

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLORADO**  
Bankruptcy Judge Joseph G. Rosania, Jr.

In re:  AVI SCHWALB,  Debtor.	Case No. 25-12666-JGR  Chapter 7
JOHN DOE AND JANE ROE,  Plaintiffs,  v.  AVI SCHWALB,  Defendant.	Adversary Case No. 25-1255-JGR

**JUDGMENT**

On May 15, 2026, default judgment against Defendant Avi Schwalb [Docket No. 56]. In accordance with Fed. R. Civ. P. 58(a), made applicable to the Adversary Proceeding pursuant to Fed. R. Bankr. P. 7058, a default judgment hereby enters as follows:

1. Judgment in the amount of \$10,000.00 in statutory damages and \$50,000 in compensatory damages is hereby GRANTED in favor of Plaintiffs and against Defendant on Count I of the Adversary Complaint.

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings set forth in the Motion.

**Count I**

2. With respect to Count I of the Adversary Complaint, the Court finds that Defendant's actions constitute violations of Plaintiffs' rights under the ITPA. Defendant is hereby permanently enjoined and prohibited from further violating Plaintiffs' rights under the ITPA.

**Count II**

3. Judgment in the amount of \$21,600.00 in statutory damages is hereby GRANTED in favor of Plaintiffs and against Defendant on Count II of the Adversary Complaint.

**Count III**

4. Judgment in the amount of \$6,700.00 in statutory damages is hereby GRANTED in favor of Plaintiffs and against Defendant on Count III of the Adversary Complaint.

5. With respect to Count III of the Adversary Complaint, the Court finds that Defendant's conduct in removing or attempting to remove Plaintiffs from the premises without resort to proper legal process is in violation of C.R.S. § 38-12-510. Defendant is permanently enjoined from removing, or attempting to remove, Plaintiffs from the subject premises without full compliance with all requirements of Colorado law.

**Count IV**

6. Judgment in the amount of \$50,000.00 in compensatory damages is hereby GRANTED in favor of Plaintiffs and against Defendant on Count IV of the Adversary Complaint.

7. Further, with respect to Count IV of the Adversary Complaint, because the Court finds that Defendant's violation of the Colorado Anti-Discrimination Act, C.R.S. § 24-34-501 et seq., was particularly egregious based on Defendant's blatant threats and retaliatory actions showed malice, insult, and a wanton and reckless disregard of Plaintiffs' rights and human dignity, judgment in the amount of \$100,000.00 in punitive damages is hereby GRANTED in favor of Plaintiffs.

8. Further, with respect to Count IV of the Adversary Complaint, Defendant is permanently enjoined and restrained from engaging in any unfair housing practice prohibited by CADA, retaliating against Plaintiffs for exercising rights protected by CADA, and otherwise interfering with Plaintiffs' rights under CADA.

**Count V**

9. Judgment in the amount of \$5,400 is hereby GRANTED in favor of Plaintiffs and against Defendant on Count V of the Adversary Complaint.

**Count VI**

10. With respect to Count VI of the Adversary Complaint, the Court finds and declares that Defendant has violated Plaintiffs' rights as tenants on the basis of their perceived immigration status and national origin, in violation of Colorado statutory and common law, as set forth in Plaintiffs' Motion and supporting materials.

11. Further, with respect to Count VI of the Adversary Complaint, the Court finds and declares that Defendant's threats and discriminatory treatment toward Plaintiffs are unlawful under Colorado law. Defendant is permanently enjoined and restrained from engaging in any conduct that constitutes discrimination against Plaintiffs as defined by applicable Colorado law.

**Count VII**

12. The judgment herein against Defendant and Defendant's debts to Plaintiffs are hereby found to be and are ordered as non-dischargeable pursuant to 11 U.S.C. § 523(a)(6) and shall not be discharged in this or any subsequent bankruptcy proceeding of Defendant until such debts and this judgment are satisfied in full.

13. In light of the Judgment on the Counts as set forth above, the total, non-duplicative cumulative judgment in the amount of \$182,900.00 is hereby GRANTED in favor of Plaintiffs.

14. The Court finds that Plaintiffs are entitled to recover reasonable attorneys' fees and expenses incurred in prosecuting this action pursuant to CADA and other applicable law.

15. Plaintiffs' counsel shall file a bill of costs, and a petition for attorneys' fees and expenses, within fourteen (14) days of entry of this Order.

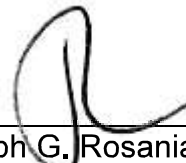
16. The Court will review Plaintiffs' bill of costs and petition for attorneys' fees and enter a supplemental order awarding such fees and expenses as appropriate.

17. Plaintiffs are authorized to take all actions necessary or appropriate to effectuate this judgment. This judgment is effective immediately and the stay provided in Fed. R. Bankr. P. 7062 to execute on and enforce this judgment is not in effect.

18. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this judgment.

Dated: May 15, 2026

FOR THE COURT:



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Joseph G. Rosania, Jr.  
United States Bankruptcy Judge

Kenneth S. Gardner, Clerk



By: 

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S. Nicholls,  
Deputy Clerk