

FAIR HOUSING ORDINANCE

Prohibiting certain practices of discrimination in the sale, rental, lease or financing of any housing accommodation.



VILLAGE of SKOKIE

673-0500

Cook County, Illinois 60076

2016.003.074

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Prohibiting certain practices of
discrimination in the sale, rental,
lease or financing of any housing
accommodation.



VILLAGE of SKOKIE

673-0800

Cook County Illinois 60076

AN ORDINANCE PROHIBITING CERTAIN
PRACTICES OF DISCRIMINATION IN
THE SALE, RENTAL, LEASE OR
FINANCING OF HOUSING ACCOMMODATIONS
BECAUSE OF RACE, RELIGION, COLOR,
NATIONAL ORIGIN OR ANCESTRY BY
OWNERS AND OTHER PERSONS.

Article VIII. FAIR HOUSING ORDINANCE

Sec. 10-49. Purpose and Declaration of Policy.

It is hereby declared to be the policy of the Village of Skokie, and the purpose of this ordinance, in pursuance to authority granted by the General Assembly of the State of Illinois, to secure to all persons desiring to live in this community a fair opportunity to purchase, lease, rent or occupy housing accommodations without discrimination based on race, religion, color, national origin or ancestry.

Sec. 10-50. Definitions.

For purposes of this ordinance:

(A) "Discriminate" includes difference in treatment in the sale, lease, rental or financing of housing accommodation because of race, color, religion, ancestry or national origin.

(B) "Commission" means the Skokie Human Relations Commission.

(C) "Housing accommodation" includes any building structure, or portion thereof located within the Village of Skokie which is used or occupied, or is maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, and includes any vacant property zoned for residential use.

(D) "Unlawful housing practice" means the commission of any act prohibited by Section (4) thereof.

(E) "Complaint" means a charge of an unlawful housing practice.

(F) "Lease" includes sublease, assignment, and rental and includes any contract to do any of the foregoing.

(G) "Lending institution" means any bank, insurance company, savings and loans; any person in the business of obtaining, arranging or negotiating loans or guarantees as agent or broker, and any person in the business of buying or selling loans or instruments for the payment of money which are secured by title to or a security interest in real estate.

(H) "Owner" means any person who holds legal or equitable title to or owns any beneficial interest in any housing accommodation or who holds legal or equitable title to shares of, or holds any beneficial interest in any real estate cooperative which owns any real property.

(I) "Person" includes one or more individuals, corporations, partnerships associations, legal representatives, mutual companies, unincorporated organizations trust, trustees, trustees in bankruptcy, receivers and fiduciaries.

(J) "Purchase" includes any contract to purchase.

(K) "Real estate transaction" means the purchase, sale, exchange or lease of any housing accommodation, and an option to do any of the foregoing.

(L) "Sale" includes any contract to sell, exchange, or to convey, transfer or assign legal or equitable title to or a beneficial interest in a housing accommodation.

Sec. 10-51. Prohibited Acts.

(A) Discrimination

It shall be an unlawful housing practice and a violation of this ordinance for any owner or other person to sell or lease a housing accommodation on terms, conditions or privileges that discriminate between persons because of race, color, religion, national origin or ancestry.

(B) Refusal to Negotiate

It shall be an unlawful housing practice and a violation of this ordinance for any owner or other person to negotiate for, enter into, or perform any sale or lease of any housing accommodation because of the race, color, religion, national origin or ancestry of any party to such sale or lease, or of any member of the family of any such party, or of any person using or occupying or intending to use or occupy such housing accommodation or any person using or occupying any housing accommodation in the area in which housing accommodation is located.

(C) Withholding housing

It shall be an unlawful housing practice and a violation of this ordinance for any owner or other person to represent to any person that any housing accommodation is not available for inspection, purchase, sale, lease or occupancy when in fact it is so available, or otherwise to withhold housing accommodations from any person because of race, color, religion, national origin or ancestry.

(D) Advertisements

It shall be an unlawful housing practice and a violation of this ordinance for any owner or other person to publish or circulate a statement, advertisement or notice of intention to sell or lease any housing accommodation in a manner that is unlawful under this ordinance, or to consent thereto.

