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BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

ALASKA STATE COMMISSION FOR )  
HUMAN RIGHTS, PAULA M. )  
HALEY, EXECUTIVE DIRECTOR, )  
*ex rel.* LAURA D. THIESEN, )  
)  
Complainant, )  
)  
v. )  
)  
KMK RENTALS, an Alaska Partnership, )  
)  
Respondent. )  
\_\_\_\_\_ )

ASCHR No. J-07-295

**ACCUSATION**

Paula M. Haley, Executive Director of the Alaska State Commission for Human Rights, *ex rel.* Laura D. Thiesen, hereby alleges the following against Respondent KMK Rentals:

1. On December 9, 2006, Laura D. Theisen entered into a rental contract with Respondent KMK Rentals to rent an apartment at 517 Third Street in Cordova, Alaska (“Apartment 304” or “the apartment”). The contract provided for a rental period of nine months, with Ms. Thiesen’s tenancy thereafter being considered as month to month. Ms. Thiesen resided in Apartment 304 from December 2006 to February 2008 as KMK Rentals’ tenant.

2. Since prior to her tenancy with KMK Rentals, and continuing to the present, Ms. Thiesen has suffered from major depressive disorder and post traumatic stress disorder. As such Ms. Thiesen was a person with a mental disability at the time of

1 her tenancy and remains so today.

2 3. On October 29, 2007, Ms. Thiesen asked Mark Steen, one of the partners  
3 of KMK Rentals, if she could have a companion animal reside with her in Apartment  
4 304. Ms. Thiesen provided Mr. Steen with a prescription for the companion animal from  
5 her treating psychiatrist, Dr. Charles Ellis, which states: “Do [sic] to medical condition  
6 [patient] requires a companion pet.”  
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9 4. On November 3, 2007, Mr. Steen refused to grant Ms. Thiesen’s request  
10 and instead suggested that Ms. Thiesen look for another apartment in Cordova that  
11 allowed its tenants to have pets.

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13 5. On November 8, 2007, Ms. Thiesen received a letter from KMK Rentals’  
14 lawyer, C. Joe Arvidson Esq., explicitly denying Ms. Thiesen’s request for a companion  
15 animal. The letter stated to Ms. Thiesen that “[p]et owners are not a protected class  
16 under Alaska law and therefore, you have no valid legal claim.” The letter, like Mr.  
17 Steen’s original denial, suggested that Ms. Thiesen look for an apartment elsewhere in  
18 Cordova.  
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21 6. Ms. Thiesen did not obtain a companion animal and did not have one live  
22 with her in Apartment 304. In mid-February 2008 Ms. Thiesen vacated the apartment  
23 when she moved to Glennallen, Alaska.  
24

25 **FIRST CAUSE OF ACTION—FAILURE TO ACCOMMODATE**  
26 **VIOLATION OF AS 18.80.240**

- 27 1. Paragraphs 1-6 above are realleged and incorporated herein.
- 28 2. Laura D. Thiesen is a person with a disability as that term is defined in the

**ACCUSATION—Page 2**

*ASCHR, Paula M. Haley, Executive Director, ex rel. Laura D. Thiesen v. KMK Rentals,*  
*ASCHR No. J-07-295*

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Alaska Human Rights Law and was a tenant of KMK Rentals while she resided in Apartment 304 from December 2006 to February 2008.

3. At all times relevant to this case, KMK Rentals, an Alaska partnership, has been the owner and manager of Apartment 304.

4. At all times relevant to this case, Mark Steen has been a partner in KMK Rentals.

5. During her tenancy in Apartment 304, Ms. Thiesen requested, through Mark Steen, that KMK Rentals provide her with a reasonable accommodation for her disability by allowing her to have a companion animal live with her in Apartment 304.

6. Mr. Steen refused to grant Ms. Thiesen's request for a reasonable accommodation.

7. KMK Rentals, through its lawyer C. Joe Arvidson Esq., denied Ms. Thiesen's request for a reasonable accommodation.

8. KMK Rentals discriminated against Ms. Thiesen when it refused to grant her request for a reasonable accommodation, in violation of the Alaska Human Rights Law and AS 18.80.240.

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**PRAYER FOR RELIEF**

Wherefore the Executive Director asks for the following relief:

1. That the Commission issue an order declaring that Respondent KMK Rentals violated AS 18.80.240 by discriminating against Ms. Thiesen when it refused to allow her to have a companion animal reside with her in Apartment 304.
2. That the Commission issue an order directing Respondent KMK Rentals to adopt and disseminate a policy of nondiscrimination under the Alaska Human Rights Law that includes a policy prohibiting discrimination against tenants with disabilities.
3. That the Commission issue an order directing Respondent KMK Rentals to obtain training for its partners and any other agents, employees, or other personnel with authority to rent or determine terms or conditions of tenants' tenancies, on the provisions of the Alaska Human Rights Law that prohibit discrimination in the rental or leasing of real property.

Dated this \_\_\_\_ day of March 2010 at Anchorage, Alaska.

ALASKA STATE COMMISSION  
FOR HUMAN RIGHTS

\_\_\_\_\_/s/  
Stephen Koteff  
Human Rights Advocate  
Alaska Bar No. 9407070