

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

(Richmond Division)

_____)	
ALFONSO ALTAMIRA-ROJAS, <i>et al.</i>)	
)	
Plaintiffs,)	
)	Civ. No: 3:15-CV-488
v.)	
)	
THE CITY OF RICHMOND, <i>et al.</i>)	
)	
Defendants.)	
_____)	

**MOTION FOR PRELIMINARY INJUNCTION
AGAINST DEFENDANT CITY OF RICHMOND**

COME NOW Plaintiffs, by counsel, and respectfully move this Court to issue a preliminary injunction against Defendant City of Richmond, pursuant to Rule 65(a) of the Federal Rules of Civil Procedure. In support thereof, Plaintiffs state as follows.

1. On August 18, 2015, Plaintiffs filed a complaint in this matter alleging that the Plaintiffs are entitled to relief from this Court for violations of the federal Fair Housing Act, 42 U.S.C. § 3601 et seq., Virginia’s Fair Housing Law, Va. Code § 36-96.1 et seq., and the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.

2. After an Unopposed Motion to Extend the Time to File a Responsive Pleading, Defendants filed Motions to Dismiss on September 16, 2015. In response, and pursuant to Rule 15(a)(1)(B), Plaintiffs filed a First Amended Complaint on September 29, 2015.

3. As set forth in the accompanying Memorandum of Law, Plaintiffs allege that the instant case meets all the applicable requirements for receiving the preliminary injunction as here requested.

WHEREFORE, Plaintiffs respectfully move this Court to enter a preliminary injunction enjoining Defendant City of Richmond, along with its officers, agents, servants, employees, attorneys, and other persons who are in active concert or participation with anyone described in this paragraph, from engaging in the actions specified herein:

- a. Condemning or threatening to condemn homes in mobile home parks;
- b. Seeking or threatening to seek civil or criminal sanctions for building code violations against mobile home owners;
- c. Inspecting (or re-inspecting) mobile homes for building code violations or compliance; and
- d. Visiting or touring mobile home parks with Code Enforcement personnel, either with or without police presence;

Unless Defendant City of Richmond demonstrates that its code enforcement meets one of the following requirements:

- e. Defendant, following the procedures in Va. Code § 36-105(C)(3) and not based on the lack of heating facilities, obtains an inspection warrant for a specific property; or
- f. The owner(s) and/or occupant(s) of the subject property explicitly request such actions.

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of October, 2015, I submitted the foregoing document to the Court's ECF system, and caused to be served a copy of Plaintiffs' MOTION FOR PRELIMINARY INJUNCTION upon the following parties by electronic mail:

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