(E) Signs and Notices

It shall be an unlawful housing practice and a violation of this ordinance for any owner or other person to post or erect, or cause any person to post or erect, any sign or notice upon any housing accommodation indicating an intent to sell or lease any housing accommodation in a manner that is unlawful under this ordinance.

(F) Discrimination in Lending

It shall be an unlawful housing practice and a violation of this ordinance for any lending institution in making, agreeing to make, arranging or negotiating any loan or guarantee of funds for the purpose of financing the purchase or sale, construction, lease, rehabilitation, improvement, renovation or repair of any housing accommodation, to offer, seek or agree to terms, conditions or privileges that discriminate between persons because of race, color, religion or national origin.

(G) Refusals to Deal in Lending

It shall be an unlawful real estate practice and a violation of this ordinance for any Lending institution to refuse to negotiate for, enter into or perform any agreement to lend or guarantee the loan of funds for the purchase, sale, construction, lease, rehabilitation, improvement, renovation or repair of any housing accommodation because of the race, color, religion or national origin of any party to such agreement or of any member of the family of any such party, or of the residents of the area in which such housing accommodation is located.

(H) Representation

It shall be an unlawful real estate practice and a violation of this ordinance for any person, for the purpose of inducing any other person to enter into a real estate transaction with such person, his principal or his agent,

(1) to represent that a change has occurred, will occur or may occur with respect to race, color, religion, or national origin in the

composition of the owners or occupants in any block, neighborhood or area in which the housing accommodation (which is the subject of the real estate transaction) is located, or

- (2) to represent that a change with respect to the race, color, religion, or national origin in the composition of the owners or occupants in any block, neighborhood or area will result in the change of property values, or in an increase in criminal or anti-social behavior, or in a decline in the quality of schools, in such blocks, neighborhood or area.

(1) Other violations

It shall be an unlawful housing practice and a violation of this ordinance for any person, because of race, color, religion or national origin,

- (1) to aid, abet, incite, or coerce a person to engage in an unlawful housing practice as set forth in this ordinance.
- (2) to deceive, exploit, cheat or overcharge any person in a real estate transaction in Skokie, or to make any distinction, discrimination or restriction against any person as to the conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any housing accommodation.
- (3) to enter into a listing agreement which prohibits the inspection, sale, lease, or occupancy of a housing accommodation to any person.
- (4) to willfully interfere with the performance of a duty or the exercise of a power by the Commission or by its members or representatives, or
- (5) to willfully obstruct or prevent a person or an order issued thereunder.

Sec. 10-52. Limitations.

Nothing in this ordinance shall require an owner to offer a housing accommodation to the public at large before selling or renting it, providing he complies with all other provisions of this ordinance. Nor shall this ordinance require an owner or his agent to offer a housing accommodation for sale or lease to any person if the owner or his agent has reasonable cause which he can be substantiated to believe that such person is not negotiating for the purchase or lease of such housing accommodation in good faith, nor shall this ordinance be deemed to prohibit owners from giving preference to prospective tenants, or buyers for any reason other than religion, race, color, national origin, or ancestry.

Sec. 10-53. Duties of the Human Relations Commission

The Commission shall be charged with the duty of enforcing the provisions of this ordinance. In discharging this responsibility it shall:

- (1) Receive and investigate complaints filed with the commission pursuant to Section 7 of this ordinance.
- (2) Upon good cause shown and after appropriate investigation, initiate a complaint.
- (3) Seek conciliation of such complaint, hold hearings, make written findings of fact and issues orders in accordance with the provisions of this ordinance and with the ordinance establishing the Commission.
- (4) Render from time to time, but not less than once a year, a written report of its activities and recommendations with respect to fair housing practices to the President and Board of Trustees.
- (5) Adopt and publish such rules and regulations as may be necessary to carry out the purposes and provisions of this ordinance.

Sec. 10-54. Complaints by Persons Other than the Commission.

