

For Immediate Release

Interracial Couple Files Federal Lawsuit Against Livingston County Real Estate Agents and Brokerages Alleging Housing Discrimination

Royal Oak, Mich., January 18, 2021 – An interracial couple has filed a federal lawsuit against Livingston County real estate agents and brokerages alleging violations of the Fair Housing Act and other state and federal civil rights laws. The plaintiffs are Julie and Verdell Franklin. Mr. Franklin is an African American man and his wife, Julie, is a white woman born and raised in Ireland.

Their lawsuit claims they were misled, misinformed, and illegally prevented from making an offer to purchase a home in Livingston County because of race.

Filed in the U.S. District Court for the Eastern District of Michigan, the complaint names Richard “Rick” Beaudin and Mary Kay Ikens as co-defendants. They are both licensed real estate agents working in Livingston County. RE/MAX Platinum and KW Realty Livingston, both Livingston County real estate firms, are also named as defendants in the lawsuit.

Beaudin is a well-known community booster in Pinckney and the surrounding area. He maintains an active Facebook page on which Beaudin refers to himself as “The Pinckney Pirate.” According to published media reports, Beaudin was fired from his job at RE/MAX Platinum in June 2020 because of inappropriate public comments he posted on this Facebook account in opposition to the Black Lives Matter movement and philosophy.

The complaint details this event and asserts that Ikens had to be aware of Beaudin’s prior dismissal from RE/MAX Platinum and his history of engaging in racial bias, as it was publicized and widely known public knowledge in the community.

According to the complaint, Verdell and Julie Franklin have visited a Zukey Lake home, which is owned by their friends, on a regular basis over the past ten years. Based on these visits, the Franklins had decided they would purchase a second home on the lake, which is in Hamburg Township.

On September 3, 2020, a lake house situated on Zukey Drive near the home owned by the friends of Verdell and Julie Franklin was listed for sale by KW Realty Livingston in Howell, Mich. Rick Beaudin, one of the defendants, was representing the owners of the listed Zukey Drive house.

The listing noted an asking price of \$350,000 with no associated conditions or requirements attached to the transaction, such as an “as is” sale or an all-cash offer.

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Real Estate Agent Disinterested, Hurried at Showing of House

A day later, on September 4, 2020, Julie Franklin contacted the real estate firm and scheduled an appointment to tour the house. Defendant Mary Kay Ikens, a real estate agent with RE/MAX Platinum, responded by texting a message to Julie Franklin confirming a showing set for 2 p.m. on that day.

The complaint goes on to note that “During the showing, Ikens demonstrated no interest in the Franklins as potential buyers,” as Ikens did not ask them about their occupations and didn’t otherwise gauge their level of interest in purchasing the property or their financial qualifications to purchase a second home.

As the complaint further notes, “Toward the end of the showing, the Franklins informed Ikens that they wished to put an offer on the house immediately. Ikens reacted in an awkward way and instead of immediately following through with the Franklins to process and present the offer, she informed the Franklins and their friends that she had to show her friend a home nearby.”

Later that day, Ikens returned and informed the Franklins she had spoken with Defendant Rick Beaudin, the listing agent, and informed the couple that unless they were prepared to make at least a \$350,000 cash-only offer and they accept the property “as is,” their offer would not be considered. The Franklins were prepared to make an offer, but not an all-cash offer that high.

The complaint alleges that Ikens and Beaudin conspired to prevent the Franklins from making an offer on the house because they did not want to present an offer made by a Black man and his wife.

Late in October 2020, the Zukey Lake property was listed as sold for \$300,000. Property records show that the purchaser was a white man, who obtained the house with a \$225,000 mortgage loan. Beaudin was listed as the agent on the sale.

Defendants’ Actions, Related Facts and Events Show Franklins Were Victims of Willful Housing Discrimination

Based on the behaviors of Ikens and Beaudin, coupled with the facts that the house later sold to a white man with a mortgage loan in an amount significantly less than the Franklins initial offer, the lawsuit concludes that the Franklins have been victims of racial and housing discrimination because Verdell Franklin is of African American descent.

The Franklins are being represented by Robin Wagner and Cary McGehee of Royal Oak-based civil rights law firm Pitt McGehee Palmer Bonanni and Rivers. The Franklins had first filed their complaint with the Fair Housing Center of Southeast and Mid-Michigan,

a non-profit enforcement agency for housing rights, which assisted in the initial investigation.

Wagner says census information indicates that Hamburg Township's population in 2019 was 21,794 people -- of which 97.6 percent were white and less than 0.5 percent were African American. There are no current African American homeowners on Zukey Lake and there never has been.

"It appears that there has never been an African American homeowner in the Zukey Lake neighborhood," said Wagner. "It also appears that the defendants in this case would prefer that it stay that way."

In conclusion, the suit alleges that the two defendants conspired to discriminate against the Franklins by imposing additional, onerous conditions on the sale, including a higher, cash-only transaction price and an as-is/no-inspection sale. These efforts were meant to discourage the couple and dissuade them from attempting to purchase the house.

Verdell Franklin is the chief financial officer of the Toledo Fire Department, where he has been employed for 29 years. Julie Franklin is a certified registered nurse anesthetist at Toledo Hospital. The couple resides in Maumee, Ohio.

The lawsuit asserts that the Franklins have suffered pain, humiliation, degradation, and emotional distress of losing the opportunity to enjoy the company of family and friends at a lakeside house they had long hoped to purchase.

The plaintiffs are requesting unspecified damages related to emotional distress, embarrassment, and humiliation; punitive damages for illegal actions under federal and state law; injunctive relief requiring training for the defendants and ongoing supervision by the court to ensure compliance with civil rights laws pertaining to real estate; and attorneys' fees and related expenses.

About Pitt McGehee Palmer Bonanni & Rivers

Pitt McGehee Palmer Bonanni and Rivers is one of Michigan's largest law firms specializing in civil and workplace rights. In addition to fair housing laws, its attorneys represent clients in a wide range of actions, including sexual harassment, wrongful discharge, wage and hour violations, whistleblower issues and discrimination based on age, gender, disability, race and national origin. More at PittLawPC.com.

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