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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

KHRYSTA DE GUZMAN, an individual,  
on behalf of herself and all others similarly  
situated,

Plaintiff,

v.

ALTMAN MANAGEMENT COMPANY  
LLC, HP ALTMAN AUTUMN RIDGE  
LLC, and INVERNESS APARTMENTS  
LLC,

Defendants.

Civil Action No.

**COMPLAINT FOR VIOLATIONS OF  
42 U.S.C. § 1981; INJUNCTIVE AND  
DECLARATORY RELIEF; AND  
DAMAGES**

**CLASS ACTION**

**JURY TRIAL DEMANDED**

**(Filed Electronically)**

Plaintiff Khrysta De Guzman (“Plaintiff”), individually and on behalf of all others similarly situated, by her attorneys, brings the following allegations, based on information and belief, against Defendants Altman Management Company LLC, HP Altman Autumn Ridge LLC, and Inverness Apartments LLC (together, “Defendants”):

**PARTIES**

**Plaintiff**

1. Plaintiff Khrysta De Guzman is a resident of East Windsor in Mercer County, New Jersey [REDACTED]

2. Plaintiff De Guzman has lived in the United States since 2006. She arrived to the United States from Guatemala when she was seven years old. She is 25 years old and currently works as a warehouse associate and attends Rowan University as a management information systems major.

3. Plaintiff De Guzman is a DACA recipient since 2016. As a DACA recipient, Plaintiff De Guzman is authorized to work in the United States and has a social security number. Plaintiff De Guzman resided in Mercer County on the date that she applied for housing with Defendants.

4. Plaintiff De Guzman and members of the Class that she seeks to represent were subjected to the violations described in this Complaint.

**Defendants**

*Altman Management Company LLC*

5. Defendant Altman Management Company LLC (“Altman Management”) operates and manages both Autumn Ridge Apartments and Inverness Apartments.

6. On its website, Altman Management describes itself as a construction company that operates “approximately 80 apartment communities, serving thousands of residents” in Pennsylvania, New Jersey, and Delaware. See <https://altmangroupco.com/altman-management> (last visited, June 26, 2024).

7. Altman Management is headquartered at 240 New York Drive, Suite 1, Fort Washington, Pennsylvania 19034.

*HP Altman Autumn Ridge LLC*

8. Defendant HP Altman Autumn Ridge LLC owns Autumn Ridge Apartments.

9. Autumn Ridge Apartments is an apartment complex located at 1501 Little Gloucester Road, Blackwood, New Jersey in Camden County.

10. HP Altman Autumn Ridge LLC is headquartered at 240 New York Drive, Suite 1, Fort Washington, Pennsylvania 19034.

*Inverness Apartments LLC*

11. Defendant Inverness Apartments LLC owns Inverness Apartments.

12. Inverness Apartments is an apartment complex located at 5600 Shetland Way, Westville, New Jersey in Gloucester County.

13. Inverness Apartments LLC is headquartered at 199 Lee Avenue, Suite 185, Brooklyn, New York 11211.

**INTRODUCTION**

14. Defendants follow a policy of denying housing to applicants on the basis of their alienage, including Deferred Action for Childhood Arrivals (“DACA”) recipients.

15. Plaintiff De Guzman and members of the Class she seeks to represent were and are unable to access Defendants’ rental housing units without unequal conditions imposed upon them on the basis of their alienage. Plaintiff De Guzman brings this case against Defendants for unlawful discrimination on the basis of alienage in violation of the Civil Rights Act of 1866, as codified by 42 U.S.C. § 1981 (“Section 1981”).

16. Defendants' violations have inflicted harm on Plaintiff De Guzman and the Class she seeks to represent, including, but not limited to, access to rental housing units with unfavorable terms and conditions and emotional distress.

### **JURISDICTION AND VENUE**

17. This Court has subject matter jurisdiction over Plaintiff De Guzman's Section 1981 claims under 28 U.S.C. § 1331.

18. This Court is also empowered to issue a declaratory judgment under 28 U.S.C. §§ 2201 and 2022.

19. Venue is proper in this district under 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to the claims occurred in this District.

