

**OHIO CIVIL RIGHTS COMMISSION**

IN THE MATTER OF:

**SHWANA N. GARNER**

Complainant

and

**BARRY G. KIRBY**

Respondent

Complaint #9361

(CIN) H5061701 (29375) 082001

HUD #: 05 – 01 – 1181 – 8

**ADMINISTRATIVE LAW JUDGE'S FINDINGS OF FACT,**

**CONCLUSIONS OF LAW, AND RECOMMENDATIONS**

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**Complainant**

**ALJ'S REPORT BY:**

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## INTRODUCTION AND PROCEDURAL HISTORY

Shwana N. Garner (Complainant) filed a sworn charge affidavit with the Ohio Civil Rights Commission (Commission) on August 20, 2001.

The Commission investigated and found probable cause that unlawful discriminatory practices had been engaged in by Barry G. Kirby (Respondent) in violation of Revised Code (R.C.) 4112.02(H)(4).

The Commission issued a Complaint, Notice of Hearing, and Notice of Right of Election on August 1, 2002.

The Commission alleged that Respondent subjected Complainant to unequal terms and conditions of rental because of her familial status.

Respondent filed an Answer to the Complaint, asserting denial of the Commission's jurisdiction, in addition to pleading affirmative defenses.<sup>1</sup>

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<sup>1</sup> Respondent did not introduce evidence into the record regarding the Commission's failure to attempt conciliation.

A public hearing was held on February 13, 2003 at the Commission's Regional Office in Cincinnati, Ohio.

The record consists of the previously described pleadings; the transcript consisting of 69 pages of testimony; exhibits admitted into evidence at the hearing; and the post-hearing briefs filed by the Commission on May 2, 2003; by Respondent on May 22, 2003; and the Commission's reply brief, filed on May 29, 2003.

### **FINDINGS OF FACT**

The following findings are based, in part, upon the Administrative Law Judge's (ALJ) assessment of the credibility of the witnesses who testified before her in this matter. The ALJ applied the tests of worthiness of belief used in current Ohio practice. For example, she considered each witness's appearance and demeanor while testifying. She considered whether a witness was evasive and whether his or her testimony appeared to consist of subjective opinion rather than factual recitation. She further considered the opportunity each witness had to observe and know the things discussed; each

witness's strength of memory; frankness or the lack of frankness; and the bias, prejudice, and interest of each witness. Finally, the ALJ considered the extent to which each witness's testimony was supported or contradicted by reliable documentary evidence.

1. Complainant filed a sworn charge affidavit with the Commission on August 20, 2001.

2. The Commission determined on August 1, 2002 that it was probable that Respondent engaged in unlawful discriminatory practices in violation of R.C. 4112.02(H)(4).

3. The Commission attempted to eliminate the alleged unlawful discriminatory practices by conciliation.

4. Respondent is a provider of housing accommodations. Respondent owns and operates a rental property at 3324 Hanna Avenue in Cincinnati, Ohio.

5. In June of 2001, Complainant, a 29 year old female, was seeking a place to live. Complainant began her search in April of that year.

6. Complainant was pregnant, expecting her first child. The apartment that she resided in at 2619 Ritchwell was a one-bedroom apartment. Complainant needed more space for herself and the baby, preferably a two-bedroom apartment.

7. Complainant's efforts entailed searching the newspaper, driving around through neighborhoods, and word-of-mouth.

8. Complainant liked the west side of town and focused on that area.

9. Complainant came across an advertisement for an apartment on 3324 Hanna Avenue in *The Cincinnati Inquirer* dated Sunday, June 10, 2001.

10. The unit was described as a two-bedroom, equipped, \$440.00, plus deposit, no pets, listing the telephone number to call as 481-9043.

11. Complainant circled the advertisement and called the number later in the evening around 6:30 or 7:00 p.m.

12. Complainant received a recording. It described the apartment and instructed the caller to leave a message if interested. The voice on the recording was a male voice.

13. Complainant left her telephone number and her name, using her middle name, "Nicole". Complainant felt her middle name was easier for people to pronounce than her first name.

14. Complainant did not receive a return call until one week later.

15. When Respondent's property manager, Ramon Rivera, talked to Complainant on Sunday, June 17, he explained that he had been out of town and had just returned.

16. He asked Complainant if she was still interested in the apartment, and she replied in the affirmative.

17. Mr. Rivera asked Complainant why she needed a two-bedroom apartment. She replied that she needed the additional space for her child.