Any person aggrieved in any manner by any violation of any provision of this ordinance may file a written complaint within 75 days of the date of the alleged violation, setting forth his grievance with the Skokie Human Relations. Said complaint shall state the name and address of the complainant and of the persons against whom the complaint is brought and shall also state the facts surrounding the alleged violation of this ordinance.

Sec. 10-55. Enforcement Procedure.

(A) The Commission shall have the power to enforce the provisions of this ordinance and to investigate every complaint filed hereunder. If the Commission determines that the respondent has not engaged in any unlawful practice, it shall state its findings of fact in writing and dismiss the complaint. If the Commission determines after such investigation that probable cause exists for the allegations made in the complaint, the Commission shall set a date for the conciliation hearing. At such hearing, the Commission shall interview the complainant and the person or persons against whom the complaint has been directed and shall attempt to resolve the complaint by all proper methods of conciliation and persuasion. If such attempts at conciliation are not successful within sixty (60) days after the date of filing of the complaint, the Commission shall then proceed promptly with full hearing of the Complaint.

(B) Such hearing shall be conducted by the Commission upon due and reasonable notice to all parties. The Commission shall have full power to subpoena witnesses and pertinent documents, which power may be enforced by the Commission by proper petition to any court of competent jurisdiction. The Commission shall have power to administer oaths and to take sworn testimony. At the conclusion of the hearings the Commission shall render a written report and recommendations, which shall be served by mail upon the complainant and the respondent. No report shall be delayed more than sixty (60) days after the date of the issuance of notice for commencement of the first hearing.

(C) The Commission shall be empowered at the conclusion of proceedings held under this section to recommend to the Village Manager that he direct the Corporation Counsel to do any one or more of the following:

- (1) To institute and prosecute proceedings to enforce against any person found in violation of this ordinance, the fine provided for in Section 10-57 below,
- (2) to apply to any court of competent jurisdiction
 - (i) for an order restraining any person from violating any provision of this ordinance.
 - (ii) for such other or future relief as may seem to the court appropriate for the enforcement of this ordinance and for the elimination of violations hereof.

(D) If, during the course of any proceedings prescribed herein, the Commission, on the basis of the evidence before it, concludes that a violation of this ordinance is imminent, it may relay such evidence to the Village Manager, together with its recommendation that the Corporation Counsel be instructed to seek injunctive relief in any court of competent jurisdiction to prohibit such violation.

Sec. 10-56. Additional Remedies.

Any person aggrieved in any manner by the violation of any provision of this ordinance who has exhausted the remedies provided in Sections 7 and 8 of this ordinance may apply to any court of competent jurisdiction for appropriate relief from such violation, including:

- (A) an order compelling compliance with this ordinance;

(B) an order requiring specific performance of any contract for the sale, lease, exchange, transfer, conveyance or assignment of any housing accommodations where the court finds that refusal to comply with such contract is in violation of the terms of this ordinance;

(C) compensatory damages;

(D) such other and further relief as may seem appropriate to the court for the enforcement of this ordinance and the elimination of violations hereof.

Sec. 10-57.

Any person who violates any provision of this ordinance shall be fined no less than \$100.00 for each offense and no more than \$500.00 for each violation.

(8) an order regarding specific performance of any contract for the sale, lease, exchange, transfer, conveyance or assignment of any housing accommodations where the court finds that refusal to comply with such contract is in violation of the terms of this ordinance; (9) such other and further relief as may be deemed appropriate by the court for the enforcement of this ordinance and the elimination of violations hereof.

Sec. 10-27.

Any person who violates any provision of this ordinance shall be fined not less than \$100.00 for each offense and no more than \$500.00 for each violation. The court may, in its discretion, suspend or reduce the fine or order the defendant to perform community service or other appropriate relief. The court may also order the defendant to pay the costs of this proceeding. The court may also order the defendant to pay the costs of this proceeding. The court may also order the defendant to pay the costs of this proceeding.

(1) The Commission shall be composed of five members to be appointed by the Mayor. The Commission shall have the honor of the Mayor. The Commission shall have the honor of the Mayor. The Commission shall have the honor of the Mayor.

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