful for you, or anyone acting on your behalf, to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, any right granted or protected under the Federal



Fair Housing Law. The law also makes it illegal for anyone to coerce, threaten or interfere with any person for having aided or encouraged any other person in the exercise or enjoyment of, any right or protection granted to them under the Federal Fair Housing Law.

If you have any questions in the interim, you may contact Sally A. Johnson at Sally.A.Johnson@hud.gov or (202) 795-0978 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except for Federal holidays.

Sincerely,

A handwritten signature in black ink that reads "Natasha J. Watson". The signature is written in a cursive style with a large, prominent initial "N".

Natasha J. Watson
Regional Director
Office of Fair Housing and
Equal Opportunity

Enclosure



Housing Discrimination Complaint

1. Complainants:

Bethany S. King
7218 Conser St
Overland, KS 66204

2. Complainant Representatives:

3. Other Aggrieved Parties:

None

4. The following is alleged to have occurred or is about to occur:

- Other discriminatory acts

5. The alleged violation occurred because of:

- Race

6. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):

Milburn Fields HOA
7218 Conser St
Overland Park, KS 66204

7. Respondents:

MILBURN FIELDS HOMES ASSOCIATION, INC
C/O:
ELMER J. SANDERS
7324 NEWTON DR
OVERLAND PARK, KS 66204

MILBURN FIELDS HOMES ASSOCIATION, INC.
C/O: Alexander Payne (HOA President)
PO Box 4277
OVERLAND PARK, KS 66204



8. The following is a brief and concise statement of the facts regarding the alleged violation:

Section: 804 (b)

Issue: Terms and Conditions

Basis: Race (African American)

Allegation: Censoring Post, Blocked from HOA Facebook Group Page

The Complainant Bethany S. King stated that on or around October 23, 2015, she moved into the subject property (7218 Conser St, Overland Park, KS 66204) which she owns. Respondents Milburn Fields Homes Association, Inc is the Homeowners Association for the subject property. Respondent Alex Payne (White) serves as the Homeowners Association President.

The Complainant states that Milburn Fields Homes Associations, Inc. uses the Facebook Group platform to share information and send out updates to HOA members. Complainant alleges that on or around August 15, 2022, Respondent Payne started censoring her post on the Milburn Fields Families Facebook Group. Complainant further alleges that on or around December 19, 2022, she received a letter from Respondent Milburn Fields Home Association, Inc. that she has been immediately removed from any social media groups hosted by Milburn Fields HOA.

The Complainant stated that she is the only African American homeowner residing within Milburn Fields Homes Associations, Inc. The Complainant believes that the Respondent has violated her homeowner rights by removing her from the Milburn Fields HOA Facebook group. The complainant is concerned that she is being singled out due to her race (African American).

9. The most recent date on which the alleged discrimination occurred:

February 17, 2023

10. Types of Federal Funding Identified:

11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:

804(a) or (b) of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

Please sign and date this form:



DocuSign Envelope ID: 781A66F3-D28B-4F14-8767-213E6E8F6E45

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.

King, Bethany S.

5/2/2023

Bethany S. King

Date

N O T E : HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.