18. Mr. Rivera told Complainant that he did not think the apartment would be good for her because the walls were too thin. Mr. Rivera told Complainant that he was not going to show her the apartment and that he would show her another apartment.

19. Complainant's aunt was with her at the time that she received the call. Complainant told her aunt about the conversation.

20. Complainant was very upset. The next day, June 18, 2001, she called 721-HOME. She had heard about Housing Opportunities Made Equal (HOME) through radio and television public service announcements.

## **CONCLUSIONS OF LAW AND DISCUSSION**

All proposed findings, conclusions, and supporting arguments of the parties have been considered. To the extent that the proposed findings and conclusions submitted by the parties and the arguments made by them are in accordance with the findings, conclusions, and views stated herein, they have been accepted; to the extent they are inconsistent therewith, they have been rejected. Certain proposed findings and conclusions have been omitted as not relevant or as not necessary to a proper determination of the material issues presented. To the extent that the testimony of various witnesses is not in accord with the findings herein, it is not credited.

1. The Commission alleged in the Complaint that Respondent subjected Complainant to unequal terms and conditions of renting because of her familial status.

2. This allegation, if proven, would constitute a violation of R.C. 4112.02, which provides in pertinent part that:

It shall be an unlawful discriminatory practice:

(H) For any person to:

(4) Discriminate against any person in the terms or conditions of . . . renting, . . . use of any housing accommodations . . . because of . . . familial status, . . . .

3. R.C. 4112.01(A)(15) defines "familial status" as either:

(a) One or more individuals who are under eighteen years of age and who are domiciled with a parent or guardian having legal custody of the individual or domiciled, with the written permission of the parent or guardian having legal custody, with a designee of the parent or guardian; or

(b) Any person who is pregnant or in the process of securing legal custody of any individual who is under eighteen years of age.

4. The Commission has the burden of proof in cases brought under R.C. Chapter 4112. The Commission must prove a violation of R.C. 4112.02(H) by a preponderance of reliable, probative, and substantial evidence. R.C. 4112.05(G) and 4112.06(E).

5. Federal case law applies to alleged violations of R.C. Chapter 4112. *Little Forest Med. Ctr. of Akron v. Ohio Civil Rights Comm.*, (1991), 61 Ohio St.3d 607. Therefore, reliable, probative and substantial evidence means evidence sufficient to support a finding of unlawful discrimination under the federal Fair Housing Act of 1968, as amended.<sup>2</sup>

6. The same standards of proof that apply to employment discrimination cases generally apply to housing discrimination cases.<sup>3</sup> Normally, these standards require the Commission to first prove a *prima facie* case of discrimination. *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 5 FEP Cases 965 (1973). The proof required to establish a *prima facie* case may vary on a case-by-case basis. *Id.*, at 802, FEP Cases at 969, n. 13. In this case, the Commission may establish a *prima facie* case of discrimination by proving that:

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<sup>2</sup> The Fair Housing Amendments Act of 1988 amended the substantive provisions of the Fair Housing Act of 1968 (Title VIII) to prohibit housing discrimination against families with children. Section 3604(b) of the Fair Housing Act, as amended, makes it unlawful "[t]o discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provisions of services or facilities in connection therewith, because of . . . familial status, . . . ." 42 U.S.C. 3604(b).

<sup>3</sup> Although the Supreme Court has never addressed the issue, ". . . lower courts have generally assumed that . . . precedents from the employment discrimination field should be followed in interpreting Title VIII." R. Schwemm, *Housing Disc.*, 1996 Ed. at 10-2.

- (1) Complainant is a member of a protected class.
- (2) Complainant expressed interest in viewing available housing accommodations; and
- (3) Respondent subjected Complainant to disparate treatment after she expressed interest in viewing housing accommodations under circumstances which give rise to an inference of unlawful discrimination.

7. The Commission established a *prima facie* case of familial status discrimination.<sup>4</sup> The Commission established the first element of a *prima facie* case because Complainant was pregnant at the time she was seeking housing accommodations.

8. The Commission established the second element with Complainant's testimony. Complainant testified that she responded to an advertisement Respondent placed in *The Cincinnati Inquirer* for rental of available housing accommodations. Complainant called expressing an interest in the housing accommodations. Respondent's property manager, Ramon Rivera, called Complainant back and asked about her interest in renting the housing accommodations.