### **FACTUAL ALLEGATIONS**

20. Plaintiff De Guzman is a recipient of DACA since 2016. Since that time, she has continuously possessed an employment authorization card and a social security number. Plaintiff De Guzman had never been denied housing because of her DACA status before the events described here.

21. At the time of the lease applications, Plaintiff De Guzman's employment authorization card was set to expire on March 27, 2025.

22. Her employment authorization card was valid when she submitted her lease applications.

23. In August 2023, Plaintiff Khrysta and her fiancé—a U.S. citizen—applied to rent an apartment unit at Autumn Ridge Apartments for 24 months with an expected move-in date of August 25, 2023.

24. On August 28, 2023, the leasing manager at Autumn Ridge Apartments, George Brzeczowski, sent an email to Plaintiff De Guzman and her fiancé informing them that their rental application was denied. The email stated, in relevant part:

In order to process your application, you must provide a valid permanent resident card or visa. As you previously stated in your last email, you provided us the proper documentation which is not correct. You provided Autumn Ridge with an "Employment Authorization Card." That is NOT something we are able to use for your application as we have instructed you via email and our application that you must provide either a valid permanent resident card or Visa.

25. The Autumn Ridge Apartments rental application states, in relevant part: "Applicants must provide the following applicable documents: Proof of Social Security Number. Proof of legal alien status (Valid Permanent Resident Card or Visa) and federally issued ID number. Immigration status must be valid to meet or exceed the lease end date."

26. The following week, on or around September 1, 2023, Plaintiff De Guzman and her fiancé physically visited and toured available rooms at the Inverness Apartments in Westville, New Jersey.

27. On or around September 5, 2023, Plaintiff De Guzman and her fiancé paid a \$120.00 application fee and applied to rent an apartment unit at Inverness Apartments for 24 months with a move-in date of September 15, 2023.

28. On or around September 15, 2023, a representative of Altman Management informed Plaintiff De Guzman via telephone that her application was denied because of a green card or visa issue.

29. Inverness Apartments Leasing Consultant Maggie Lopez later informed Plaintiff Guzman and her fiancé by telephone that their application was denied because Plaintiff De Guzman did not provide additional documentation requested by Altman Management.

30. Following Defendants' denials of Plaintiff De Guzman's rental applications for Autumn Ridge Apartments and Inverness Apartments, Plaintiff De Guzman has not submitted any rental applications and has not found an apartment.

31. Plaintiff De Guzman applied to these two apartments to be closer to school. Because she was denied, Plaintiff De Guzman and her fiancé have to commute over 45 minutes to 1 hour for her to attend school.

32. Plaintiff De Guzman intended to move closer to school in order to have a stable family life with her partner and eventually for them to get married and adjust her immigration status shortly thereafter.

33. Plaintiff De Guzman suffered harm as a result of Defendants' denial of her rental applications on the basis of her alienage. Defendants' denial of her applications caused Plaintiff De Guzman to suffer harm, including actual damages, emotional distress, and other negative effects of commuting long-distances and a less-stable family life.

34. Until these incidents, Plaintiff De Guzman had never previously been denied the opportunity to rent an apartment unit on the basis of her alienage. Defendants' denial of her rental applications caused Plaintiff De Guzman to feel the deleterious effects of discrimination.

35. Defendants' refusal to offer Plaintiff De Guzman an opportunity to rent because of their limited and arbitrary alienage requirements violates 42 U.S.C. § 1981.

36. There is an actual and substantial controversy between Plaintiff and Defendants.

#### **CLASS ACTION ALLEGATIONS**

37. Plaintiff De Guzman realleges and incorporates by reference each and every allegation contained above as though fully set forth in preceding paragraphs.

38. Plaintiff De Guzman brings this lawsuit as a class action under Rule 23 of the Federal Rules of Civil Procedure on behalf of herself and all persons similarly situated denied housing by Defendants across the United States on the basis of their alienage.

39. Plaintiff De Guzman seeks to represent the following Housing Denial Class, composed of, and defined as follows:

All persons who resided in the United States at the relevant time they applied for or attempted to apply for housing from Defendants but were denied full and equal consideration by Defendants on the basis of their alienage or lack of U.S. citizenship.

