

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Marcos Isaac Rojas v. Shelter Corporation and Kyle Didier

Rojas · No. Civil No. 25-1675 (JRT/EMB); 0:25-cv-01675 · Decided December 30, 2025

SUMMARY

The United States District Court for the District of Minnesota granted in part and denied in part Defendants’ motion to dismiss claims arising from alleged race-based harassment and discrimination at an apartment complex. The court dismissed the plaintiff’s Fair Housing Act disparate-impact and retaliation claims without prejudice, finding the allegations insufficient and noting the statute of limitations. The court declined supplemental jurisdiction over the remaining state-law claims and remanded them to Minnesota state court.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	John R. Tunheim
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	December 30, 2025
DOCKET	Civil No. 25-1675 (JRT/EMB); 0:25-cv-01675
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Defendants removed Plaintiff's Minnesota state-court action to federal district court based on federal-question jurisdiction arising from claims under the Fair Housing Act and moved to dismiss all claims under Federal Rule of Civil Procedure 12(b)(6). The court dismissed the federal claims without prejudice and remanded the remaining state-law claims.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, construes the complaint in the light most favorable to the plaintiff, and determines whether the complaint states a claim for relief that is plausible on its face. The court may consider the complaint and materials necessarily embraced by the pleadings. Pro se filings are liberally construed, but pro se litigants must comply with substantive and procedural law.
PRECEDENTIAL VALUE	unpublished

TOPICS

motions to dismiss

subject matter jurisdiction

civil rights

real estate

civil procedure

PRACTICE AREAS

civil procedure

civil rights

real estate

federal jurisdiction

QUESTIONS PRESENTED

1. Whether Rojas plausibly alleged a disparate-impact claim under the Fair Housing Act.
2. Whether Rojas plausibly alleged that Kyle Didier retaliated against him in violation of the Fair Housing Act.
3. Whether the court should exercise supplemental jurisdiction over the remaining Minnesota state-law claims after dismissing all federal claims.

HOLDINGS

1. Rojas failed to state a plausible FHA disparate-impact claim because he did not allege facts showing that Defendants knew of the alleged tenant misconduct, failed to act, and thereby created or implemented a policy or practice that adversely impacted minorities.
2. Rojas failed to state a plausible FHA retaliation claim because the allegation that Didier installed a camera directed at Rojas's parking space was too vague and conclusory to support relief.
3. The court declined to exercise supplemental jurisdiction over the remaining state-law claims and remanded them to the Minnesota state court because all claims within the court's original jurisdiction had been dismissed.

KEY QUOTATIONS

"A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." (Discussion Part I)

"Although the letters attached to Rojas's Complaint contain allegations that Rojas was mistreated by tenants living in his apartment complex, Rojas does not sufficiently allege that Defendants knew about those incidents and failed to act, and that this inaction rose to the level of creating a policy or practice adversely impacting minorities." (Discussion Part II.A)

FACTUAL BACKGROUND

Rojas lived in an apartment complex managed by Shelter Corporation and alleged that other tenants subjected him to race- and national-origin-based harassment, including calling him "that Mexican," accusing him of theft and property damage, and allegedly vandalizing or attempting to strike his car. He complained to the Washington County Community Development Agency and apartment-management personnel in 2020 and 2021, and again wrote to the Housing Authority Board in June 2024. Rojas alleged that Shelter and its president, Kyle Didier, failed to address the conduct and that Didier retaliated by installing a camera directed at Rojas's parking space.

PROCEDURAL HISTORY

Rojas filed suit in the State of Minnesota District Court for Washington County against Shelter Corporation and Kyle Didier. Defendants removed the case to the District of Minnesota and moved to dismiss. Although Rojas filed amended complaints, the court treated the original state-court complaint and original motion to dismiss as operative because the amended complaints restated the original claims verbatim. After dismissing the FHA claims, the court declined supplemental jurisdiction over the remaining state-law claims and remanded them to state court.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The remaining state-law claims were remanded to the State of Minnesota District Court for Washington County. Counts 2 and 4 were dismissed without prejudice; the motion to dismiss was denied as moot as to Counts 1 and 3.

CASES CITED

- Braden v. Wal-Mart Stores, Inc., 588 F.3d 585, 594 (8th Cir. 2009)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Schriener v. Quicken Loans, Inc., 774 F.3d 442, 444 (8th Cir. 2014)
- Ashley County v. Pfizer, Inc., 552 F.3d 659, 665 (8th Cir. 2009)
- Papasan v. Allain, 478 U.S. 265, 286 (1986)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Burgs v. Sissel, 745 F.2d 526, 528 (8th Cir. 1984)
- Ellis v. City of Minneapolis, 860 F.3d 1106, 1110, 1112 (8th Cir. 2017)
- Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc., 576 U.S. 519, 524 (2015)
- Gallagher v. Magner, 619 F.3d 823, 838 (8th Cir. 2010)
- Ali v. Ramsdell, 423 F.3d 810, 812 (8th Cir. 2005)