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<sup>4</sup> The burden of establishing a *prima facie* case of discrimination is not onerous. *Texas Dept. of Community Affairs v. Burdine*, 450 U.S. 248, 254, 25 FEP Cases 113,116(1981). It is simply part of an evidentiary scheme "intended progressively to sharpen the inquiry into the elusive factual question of intentional discrimination."

9. The Commission established the third element of a *prima facie* case. Complainant testified that during the conversation with the property manager he asked her why she needed a two-bedroom apartment.<sup>5</sup> When Complainant stated that her child was the reason, the property manager refused to show her the apartment because the “walls were too thin”. The property manager attempted to direct her to another apartment unit that he told Complainant would be more suitable.

10. Since the Commission established a *prima facie* case, the burden of production shifted to Respondent to “articulate some legitimate, non-discriminatory reason” for his actions. *McDonnell Douglas, supra* at 802, 5 FEP Cases at 969. To meet this burden of production, Respondent must:

“. . . clearly set forth, through the introduction of admissible evidence,” reasons for . . . [his] actions which, if believed by the trier of fact, would support a finding that unlawful discrimination was not the cause of . . . [his actions].

*St. Mary’s Honor Center v. Hicks*, 113 S. Ct. 2742, 2747, 62 FEP Cases 96, 99 (1993), quoting *Burdine, supra* at 254-255, 25 FEP Cases at 116.

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<sup>5</sup> Although Complainant’s statements about her conversation with Mr. Rivera are hearsay, Complainant’s testimony was credible. Hearsay is admissible at a Commission hearing. Mr. Rivera had been delegated the responsibility by Respondent to rent available apartments. Mr. Rivera did not testify at the hearing.

11. The owner of the housing accommodation, Barry G. Kirby, testified that Complainant had not filled out an application for the apartment.

12. There was no need for Complainant to fill out an application if she was not going to be shown the apartment that she was interested in renting. Respondent's refusal to show the apartment to Complainant is the denial of the opportunity to rent the housing accommodation because of her familial status.

### **DAMAGES**

1. When the Commission has proven a violation of the statute, Complainant is entitled to relief. Relief includes an award of actual damages shown to have resulted from the discriminatory action. R.C. 4112.05(G)(1). Relief may also include punitive damages.

## ACTUAL DAMAGES

2. The purpose of an award of actual damages in a fair housing case, as in employment discrimination cases, "is to put the plaintiff in the same position, so far as money can do it, as . . . [the plaintiff] would have been had there been no injury or breach of duty . . ." *Lee v. Southern Home Sites Corp.*, 429 F.2d 290, 293 (5<sup>th</sup> Cir. 1970) (citations omitted). To that end, victims of housing discrimination may recover damages for tangible injuries, such as economic loss, and intangible injuries, such as humiliation, embarrassment, and emotional distress. *See Steele v. Title Realty Co.*, 478 F.2d 380 (10<sup>th</sup> Cir. 1973) (actual damages of \$1,000 awarded to plaintiff consisting of \$13.25 in telephone expenses, \$125.00 in moving and storage expenses, and \$861.75 for emotional distress and humiliation). Damages for intangible injuries may be established by testimony or inferred from the circumstances.<sup>6</sup> *Seaton v. Sky Realty Co., Inc.*, 491 F.2d 634, 636 (7<sup>th</sup> Cir. 1974).

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<sup>6</sup> Although emotional injuries are difficult to quantify, "courts have awarded damages for emotional harm without requiring proof of the actual value of the injury." *Paradise Gardens, supra*, at 25,393, *citing Block v. R.H. Macy & Co.*, 712 F.2d 1241, 1245 (8<sup>th</sup> Cir. 1983) (other citations omitted). The determination of actual damages from such injuries "lies in the sound discretion of the Court and is essentially intuitive." *Lauden v. Loos*, 694 F.Supp. 253, 255 (E.D. Mich. 1988).

3. In this case, there was no evidence introduced by the Commission that Complainant suffered any economic or tangible loss.

4. The Commission did introduce evidence regarding the humiliation suffered by Complainant. Complainant testified that she was looking for an apartment in an area that was quiet and clean with tree-lined streets. Complainant ended up moving to 5025 Ride Avenue on the east side of town, right off of I-71. Complainant described the area as noisy and industrial. She did not want her son to play outside. For the humiliation suffered by Complainant for the loss of opportunity to live in an area that she believed would provide the environment in which she wanted to raise her child, Complainant is awarded \$5,000.

