



**FAIR HOUSING COUNCIL
OF ORANGE COUNTY**

FOSTERING DIVERSITY IN HOUSING

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July 2, 2007

Daniel J. Bader
306 Coronado St.
Newport Beach, CA 92661

Subject: Complaint # 09-07-0071-8

Dear Mr. Bader:

I received your letter by fax and respond as follows. Regarding FHCOC's counter offer to your \$3.29 counter offer I did not demand \$3,999.99, the counter was \$3,996.00. This negotiation style is silly at best and clearly a waste of time.

Joel will provide you with the items you requested from him, however, keep in mind that your demands take up more time and increase our costs accordingly.

Your cell phone connection must have been very poor because I never stated that we used any fee schedule authorized by any state or federal government agency. FHCOC's costs are calculated based upon time documented in the case file and the prevailing rate for the activity conducted as well as all other out of pocket expenses (e.g. postage, copies, etc.). In addition to this amount of actual costs we use a multiplier to calculate frustration of mission damages allowed by both state and federal courts, as well as diversion of resource costs.

The continuing education is to insure that you have up to date knowledge to run your business in a lawful and professional manner. Renting any property

is a business, no matter how many units you have. Education is the most valuable portion of the settlement agreement because it is preventative, not punitive.


I am happy to meet with you to discuss settlement of this complaint. It is not our intent to cause you great financial harm; it is our intent to insure that tax payer dollars are not spent educating real estate professionals, who are required to have a working knowledge of the law. The fact that you are recently licensed makes your ignorance of the Fair Housing laws of great concern because the information should be fresh for you.

I do not intend to debate or discuss whether or not you have refused to rent to children in the past. The violation we complained about was your advertisement and on its face it showed a preference for 'professional adults.' No newspaper would have accepted that wording and many have paid high settlement amounts for failure to screen private party ads. Your choice to place your ad on Craig's List removed the protection you would have had by using any other media.

You are free to allow the complaint to remain with DFEH and have their legal department issue an accusation of discrimination or close the file. If the file is closed we will take no further action, if an accusation is issued DFEH will proceed with the complaint in either the Administrative Court or California State Superior Court.

If you have any questions regarding your rights please contact an attorney who can properly advise you. The Apartment Association of Orange County can refer you to a qualified attorney.

Sincerely,


D. Elizabeth Pierson, Esq.
President/CEO & General Counsel