

CHAPTER 28.

FAIR HOUSING PRACTICES

(Established by Ord. 93-02)

- §28-1. Definitions.
- §28-2. Discrimination in Real Estate Transactions Prohibited.
- §28-3. Complaint Procedures.

Sec. 28-1. Definitions.

For the purpose of this Chapter, the following words and phrases shall have the meaning respectively assigned to them:

Familial status means one (1) or more individuals (who have not attained the age of eighteen (18) years) being domiciled with:

- (A) A parent or other person having legal custody of such individual or individuals or
- (B) The designee of such parent or other person having such custody, with the written permission of such parent or other person.

The protections afforded by this Chapter against discrimination on the basis of familial status apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen (18) years.

Housing accommodations include any improved or unimproved real property, or part thereof, which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home or residence of one or more individuals.

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

Lending institution means any bank, insurance company, savings and loan association, other person in the business of lending money or guaranteeing 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 loans or instruments for the payment of money which are secured by title to or a security interest in real property, but shall not include any religious institution or organization nor any charitable or educational organization operated, supervised or controlled by a religious institution or organization.

National origin includes national origin and ancestors.

Owner means any person who holds legal or equitable title to, or owns any beneficial interest in, any real property 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.

Purchase includes any contract to purchase.

Real estate broker or salesman means a person, whether licensed or not, who, for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself or herself out as engaged in these.

Real estate transaction includes the sale, exchange, rental or lease of real property and also includes the brokering or appraising of residential real property and the making or purchasing of loans or providing other financial assistance:

- (A) For purchasing, constructing, improving, repairing or maintaining a dwelling; or
- (B) Secured by residential real estate.

Real property includes buildings, structures, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein.

Sale includes any contract to sell, exchange or convey, transfer or assign legal or equitable title to or beneficial interest in real property.

Solicitation means any conduct designed or intended to induce the owner of any real property to sell, rent, exchange, convey, transfer or list for sale or rental such real property.

Sec. 28-2. Discrimination in Real Estate Transactions Prohibited.

- (A) No owner, lessee, or sublessee of real property, real estate broker or salesman, lender, financial institution, advertiser, or agent of any of the foregoing, shall discriminate against any person because of that person's race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, familial status, or unfavorable discharge from military service with respect to any real estate transaction.
- (B) Any act of discrimination in a real estate transaction shall be considered an unfair housing practice, including but not limited to the following:
 - (1) Refusal to engage in a real estate transaction with a person or discriminate in making available such a transaction.
 - (2) Altering the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith.
 - (3) Refusal to receive or failure to transmit a bona fide offer to engage in a real estate transaction from a person.
 - (4) Refusal to negotiate for a real estate transaction with a person.
 - (5) Representing to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or failure to bring a property listing to his or

her attention, or refusal to permit him or her to inspect real property.

- (6) Printing, circulating, posting, mailing, publishing or causing to be published a written or oral statement, advertisement or sign, or using a form of application for a real estate transaction, or making a record in inquiry in connection with a prospective real estate transaction, which expresses any limitation founded upon, or indicating, directly or indirectly an intent to engage in unlawful discrimination.
- (7) Offering, soliciting, accepting, using or retaining a listing of real property with knowledge that unlawful discrimination or discrimination on the basis of familial status in a real estate transaction is intended.
- (8) Soliciting for sale, leasing, listing or purchasing any residential real estate within the Village on the grounds of loss of value due to the present or prospective entry into the vicinity of the property involved of any person or persons of any particular race, color, religion, national origin, ancestry, age, sex, marital status, familial status, or handicap.
- (9) Distributing or causing to be distributed, written material or statements designed to induce any owner of residential real estate in this Village to sell or lease his or her property because of any present or prospective changes in the race, color, religion, national origin, ancestry, age, sex, marital status, familial status or handicap of residents in the vicinity of the property involved.
- (10) Intentionally creating alarm, among residents of any community, by transmitting communications in any manner, including a telephone call whether or not conversation thereby ensues, with a design to induce any owner of residential real estate in this Village to sell or lease his or her property because of any present or prospective entry into the vicinity of the property involved of any person or persons of any particular race, color, religion, national origin, ancestry, age, sex, marital status, familial status or handicap.
- (11) Discriminating or participating in discrimination in connection with borrowing or lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repairs or maintenance of any real property in the Village.

For the purpose of this subsection, discrimination in lending shall include:

- (a) Refusal to make loans; or
- (b) Differentiation in the type of loans, including interest rates, charges to buyer or seller, duration and amount of loan; or
- (c) Influencing appraisals in connection with loans; or
- (d) Delaying processing loan applications.

Sec. 28-3. Complaint Procedures.

- (A) The Village shall act as a local source for assistance and information for persons who have complaints related to unfair housing practices.
- (B) The Village shall provide assistance and information to any such person, which shall include but is not limited to:
 - (1) The rights and remedies available to a person who has been discriminated against by virtue of an unfair housing practice.
 - (2) The types of discrimination which are considered to be unfair housing practices.
 - (3) The names, addresses and phone numbers of county, state and federal agencies where such person may file formal complaints.
 - (4) Such other relevant information or assistance as the Village may have available to assist such person.
- (C) The Village Manager shall be responsible for coordinating and directing the Village's fair housing procedures.
- (D) Commitment to Addressing Fair Housing Complaints.

The Village of Addison considers training to be an important priority to effectively provide quality services. As such, the Village dedicates significant resources to training initiatives each year. This would include, as opportunities present, attending seminars and conferences related to fair housing requirements offered by the Illinois Municipal League, Mayors and Managers Conference, American Planning Association, and others.

In addition to formal training events, the Village leverages its strong relationships which provides Village staff with ongoing Fair Housing knowledge and experience gained through continued working partnerships with agencies like the Hope Fair Housing Center (which is a HUD-Approved non-profit organization serving DuPage County Communities to provide opportunities for fair housing). Lastly, should a complaint arise, the Village's legal counsel is also a valued, trained resource to assist Village staff with any response.

- (E) Commitment to Maintaining Up-To-Date Information on Fair Housing.

The Village of Addison cares about Fair Housing policies and maintaining up-to-date information for our community on the topic of fair housing. Information relating to Fair Housing policies will be posted on the Village's web page, and communicated through noticed agendas, postings on bulletin boards at Village Hall entrances, and as needed, the Village's newsletter. (Ord. 24-81)