## PUNITIVE DAMAGES

5. The purpose of an award of punitive damages pursuant to R.C. 4112.05(G) is to deter future illegal conduct. Admin. Code 4112-6-02. Thus, punitive damages are appropriate "as a deterrent measure" even when there is no proof of actual malice. *Schoenfelt v. Ohio Civil Right Comm.*, (1995), 105 Ohio App.3d 379, 385, *citing and quoting, Marr v. Rife*, 503 F.2d 735, 744 (6<sup>th</sup> Cir. 1974).

6. The amount of punitive damages depends on a number of factors, including:

- The nature of Respondent's conduct;
- Respondent's prior history of discrimination;
- Respondent's size and profitability;
- Respondent's cooperation or lack of cooperation during the investigation of the charge; and
- The effect Respondent's actions had upon Complainant.

Admin. Code 4112-6-01.

7. Applying the foregoing criteria to this case:

- Respondent's conduct was intentional. When Mr. Rivera, Respondent's property manager, questioned Complainant about why she needed a larger apartment, he was screening for the purposes of determining whether or not she had children. Respondent's response was a stereotypic reaction that families with children are going to create too much noise and bother tenants who do not have children.
- There is no evidence that Respondent has been found to have discriminated in any other forum.
- Respondent owns his personal residence and has an ownership interest in property at seven different locations, which have approximately thirty-four (34) rental units.
- The Commission presented evidence that Respondent did not cooperate with the Commission's investigation. In response to Complainant's charge of discrimination, Respondent sent a letter to the Commission dated April 26, 2002, which reads as follows:

I am in receipt of your 4-23 letter. The claim made by Shwana Garner is without substance or merit and is not worthy of my time to investigate further. I will not be subject to extortion to settle this case. If you need to communicate to me or need my time for questions I will make myself available on the weekend. My billing rate is \$150.00 per hour and will require to be paid up front. Otherwise, I will consider this matter closed.

( Commission's Exhibit 3, Transcript p. 27).

8. Based on the foregoing discussion, the ALJ recommends that Respondent be assessed punitive damages in the amount of \$10,000.

## ATTORNEY'S FEES

9. The Commission is entitled to attorney's fees. R.C. 4112.05(G)(1); *Schoenfelt, supra*, at 386. If the parties cannot agree on the amount of attorney's fees, the parties shall present evidence in the form of affidavits.

10. In order to create a record regarding attorney's fees, the Commission's counsel should file affidavits from plaintiffs' attorneys in Hamilton County, Ohio regarding the reasonable and customary hourly fees they charge in housing discrimination cases. Also, a detailed accounting of the time spent on this case must be provided and served upon Respondent. Respondent may respond with counter-affidavits and other arguments regarding the amount of attorney's fees in this case.

11. If the Commission adopts the ALJ's Report and the parties cannot agree on the amount of attorney's fees, the Commission should file an Application for Attorney's Fees within 30 days after the ALJ's Report is adopted. Respondent may respond to the Commission's Application for

Attorney's fees within 30 days from his receipt of the Commission's Application for Attorney's Fees.

12. Meanwhile, any objections to this report should be filed pursuant to the Ohio Administrative Code. Any objections to the recommendation of attorney's fees can be filed after the ALJ makes her Supplemental Recommendation to the Commission regarding attorney's fees.

### **ADDITIONAL RELIEF**

13. R.C. 4112.05(G)(1) provides in pertinent part that the Commission, if it finds a violation of the statute, may order a respondent "to take any . . . affirmative or other action that will effectuate the purposes of this chapter." In cases such as this, it is not uncommon to require respondents who have violated the fair housing laws, to receive training on those laws from a non-profit fair housing agency. Therefore, I am recommending that the Commission order Respondent to receive such training at his expense.

