

BEFORE THE MONTANA DEPARTMENT  
OF LABOR AND INDUSTRY

IN THE MATTER OF HUMAN RIGHTS BUREAU CASE NOS. 0092013783 &  
0092013784:

MONTANA FAIR HOUSING, INC.,                    ) Case Nos. 816-2010 & 817-2010  
obo PAM BEAN,                                    )  
  )  
  ) Charging Party,                                    )  
  )  
  ) vs.    ) ORDER DISMISSING  
  )  
CHARLES W. HINESLEY, AND HINESLEY )  
FAMILY LIMITED PARTNERSHIP#1,            )  
HINESLEY DEVELOPMENT,                    )  
  )  
  ) Respondents.                                    )


\* \* \* \* \*

TO: Montana Fair Housing, Inc., obo Pam Bean, Charging Party, and its attorneys, Ryan Shaffer and Timothy C. Kelly; and Charles W. Hinesley, and Hinesley Family Limited Partnership #1, Hinesley Development, Respondents, and their attorney, Mark Evans:

On June 10, 2009, charging party filed formal complaints, with a First Amended Complaint on July 23, 2009, and a Second Amended Complaint on September 3, 2009, under the Montana Human Rights Act alleging illegal discrimination by the respondents in housing because of disability. On December 1, 2009, charging party timely filed an election to have the claims decided in a civil action in lieu of administrative proceedings under the Montana Human Rights Act. The department may not continue these proceedings after such an election. Mont. Code Ann. § 49-2-510(4)(b).

The Hearing Officer dismisses the complaints.

DATED this 3<sup>rd</sup> day of December, 2009.

  
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Terry Spear, Hearing Officer  
Hearings Bureau

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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:

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Signed this 3<sup>rd</sup> day of December, 2009.



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Legal Secretary, Hearings Bureau  
Montana Department of Labor and Industry