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PENNSYLVANIA AND DELWARE VALLEY CHAPTER OF COMMUNITY ASSOCIATIONS INSTITUTE

*The Reluctant Landlord – Fair Housing Issues Faced by Associations,
Managers and Owners that Rent or Sell Units Because of the Challenging
and Unpredictable Economy and Real Estate Market*

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- I. Fair, and Unlawful Discrimination-Free, Housing
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QUESTIONS & ANSWERS

other such professional assistance as necessary to perfect or transfer the title, or

(2) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b) of this section, a person shall be deemed to be in the business of selling or renting dwellings if--

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

Sec. 804. [42 U.S.C. 3604] Discrimination in sale or rental of housing and other prohibited practices

As made applicable by section 803 of this title and except as exempted by sections 803(b) and 807 of this title, it shall be unlawful--

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status, or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex,

handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status, or national origin.

(f)

(1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of--

(A) that buyer or renter,

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that buyer or renter.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of--

(A) that person; or

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that person.

(3) For purposes of this subsection, discrimination includes--

(A) a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises, except that, in the case of a rental, the landlord may where it is reasonable to do

so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

(B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(C) in connection with the design and construction of covered multifamily dwellings for first occupancy after the date that is 30 months after the date of enactment of the Fair Housing Amendments Act of 1988, a failure to design and construct those dwelling in such a manner that--

(i) the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

(ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

(iii) all premises within such dwellings contain the following features of adaptive design:

(I) an accessible route into and through the dwelling;

(II) light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(III) reinforcements in bathroom walls to allow later installation of grab bars; and

(IV) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(4) Compliance with the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of paragraph (3)(C)(iii).

(5)

(A) If a State or unit of general local government has incorporated into its laws the requirements set forth in paragraph (3)(C), compliance with such laws shall be deemed to satisfy the requirements of that paragraph.

(B) A State or unit of general local government may review and approve newly constructed covered multifamily dwellings for the purpose of making determinations as to whether the design and construction requirements of paragraph (3)(C) are met.

(C) The Secretary shall encourage, but may not require, States and units of local government to include in their existing procedures for the review and approval of newly constructed covered multifamily dwellings, determinations as to whether the design and construction of such dwellings are consistent with paragraph (3)(C), and shall provide technical assistance to States and units of local government and other persons to implement the requirements of paragraph (3)(C).

(D) Nothing in this title shall be construed to require the Secretary to review or approve the plans, designs or construction of all covered multifamily dwellings, to determine whether the design and construction of such dwellings are consistent with the requirements of paragraph 3(C).

(6)

(A) Nothing in paragraph (5) shall be construed to affect the authority and responsibility of the Secretary or a State or local public agency certified pursuant to section 810(f)(3) of this Act to receive and process complaints or otherwise engage in enforcement activities under this title.

(B) Determinations by a State or a unit of

general local government under paragraphs (5)(A) and (B) shall not be conclusive in enforcement proceedings under this title.

(7) As used in this subsection, the term "covered multifamily dwellings" means--

(A) buildings consisting of 4 or more units if such buildings have one or more elevators; and

(B) ground floor units in other buildings consisting of 4 or more units.

(8) Nothing in this title shall be construed to invalidate or limit any law of a State or political subdivision of a State, or other jurisdiction in which this title shall be effective, that requires dwellings to be designed and constructed in a manner that affords handicapped persons greater access than is required by this title.

(9) Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

Sec. 805. [42 U.S.C. 3605] Discrimination in Residential Real Estate-Related Transactions

(a) In General.--It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(b) Definition.--As used in this section, the term "residential real estate-related transaction" means any of the following:

(1) 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.