14. It is also not uncommon to ensure that future tenants are protected from a landlord who has demonstrated a propensity to violate the fair housing laws. Thus, the Commission's request that Respondent include an equal housing opportunity statement in all advertisements, rental applications, agreements, and other documents used by Respondent is not unreasonable. In addition to the statement suggested by the Commission in its brief, I recommend Respondent also include in boldface type at the end of that first sentence a statement regarding the prohibition against retaliating against any person who files a charge with the Commission or who participates in a Commission investigation. (See Appendix A)

15. In addition, respondents who have demonstrated a propensity to violate the fair housing law should be monitored. In this case, the Respondent should notify the Commission every time Respondent executes a new tenancy agreement for one of his units in which he has an ownership interest. The Commission should be notified about the race, sex and family composition of the new tenants, along with a list of the applicants and pertinent information about those applicants so that the Commission can

make comparisons to ensure that the fair housing laws are not being violated in the future by Respondent Kirby.

## **RECOMMENDATIONS**

For all the foregoing reasons, it is recommended in Complaint #9361 that:

1. The Commission issue a Cease and Desist Order prohibiting Respondent engaging in discriminatory conduct.
2. The Commission order Respondent, within ten (10) days of receipt of the Commission's Final Order, to pay Complainant \$15,000.
3. The Commission order Respondent, within ten (10) days of receipt of the Commission's Final Order, to pay the Ohio Attorney General reasonable attorney's fees to be determined in the future;

4. The Commission order Respondent, within ten (10) days of receipt of the Commission's Final Order, to make arrangements to attend a training course on fair housing law sponsored by a fair housing agency at his expense, said training course to be taken within six (6) months from the date of the Commission's Final Order.

5. The Commission order Respondent to use equal housing opportunity notices similar to the one set out in Appendix A; and

6. The Commission order Respondent to report to the Commission's Compliance Department for the next three (3) years as set out in the ALJ's Report.

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DENISE M. JOHNSON  
CHIEF ADMINISTRATIVE LAW JUDGE

September 19, 2003

**OHIO CIVIL RIGHTS COMMISSION**

IN THE MATTER OF:

**SHWANA N. GARNER**

Complainant

and

**BARRY G. KIRBY**

Respondent

Complaint No. 9361

(CIN) H5061701 (29375) 082001

HUD #: 05 – 01 – 1181 – 8

**ADDENDUM TO THE ADMINISTRATIVE LAW JUDGE'S RECOMMENDATIONS**

**RE: THE COMMISSION'S APPLICATION FOR ATTORNEY'S FEES**

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**ATTORNEY GENERAL**

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**Complainant**

**ALJ'S REPORT BY:**

Denise M. Johnson  
Chief Administrative Law Judge  
Ohio Civil Rights Commission  
1111 East Broad Street, Suite 301  
Columbus, OH 43205-1379  
(614) 466-6684

## **PROCEDURAL HISTORY**

This matter is before the Administrative Law Judge (ALJ) upon the Commission's Application for Attorney's Fees, filed on December 3, 2003.<sup>1</sup> On September 19, 2003, the ALJ issued Findings of Fact, Conclusions of Law, and Recommendations (ALJ's Report) on liability and damages in Complaint No. 9361. The ALJ's Report found that Respondent violated R.C. 4112.02(H)(1) and (7). Besides a Cease and Desist Order, the ALJ's Report recommended that the Commission award Complainant \$5,000.00 in actual damages and assess Respondent \$10,000.00 in punitive damages. The Commission adopted the ALJ's Report on November 20, 2003.

## **CONCLUSIONS OF LAW AND DISCUSSION**

1. When the Commission finds that a housing provider has violated R.C. 4112.02(H), the Commission must require the discriminating housing provider to pay reasonable attorney's fees.

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<sup>1</sup> Respondent did not file a reply to the Application for Attorney's Fees.

If the commission finds a violation of division (H) of section 4112.02 of the Revised Code, the commission additionally *shall require the respondent to pay actual damages and reasonable attorney's fees . . . .* (Emphasis added.)

Such attorney's fees may be paid directly to the Commission's counsel, the Office of the Ohio Attorney General, pursuant to R.C. 109.11. *Shoenfelt v. Ohio Civ. Rights Comm.* (1995), 105 Ohio App.3d 379, 385-86.

2. In determining what constitutes reasonable attorney's fees in a particular case, the usual starting point and presumptively reasonable amount is the lodestar calculation, i.e. the number of hours reasonably expended on the litigation multiplied by a reasonable hourly rate. *Blum v. Stenson*, 465 U.S. 886, 897, 34 FEP Cases 417, 421 (1984). As the fee applicant, the Commission must provide evidence documenting the time expended on the case. *Hensley v. Eckerhart*, 461 U.S. 424, 433, 31 FEP Cases 1169, 1174 (1983). The Commission is not required to record the time expended "in great detail", but it should at least identify the "general subject matter" of such expenditures. *Id.*, at 437, 31 FEP Cases at 1174, n.12. Overall, Counsel for the Commission must exercise "billing judgment" in excluding hours that are excessive, redundant, or otherwise unnecessary. *Id.*, at 434, 31 FEP Cases at 1173.

