

STATE OF INDIANA
CIVIL RIGHTS COMMISSION

DOCKET NO. HOfs05060357
HUD NO. 05-05-1108-8

JEANNA MOORE, and JOHN MOORE;
Complainants,

FILE DATED

vs.

AUG 29 2006

RUSSELL FAHL, OWNER, GREEN
ACRES MOBILE HOME PARK;
Respondent.

Indiana State Civil Rights Commission

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On August 3, 2006, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

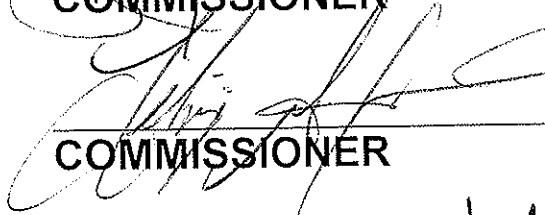
No objections have been filed to the ICRC's adoption of the proposed decision.

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

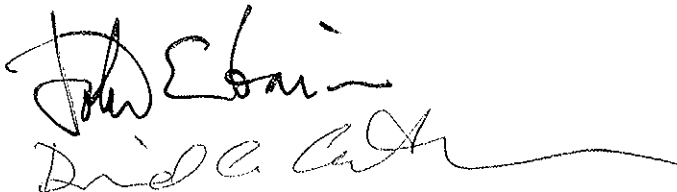

COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

Dated: 25 August 2006


D. D. Cain

To be served by first class mail on the following parties:

Jeanna Moore and John Moore
9621 East 450 North
Pierceton, IN 46562

Russell Fahl, Owner
Green Acres Mobile Home Park
1692 East 200 North
Warsaw, IN 46582

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

Joshua Brewster, Esq.; Staff Attorney
Indiana Civil Rights Commission
Attorney for Complainants Jeanna Moore and John Moore
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

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AUG 03 2006

RUSSELL FAHL, OWNER, GREEN
ACRES MOBILE HOME PARK;

Indiana State Civil Rights Commission

Respondent.

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

On July 26, 2006, Complainants, Jeanna Moore and John Moore ("the Moores"), filed their Motion To Dismiss, a motion to which Respondent – Russell Fahl, Owner, Green Acres Mobile Home Park ("Fahl") - has not responded.

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. The Moores' complaint, as amended, alleges that Fahl discriminated against them because of familial status in violation of the Indiana Fair Housing Act, IC 22-9.5 ("the IFHA"). HOUSING DISCRIMINATION COMPLAINT (June 29, 2005).
2. Fahl disputed the Moores' claims of unlawful discrimination. NOTICE OF FINDING (February 14, 2006).

3. The Moores' Motion is expressly motivated by a settlement.
4. There is no evidence of fraud, coercion, duress, or any other reason not to approve the stipulated dismissal.
5. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

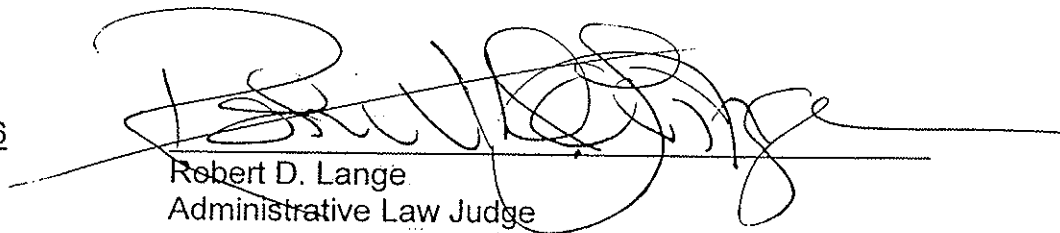
CONCLUSIONS OF LAW

1. 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 specifying with reasonable particularity each basis for 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 Moores' Motion To Dismiss is **GRANTED**.
2. The Moores' COMPLAINT is **DISMISSED**, with prejudice.

Dated: 03 August 2006



Robert D. Lange
Administrative Law Judge

To be served by first class mail this 3rd day of August, 2006 on the following parties:

Jeanna Moore and John Moore
9621 East 450 North
Pierceton, IN 46562

Russell Fahl, Owner
Green Acres Mobile Home Park
1692 East 200 North
Warsaw, IN 46582

and to be personally served this 3rd of August, 2006 on the following:

Joshua Brewster, Esq.; Staff Attorney
Indiana Civil Rights Commission
Attorney for Complainants Jeanna Moore and John Moore
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

Indiana Civil Rights Commission
c/o The Honorable Gregory Kellam Scott, Director
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255