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BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

ALASKA STATE COMMISSION FOR HUMAN RIGHTS, MARTI BUSCAGLIA, EXECUTIVE DIRECTOR ex rel. THAILANDO LINNEAR,)))
Complainant,)
v.) ASCHR No. J-14-372
QUANTUM INVESTMENTS, LLC, d/b/a BARRATT INN ANCHORAGE AIRPORT,))
Respondent.)))

ACCUSATION

Marti Buscaglia, Executive Director of the Alaska State Commission for Human Rights, ex rel. Thailando Linnear, hereby alleges the following against Respondent Quantum Investments, LLC, d/b/a Barratt Inn Anchorage Airport (hereinafter "Barratt Inn"):

- 1. Respondent is a limited liability corporation that owns and operates a hotel located at 4610 Spenard Road in Anchorage, Alaska.
- 2. Thailando Linnear is an individual who has a physical impairment that substantially limits his ability to walk.
 - 3. Because of his physical impairment, Mr. Linnear uses a service animal.
- 4. On November 24, 2014, Mr. Linnear signed a one-month lease with Barratt Inn to reside at the hotel.

- 5. On or about November 28, 2014, Mr. Linnear informed Barratt Inn that he had a service animal due to his disability.
- 6. Barratt Inn's manager told Mr. Linnear that the hotel had a "no pets policy" and refused to allow Mr. Linnear to reside at the Barratt Inn with his dog.
- 7. Mr. Linnear informed Barratt Inn's manager that his dog was a service animal. In response, the manager told Mr. Linnear that he "did not give a shit about his dog." Barratt Inn's manager then instructed his staff not to extend Mr. Linnear's lease, stating that Mr. Linnear "needs to find his own place."
- 8. Because Barratt Inn would not allow him to reside on its premises with his service animal, and because Barratt Inn's manager subjected him to hostile treatment,

 Mr. Linnear canceled his lease with Barratt Inn and moved out on or about December 2,

 2014.

FIRST CAUSE OF ACTION REFUSAL TO RENT BECAUSE OF DISABILITY A VIOLATION OF AS 18.80.240(1)

- 9. Paragraphs 1-8 above are re-alleged and incorporated herein.
- 10. Thailando Linnear is a person with a disability as that term is defined by AS 18.80.300(14) and uses a service animal.
- 11. Barratt Inn has the right to rent real property and does rent real property under AS 18.80.240.
- 12. Barratt Inn entered into a lease with Mr. Linnear to allow Mr. Linnear to reside at the Barratt Inn for one month.

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ASCHR, Marti Buscaglia, Executive Director, ex rel. Thailando Linnear v. Quantum Investments, LLC, d/b/a Barratt Inn Anchorage Airport, ASCHR No. J-14-372

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- Mr. Linnear informed Barratt Inn during his lease that he had a dog as a 13. service animal.
- Barratt Inn refused to allow Mr. Linnear's service animal to reside with 14. him at the hotel.
- 15. Barratt Inn's refusal to allow Mr. Linnear's service animal to reside with him at its hotel constitutes a refusal to rent real property because of a disability.
- 16. Barratt Inn's refusal to rent real property to Mr. Linnear because of a disability is a violation of AS 18.80.240(1).

PRAYER FOR RELIEF

Wherefore the Executive Director asks for the following relief:

- That the Commission issue an order declaring that Barratt Inn violated AS 1. 18.80.240(1) by refusing to rent real property to Thailando Linnear.
- 2. That the Commission order Barratt Inn to adopt and disseminate to all employees, residents, and potential residents a policy of nondiscrimination under the Alaska Human Rights Law, including a policy for providing reasonable accommodations (including the use of service animals) to residents with disabilities.
- 3. That the Commission order Barratt Inn to obtain, within thirty days of the Commission's order, training conducted by a neutral, third-party trainer, of at least four hours in length, for its owners, managers, and employees on the provisions of the Alaska Human Rights Law that prohibit discrimination against persons with disabilities.

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- 4. That the Commission's order specify that the foregoing policy, trainer, and training curriculum be subject to approval by the Executive Director.
- 5. That the Commission order Barratt Inn to allow Mr. Linnear access to its facility with his service animal.

Dated this 5th day of June 2017 at Anchorage, Alaska.

ALASKA STATE COMMISSION FOR HUMAN RIGHTS

Signature Redacted

Stephen Koteff Human Rights Advocate Alaska Bar No. 9407070

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