3. The Commission also has the burden of providing evidence that supports the requested hourly rate. *Id.* Usually, the Commission must provide evidence showing that the requested hourly rate is comparable to the prevailing market rate for similar work performed in the community where the hearing was held. In other words, the Commission must show that the requested hourly rate is “in line with those prevailing in the community for similar services by lawyers of reasonably comparable skill, experience, and reputation.” *Blum, supra* at 895-96, 34 FEP Cases at 421, n.11.

4. Although the lodestar calculation is presumed reasonable, there may be circumstances where that calculation “results in a fee that is either unreasonably low or unreasonably high.” *Id.*, at 897, 34 FEP Cases at 421. In such cases, the ALJ may adjust the lodestar amount upward or downward, at her discretion, in light of the factors listed in Disciplinary Rule 2-106(B). *Bittner v. Tri-County Toyota* (1991), 58 Ohio St.3d 143, 145-46. These factors include:

the time and labor involved in maintaining the litigation; the novelty and difficulty of the questions involved; the professional skill required to perform the necessary legal services; the attorney's inability to accept other cases; the fee customarily charged; the amount involved and the results obtained; any necessary time limitations; the nature and length of the attorney/client relationship; the experience, reputation, and ability of the attorney; and whether the fee is fixed or contingent.<sup>2</sup>

5. Of these factors, the most important is the results obtained. *Hensley, supra* at 434, 31 FEP Cases at 1173. To be upheld, a fee award must be "reasonable in relation to the results obtained." *Id.*, at 440, 31 FEP Cases at 1176.

6. The Commission satisfied its burden of documenting the time expended in this case. The Commission provided a billing log containing the subject matter of the work performed, the dates of its performance, and the time spent on each activity. In his memorandum in support of the fee application, Counsel for the Commission stated that the billing log was contemporaneously maintained. The billing log indicates that Counsel for the Commission expended 38.00 hours on this case.

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<sup>2</sup> Since several of these factors are subsumed within the lodestar calculation, the factfinder should avoid considering a factor twice. *Hensley, supra* at 434, 31 FEP Cases at 1173, n.9.

7. The Commission provided an affidavit in support of the requested hourly rate (\$170.00). Based on Deputy Attorney General Duffy Jamieson's level of skill and experience, the rate of \$170.00 per hour is reasonable and consistent with what an attorney practicing housing discrimination law in Hamilton County would charge.

8. After reviewing the billing log, the ALJ found the hours claimed were reasonable based on the actual work described and the outcome of the case.

9. The Commission claimed eight hours for travel time. Accordingly, 8.0 hours will be awarded for travel time at the rate of \$25.00 per hour, which is a reasonable amount when compared with the \$50.00 per hour requested by counsel for the Commission.

10. Based on the foregoing discussion, the Commission is entitled to \$6,660.00 in attorney's fees and expenses.

## **RECOMMENDATION**

For all of the foregoing reasons, the ALJ recommends that the Commission's Final Order in Complaint No. 9361 include an Order requiring Respondent to pay \$6,660.00 in attorney's fees to the Office of the Ohio Attorney General.

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DENISE M. JOHNSON  
CHIEF ADMINISTRATIVE LAW JUDGE

April 26, 2004

## **EQUAL HOUSING OPPORTUNITY**

It is illegal to discriminate against any person because of race, color, religion, sex, familial status (having one or more children), ancestry, disability, or national origin. Anyone who feels he or she has been discriminated against should contact:

**Ohio Civil Rights Commission**

**Holiday Park**

**801 - B West 8<sup>th</sup> Street, 2<sup>nd</sup> Floor**

**Cincinnati, Ohio 45203**

**Voice - TTY: (513) 852-3344**

**Fax: (513) 852-3357**

**IT IS ALSO ILLEGAL TO RETALIATE AGAINST ANYONE  
WHO FILES A CHARGE WITH THE OHIO CIVIL RIGHTS COMMISSION  
OR PARTICIPATES IN A COMMISSION INVESTIGATION.**

**APPENDIX A**