(2) The selling, brokering, or appraising of residential real property.

shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

Sec. 812. [42 U.S.C. 3612] Enforcement by Secretary

(a) Election of Judicial Determination. -- When a charge is filed under section 810, a complainant, a respondent, or an aggrieved person on whose behalf the complaint was filed, may elect to have the claims asserted in that charge decided in a civil action under subsection (o) in lieu of a hearing under subsection (b). The election must be made not later than 20 days after the receipt by the electing person of service under section 810(h) or, in the case of the Secretary, not later than 20 days after such service. The person making such election shall give notice of doing so to the Secretary and to all other complainants and respondents to whom the charge relates.

(b) Administrative Law Judge Hearing in Absence of Election. -- If an election is not made under subsection (a) with respect to a charge filed under section 810, the Secretary shall provide an opportunity for a hearing on the record with respect to a charge issued under section 810. The Secretary shall delegate the conduct of a hearing under this section to an administrative law judge appointed under section 3105 of title 5, United States Code. The administrative law judge shall conduct the hearing at a place in the vicinity in which the discriminatory housing practice is alleged to have occurred or to be about to occur.

(c) Rights of Parties. -- At a hearing under this section, each party may appear in person, be represented by counsel, present evidence, cross-examine witnesses, and obtain the issuance of subpoenas under section 811. Any aggrieved person may intervene as a party in the proceeding. The Federal Rules of Evidence apply to the presentation of evidence in such hearing as they would in a civil action in a United States district court.

(d) Expedited Discovery and Hearing. --

(1) Discovery in administrative proceedings under this section shall be conducted as expeditiously and inexpensively as possible, consistent with the need of all parties to obtain relevant evidence.

(2) A hearing under this section shall be conducted as expeditiously and inexpensively as possible, consistent with the needs and rights of the parties to obtain a fair hearing and a complete record.

not sought enforcement of the order under subsection (j), any person entitled to relief under the order may petition for a decree enforcing the order in the United States court of appeals for the circuit in which the discriminatory housing practice is alleged to have occurred.

(n) Entry of Decree. -- The clerk of the court of appeals in which a petition for enforcement is filed under subsection (1) or (m) shall forthwith enter a decree enforcing the order and shall transmit a copy of such decree to the Secretary, the respondent named in the petition, and to any other parties to the proceeding before the administrative law judge.

(o) Civil Action for Enforcement When Election Is Made for Such Civil Action. --

(1) If an election is made under subsection (a), the Secretary shall authorize, and not later than 30 days after the election is made the Attorney General shall commence and maintain, a civil action on behalf of the aggrieved person in a United States district court seeking relief under this subsection. Venue for such civil action shall be determined under chapter 87 of title 28, United States Code.

(2) Any aggrieved person with respect to the issues to be determined in a civil action under this subsection may intervene as of right in that civil action.

(3) In a civil action under this subsection, if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may grant as relief any relief which a court could grant with respect to such discriminatory housing practice in a civil action under section 813. Any relief so granted that would accrue to an aggrieved person in a civil action commenced by that aggrieved person under section 813 shall also accrue to that aggrieved person in a civil action under this subsection. If monetary relief is sought for the benefit of an aggrieved person who does not intervene in the civil action, the court shall not award such relief if that aggrieved person has not complied with discovery orders entered by the court.

(p) Attorney's Fees. -- In any administrative proceeding brought under this section, or any court proceeding arising therefrom, or any civil action under section 812, the administrative law judge or the court, as the case may be, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee

and costs. The United States shall be liable for such fees and costs to the extent provided by section 504 of title 5, United States Code, or by section 2412 of title 28, United States Code.

Sec. 813. [42 U.S.C. 3613] Enforcement by Private Persons

(a) Civil Action. --

(1)

(A) An aggrieved person may commence a civil action in an appropriate United States district court or State court not later than 2 years after the occurrence or the termination of an alleged discriminatory housing practice, or the breach of a conciliation agreement entered into under this title, whichever occurs last, to obtain appropriate relief with respect to such discriminatory housing practice or breach.

(B) The computation of such 2-year period shall not include any time during which an administrative proceeding under this title was pending with respect to a complaint or charge under this title based upon such discriminatory housing practice. This subparagraph does not apply to actions arising from a breach of a conciliation agreement.