40. Plaintiff may amend the above class definition as permitted by this Court.

41. This action has been filed and may be properly maintained as a class action under the provisions of Rule 23 of the Federal Rules of Civil Procedure because all of the prerequisites for class treatment are met.

**Rule 23(a)(1) – Numerosity**

42. The potential members of the Housing Denial Class as defined (“Class Members”) are so numerous that joinder would be impracticable.

43. The Housing Denial Class are an ascertainable group that, on information and belief, consists of at least dozens of individuals.

44. With discovery, the size of the class will be ascertainable. The names and addresses of potential Class Members are available to Defendants.

45. Notice can be provided to the potential Class Members via first class mail using techniques and a form of notice similar to those customarily used in class-action lawsuits.

**Rule 23(a)(2) – Common Questions of Law and Fact**

46. There are questions of law and fact common to the Class that predominate over any questions affecting only Plaintiff De Guzman or any other individual Class Members. These common questions of law and fact include, without limitation:

- a. Whether it is Defendants' policy to reject applicants for housing on the basis of alienage;
- b. Whether Defendants violate 42 U.S.C. § 1981 by denying the full and equal right to contract to De Guzman and the Class Members on the basis of alienage;
- c. Whether Plaintiff De Guzman and the Class Members are entitled to declaratory, injunctive, and other equitable relief; and
- d. Whether Plaintiff De Guzman and the Class Members are entitled to damages and any other available relief.

**Rule 23(a)(3) – Typicality**

47. The claims of the named Plaintiff are typical of the claims of the Housing Denial Class. Plaintiff De Guzman and all Class Members sustained the same or similar injuries and damages arising out of and caused by the same practices and common policies of Defendants in violation of federal laws, regulations, and statutes as alleged here.

48. The named Plaintiff's claims are representative of and co-extensive with the claims of the Class Members.

**Rule 23(a)(4) – Adequacy of Representation**

49. The named Plaintiff is a member of the Class, does not have any conflicts of interest with other Class Members, and will prosecute the case vigorously on behalf of the Class.



50. The named Plaintiff will fairly and adequately represent and protect the interests of the Class Members.

51. Counsel for the named Plaintiff are competent and experienced in litigating complex class actions, including on the basis of unlawful discrimination.

**Rule 23(b)(2) – Declaratory, Equitable, and Injunctive Relief**

52. Class certification is appropriate because Defendants have acted or refused to act on grounds generally applicable to members of the Housing Denial Class. Defendants' actions make declaratory, equitable, and injunctive relief appropriate with respect to Plaintiff De Guzman and the Class Members.

53. Defendants exclude Class Members outright from housing and housing-related services on the basis of alienage. The Class Members are entitled to declaratory, equitable, and injunctive relief to end Defendants' common, unfair, and discriminatory policies.

**Rule 23(b)(3) – Superiority of Class Action**

54. A class action is superior to other available means for the fair and efficient adjudication of this controversy. Individual joinder of all Class Members is not practicable, and questions of law and fact common to the Housing Denial Class predominate over any questions affecting only individual Class Members. Each Class Member has been injured and is entitled to recovery by reason of Defendant's unlawful policies and practices of discrimination on the basis of alienage and of denying full and equal access to Defendants' services.

55. No other litigation concerning this controversy has been commenced by or against Class Members.

56. Class-action treatment will allow those similarly-situated persons to litigate their claims in the manner that is most efficient and economical for the parties and the judicial system.

It is unlikely that Class Members have any interest in individually controlling separate actions in this case and damages are capable of measurement on a class-wide basis.

57. Plaintiff De Guzman and Class Members will rely on common evidence to resolve their legal and factual questions, including the applicable housing policies and practices in the relevant period.

58. Plaintiff De Guzman is unaware of any difficulties that are likely to be encountered in the management of this action that would preclude its maintenance as a class action. The benefits of maintaining this action on a class basis far outweigh any administrative burden in managing the class action, and a class action would be far less burdensome than prosecuting numerous individual actions.

