



October 23, 2018

MADIGAN SUES COMPANY THAT DISCRIMINATED AGAINST COUPLE BASED ON SEXUAL ORIENTATION***AG Asks Court to Order Inn Ownership to Pay Damages, Comply with Human Rights Act***

Chicago — Attorney General Lisa Madigan today filed a lawsuit against a bed-and-breakfast that failed to comply with an order issued by the Illinois Human Rights Commission, which determined it discriminated against a couple based on their sexual orientation.

Madigan filed the complaint in Ford County Circuit Court against Walder Vacuflo Inc. (Walder Vacuflo), doing business as TimberCreek Bed & Breakfast in Paxton, Ill. Madigan's complaint alleges Walder Vacuflo has failed to comply with an order issued by the Illinois Human Rights Commission (IHRC) directing the company to pay damages to a gay couple after refusing to host their civil union ceremony.

According to Madigan's complaint, Todd and Mark Wathen filed a complaint in 2011 with the IHRC alleging Walder Vacuflo discriminated against them based on their sexual orientation when it denied a request to host their civil union ceremony at TimberCreek Bed & Breakfast (TimberCreek). In September 2015, an administrative law judge found that Walder Vacuflo discriminated against the Wathens and made a series of recommendations that were ultimately adopted by the IHRC.

The IHRC's final decision issued in November 2016 ordered Walder Vacuflo to pay the Wathens \$15,000 each in damages, \$50,000 in attorneys' fees, and more than \$1,200 in additional costs. Walder Vacuflo was also ordered to cease and desist from discriminating on the basis of sexual orientation and to allow the Wathens to celebrate their civil union at TimberCreek within one year of the of the IHRC's final decision. To date, Walder Vacuflo has refused to comply with the decision.

"Discriminating against people on the basis of sexual orientation is against the law," Madigan said. "My office is committed to holding businesses accountable if they refuse service to members of the public based on sexual orientation."

Walder Vacuflo's attempts to appeal the IHRC's decision have been unsuccessful. Madigan's office is asking the court to order Walder Vacuflo to comply with the 2016 IHRC decision.

The case is being handled by the Attorney General's Civil Rights Bureau. The [Civil Rights Bureau](#) enforces state and federal civil rights laws prohibiting discrimination in Illinois and advocates for legislation to strengthen those laws. Madigan encourages people who want to [file a complaint to do so online](#) or by calling her Civil Rights Hotline at 1-877-581-3692.

Assistant Attorney General Cynthia Flores is handling the lawsuit for Madigan's Civil Rights Bureau.

-30-

[Return to October 2018 Press Releases](#)