

## HOUSING DISCRIMINATION COMPLAINT

**HUD CASE NUMBER 375325**

**1. Complainants**

National Fair Housing Alliance  
c/o Shanna L. Smith, President & Chief Executive Officer  
1101 Vermont Avenue NW, Suite 710  
Washington, DC 20005

Representing National Fair Housing Alliance:

Morgan Williams, Esq.  
National Fair Housing Alliance  
1101 Vermont Avenue, NW, Suite 700  
Washington, DC 20005  
Phone: 202-898-1661

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MEHRI & SKALET, PLLC  
1250 Connecticut Avenue, NW, Suite 300  
Washington, DC 20036  
Phone: 202-822-5100

**2. Other Aggrieved Persons**

Persons who are Hispanic and who have sought to obtain financial services named herein and persons related to them who may have been injured by the discriminatory housing practices identified herein are also aggrieved persons.

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

Discriminatory financing (includes real estate transactions).  
Discriminatory terms, conditions, privileges, or services and facilities.

**4. The alleged violation occurred because of:**

National origin.

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

Bank of America Branch Office  
540 Folly Road  
Charleston, SC 29412

**6. Respondent(s)**

Bank of America Corporation  
c/o CT Corporation System, Registered Agent  
150 Fayetteville St., Box 1011  
Raleigh, NC 27601

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

Complainant National Fair Housing Alliance (“NFHA”) is a national organization dedicated to ending discrimination in housing. NFHA works to eliminate housing discrimination and to ensure equal housing opportunities for all people through leadership, education and outreach, membership services, public policy initiatives, advocacy and enforcement. Complainant, as part of its ongoing monitoring of housing discrimination, conducted on-site tests for possible discrimination by a business that provides mortgage related services located at Respondent Bank of America (“Respondent Bank”), 540 Folly Road, Charleston, South Carolina 29412, in Charleston County. Complainant alleges that the Respondent Bank engaged in practices of unlawful discrimination in making available home loans and the terms and conditions of such loans against prospective Hispanics borrowers.

Complainant asserted a series of tests were conducted over a period of several months. The tests revealed a pattern of discriminatory conduct involving denying and/or ignoring requests to speak with a loan officer about home loans and/or quoting a higher monthly payment and closing costs to Hispanic prospective qualified borrowers as compared to similarly situated white prospective qualified borrowers. The most recent of tests that identified discriminatory conduct was initiated on January 6, 2014.

Additionally, Home Mortgage Disclosure Act data for the region show that over the past few years the number of purchase loan applications Respondent Bank has received from Hispanics has declined, and Respondent Bank’s market share of these applications has significantly dropped in relation to its peers’ market share.

Complainant believes Respondent provided more favorable services to white prospective borrowers as compared to potential Hispanic borrowers discriminating based on national origin in violation of the Act.

Complainant alleges that as a result of Respondent Bank’s discriminatory actions and statements, NFHA suffered frustration of its mission and diversion of its resources in investigating the matter. Complainant alleges that resources were diverted to activities including, but not limited to, investigating and preparing investigative documents, training testers, and conducting education and outreach activities to counteract Respondents’ discriminatory practices.

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

January 6, 2014, and is continuing.

9. **Types of Federal Funds identified:**

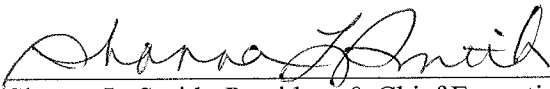
None.

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

Sections 805 and 804(b) or f 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:**

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

  
\_\_\_\_\_  
Shanna L. Smith, President & Chief Executive Officer  
For National Fair Housing Alliance

2/12/14  
(Date)

**NOTE: HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.**