### **CLAIM FOR RELIEF**

#### **Alienage Discrimination (42 U.S.C. § 1981)**

59. Plaintiff De Guzman realleges and incorporates by reference each and every allegation contained above as though fully set forth in preceding paragraphs.

60. Plaintiff De Guzman brings this claim on behalf of herself and on behalf of the Housing Denial Class.

61. Plaintiff De Guzman and Class Members were persons within the jurisdiction of the United States at the time of Defendants' discriminatory acts.

62. Plaintiff De Guzman and Class Members are aliens.

63. Plaintiff De Guzman and Class Members have the right to make and enforce contracts in the United States and are entitled to the full and equal benefits of the law.

64. Defendants conduct business in the United States and are obligated to comply with the provisions of 42 U.S.C. § 1981.

65. Defendants intentionally discriminated against Plaintiff De Guzman and Class Members on the basis of alienage by denying them housing and/or the opportunity for housing.

66. Plaintiff De Guzman and Class Members have no plain, adequate, or complete remedy at law to redress the wrongs alleged here.

67. Plaintiff De Guzman and Class Members request that the Court issue a permanent injunction ordering Defendants to alter their housing policies and practices to prevent future discrimination on the basis of alienage and to prevent future violations of 42 U.S.C. § 1981.

68. Plaintiff De Guzman and Class Members are now suffering, and will continue to suffer, irreparable injury from Defendants' discriminatory acts and omissions.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff De Guzman and the Class she seeks to represent respectfully request the following relief:

- i. Certification of the case as a class action on behalf of the proposed Class Members in the Housing Denial Class;
- ii. Designation of Plaintiff De Guzman as the class representative on behalf of the Housing Denial Class;
- iii. Designation of Plaintiff's counsel of record as Class Counsel;
- iv. Declaratory judgment that Defendants' policies and practices complained of here are unlawful and violate 42 U.S.C. § 1981;
- v. Preliminary and permanent injunction against Defendants and their officers, agents, successors, employees, representatives, and any and all persons acting in concert with them, from engaging in each of the unlawful policies and practices set forth here and described in the preceding paragraphs;

- vi. An award to Plaintiff and Class Members of damages in an amount to be proved at trial;
- vii. Costs of the suit;
- viii. Reasonable attorneys' fees and expenses to the extent allowable by law;
- ix. Interest at the maximum legal rate for all sums awarded; and
- x. Such other and further relief as this Courts deems just and proper.

**JURY DEMAND**

Plaintiff respectfully demands a jury trial on all claims and issues so triable.

Dated: June 26, 2024

Respectfully submitted,

s/ Alexander L. Callo

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*Attorneys for Plaintiff  
and the Proposed Class*

**CERTIFICATION PURSUANT TO LOCAL CIVIL RULES 11.2 & 40.1**

Pursuant to Local Civil Rules 11.2 and 40.1, I hereby certify that the matter in controversy is not the subject of any other action pending in any court or of any pending arbitration or administrative proceeding.

Dated: June 26, 2024

Respectfully submitted,

s/ Alexander L. Callo

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*Attorneys for Plaintiff  
and the Proposed Class*

CIVIL COVER SHEET

JS 44 (Rev. 04/21)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Khrysta De Guzman, an individual, on behalf of herself and all others similarly situated

(b) County of Residence of First Listed Plaintiff Mercer County, NJ (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Alexander L. Callo, SAUL EWING LLP, One Riverfront Plaza, 1037 Raymond Blvd., Newark, NJ 07102-5426, 973-286-6720

DEFENDANTS

Altman Management Company LLC, HP Altman Autumn Ridge LLC, and Inverness Apartments LLC

County of Residence of First Listed Defendant Montgomery County, PA (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF, DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with 5 columns: CONTRACT, REAL PROPERTY, PERSONAL INJURY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Contains various legal categories and codes.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation-Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 U.S.C. § 1981

Brief description of cause: This is an action for unlawful discrimination on the basis of alienage in violation of the Civil Rights Act of 1866

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 6/26/2024 SIGNATURE OF ATTORNEY OF RECORD s/ Alexander L. Callo FOR OFFICE USE ONLY RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE