

**NOTICE OF AVAILABILITY OF COMPENSATION
FOR POTENTIAL VICTIMS OF HOUSING DISCRIMINATION**

COLONIAL FARMS APARTMENTS
3120 Pelandale Ave., Modesto CA 95356

The owner (“Owner”), the managing agent (“Agent”), and the subagent (“Local Agent”) (jointly, the Owner, the Agent and the Local Agent are referred to as the “Recipients”) of the Colonial Farms Apartments (the “Property”), located at 3120 Pelandale Ave., Modesto CA 95356, have entered into a Voluntary Compliance Agreement (“VCA”) with the U.S. Department of Housing and Urban Development (“HUD”). The VCA resolved claims that tenant selection and admissions practices at the Property violated Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d-1 and its implementing regulations at 24 CFR Part 1 (“Title VI”), which prohibits discrimination on the basis of race, color or national origin with respect to any program that receives Federal financial assistance. HUD made no findings and the Recipients made no admission of liability with respect to these allegations.

Pursuant to the terms of the VCA, the Recipients have agreed to create a compensation fund (“Compensation Fund”) to compensate persons who can demonstrate that they were harmed as a result of the tenant selection and admission practices used at the Property between 2005 and 2019.

This Notice provides information about who may be eligible to make a claim, how to make a claim for compensation from the Compensation Fund, and how HUD will determine who is actually entitled to compensation from the Compensation Fund.

1. Who is eligible to file a claim for compensation? Any resident of the Property, any person who was on the waitlist for the Property, any person who submitted a rental application



for the Property, and any other person who alleges they were harmed as a result of the tenant selection and admission practices at the Property is eligible to file a claim for compensation. A person may be eligible to make a claim but may be determined by HUD not to be eligible for compensation. As stated below, HUD has sole responsibility to determine who has been actually harmed by the tenant selection and admission practices at the Property and the amount of compensation, if any, to be paid.

2. **How do I file a claim?** Persons wishing to file a claim should contact HUD and substantiate the basis for his or her eligibility for compensation. **ALL CLAIMS MUST BE SUBMITTED TO HUD NO LATER THAN JULY 31, 2021** at the following address:

[R9compliance@hud.gov 415-489-6530]

3. **How HUD will evaluate claims.** HUD will assess the claims of each person who submits a claim and will obtain sworn declarations from each such person setting forth the factual basis for the claim. HUD may require additional information or documentation from persons submitting claims. No later than October 29, 2021, HUD will provide the Recipients with a list of persons who it deems to be aggrieved and the appropriate amount of damages to be paid.

4. **Limitations on payments.** According to the VCA, the payment of claims is subject to the following conditions:

- a. No money shall be paid until the claimant has provided HUD with a written release, in the form attached to the VCA as Appendix E, of all claims, legal or equitable, that the claimant might have against Recipients regarding the allegations asserted in the claim;



- b. No claimant shall be eligible for payment of a claim if such person has previously received compensation in response to any complaint of discrimination with respect to Recipients' alleged conduct covered by these claims and has executed a release in exchange for such compensation; and
- c. The total amount paid by Recipients shall not exceed the amount of the Compensation Fund.

5. **When will payment be made?** Within ninety (90) days of the Compensation Submission Deadline (the "HUD Evaluation Deadline"), HUD shall inform Recipient EBMC of its determination as to which persons are aggrieved and an appropriate amount of damages that should be paid to each such "Aggrieved Person."

Who do I contact for more information? Persons with questions about this Notice and the process to apply for compensation should contact [R9compliance@hud.gov 415-489-6530].

