

BEFORE THE MONTANA DEPARTMENT
OF LABOR AND INDUSTRY
OFFICE OF ADMINISTRATIVE HEARINGS

IN RE: OFFICE OF ADMINISTRATIVE HEARINGS CASE NO. 62-2020:

MONTANA FAIR HOUSING, INC.,)	HRB Case No. 0190152
)	
Charging Party,)	
)	
vs.)	ORDER DISMISSING
)	
ALBEMARLE CONDO ASSOC., LLC,)	
CARTER BOEHM, MANAGER/MEMBER,)	
RICHARD SMITH, MANAGER/MEMBER,)	
MANFRED GOETZ, MANAGER/MEMBER,)	
RMC DEVELOPMENT GROUP, LLC,)	
TRANS-INVESTMENT GROUP, LLC,)	
MANNY GOETZ,)	
RJ DEVELOPMENT GROUP, LLC,)	
MICHELE STRYKERT, ON-SITE MANAGER,)	
)	
Respondents.)	

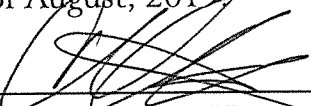
TO: CHARGING PARTY MONTANA FAIR HOUSING, INC., AND ITS ATTORNEY, TIMOTHY C. KELLY, KELLY LAW OFFICE; AND RESPONDENTS ALBEMARLE CONDO ASSOC., LLC, AND CARTER BOEHM, MANAGER/MEMBER, RICHARD SMITH, MANAGER/MEMBER, AND MANFRED GOETZ, MANAGER/MEMBER; RMC DEVELOPMENT GROUP, LLC; TRANS-INVESTMENT GROUP, LLC; MANNY GOETZ; RJ DEVELOPMENT GROUP, LLC; MICHELE STRYKERT, ON-SITE MANAGER:

On February 5, 2019, Charging Party herein filed a complaint under the Montana Human Rights Act alleging that the Respondents illegally discriminated in the area of housing on the basis of disability. On May 22, 2019, Charging Party filed a First Amended Complaint, alleging Respondents illegally discriminated in the area of housing on the basis of disability and age. The cases were certified to the Office of Administrative Hearings for a contested case hearing on July 16, 2019.

On August 9, 2019, Charging Party, through its attorney, timely filed an election to have the claims in all its complaints decided in a civil action in lieu of administrative proceedings under the Montana Human Rights Act. The Department

may not continue administrative proceedings after the filing of a proper housing election pursuant to Mont. Code Ann. § 49-2-510(4)(b). The Hearing Officer now dismisses these complaints.

DATED this 19th day of August, 2019.



Chad R. Vanisko, Hearing Officer
Office of Administrative Hearings
Department of Labor and Industry

* * * * *

CERTIFICATE OF MAILING

The undersigned hereby certifies that true and correct copies of the foregoing document were, this day, served upon the parties or their attorneys of record by depositing them in the U.S. Mail, postage prepaid, and addressed as follows:

TIMOTHY C KELLY
KELLY LAW OFFICE
PO BOX 65
EMIGRANT MT 59027


MICHELE STRYKERT, ALBEMARLE CONDO ASSOC.
RMC DEVELOPMENT GROUP, LLC
DOWNTOWN GUEST HOUSE, LLC
CARTER BOEHM, RICHARD SMITH AND
MANFRED "MANNY" GOETZ
105 WEST PARK STREET
LIVINGSTON MT 59047

The undersigned hereby certifies that true and correct copies of the foregoing document were, this day, served upon the parties or their attorneys of record by means of the State of Montana's Interdepartmental electronic mail service.

MARIEKE BECK, BUREAU CHIEF
HUMAN RIGHTS BUREAU

TIMOTHY LITTLE, ATTORNEY
HUMAN RIGHTS BUREAU

Signed this 19th day of August, 2019.



Legal Secretary, Office of Administrative Hearings
Montana Department of Labor and Industry