(2) An aggrieved person may commence a civil action under this subsection whether or not a complaint has been filed under section 810(a) and without regard to the status of any such complaint, but if the Secretary or a State or local agency has obtained a conciliation agreement with the consent of an aggrieved person, no action may be filed under this subsection by such aggrieved person with respect to the alleged discriminatory housing practice which forms the basis for such complaint except for the purpose of enforcing the terms of such an agreement.

(3) An aggrieved person may not commence a civil action under this subsection with respect to an alleged discriminatory housing practice which forms the basis of a charge issued by the Secretary if an administrative law judge has commenced a hearing on the record under this title with respect to such charge.

(b) Appointment of Attorney by Court. -- Upon application by a person alleging a discriminatory housing practice or

a person against whom such a practice is alleged, the court may--

(1) appoint an attorney for such person; or

(2) authorize the commencement or continuation of a civil action under subsection (a) without the payment of fees, costs, or security, if in the opinion of the court such person is financially unable to bear the costs of such action.

(c) Relief Which May Be Granted. --

(1) In a civil action under subsection (a), if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may award to the plaintiff actual and punitive damages, and subject to subsection (d), may grant as relief, as the court deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order (including an order enjoining the defendant from engaging in such practice or ordering such affirmative action as may be appropriate).

(2) In a civil action under subsection (a), the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee and costs. The United States shall be liable for such fees and costs to the same extent as a private person.

(d) Effect on Certain Sales, Encumbrances, and Rentals. -- Relief granted under this section shall not affect any contract, sale, encumbrance, or lease consummated before the granting of such relief and involving a bona fide purchaser, encumbrancer, or tenant, without actual notice of the filing of a complaint with the Secretary or civil action under this title.

(e) Intervention by Attorney General. -- Upon timely application, the Attorney General may intervene in such civil action, if the Attorney General certifies that the case is of general public importance. Upon such intervention the Attorney General may obtain such relief as would be available to the Attorney General under section 814(e) in a civil action to which such section applies.

Sec. 814. [42 U.S.C. 3614] Enforcement by the Attorney General

(a) Pattern or Practice Cases. -- Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or

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Effective:[See Text Amendments]

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness

Title 43 P.S. Labor (Refs & Annos)

Chapter 17. Human Relations (Refs & Annos)

→ § 955. Unlawful Discriminatory Practices

It shall be an unlawful discriminatory practice, unless based upon a bona fide occupational qualification, or in the case of a fraternal corporation or association, unless based upon membership in such association or corporation, or except where based upon applicable security regulations established by the United States or the Commonwealth of Pennsylvania:

(a) For any employer because of the race, color, religious creed, ancestry, age, sex, national origin or non-job related handicap or disability or the use of a guide or support animal because of the blindness, deafness or physical handicap of any individual or independent contractor, to refuse to hire or employ or contract with, or to bar or to discharge from employment such individual or independent contractor, or to otherwise discriminate against such individual or independent contractor with respect to compensation, hire, tenure, terms, conditions or privileges of employment or contract, if the individual or independent contractor is the best able and most competent to perform the services required. The provision of this paragraph shall not apply, to (1) operation of the terms or conditions of any bona fide retirement or pension plan which have the effect of a minimum service requirement, (2) operation of the terms or conditions of any bona fide group or employe insurance plan, (3) age limitations placed upon entry into bona fide apprenticeship programs of two years or more approved by the State Apprenticeship and Training Council of the Department of Labor and Industry, established by the act of July 14, 1961 (P.L. 604, No. 304), known as "The Apprenticeship and Training Act." [FN1] Notwithstanding any provision of this clause, it shall not be an unlawful employment practice for a religious corporation or association to hire or employ on the basis of sex in those certain instances where sex is a bona fide occupational qualification because of the religious beliefs, practices, or observances of the corporation, or association.

(b) For any employer, employment agency or labor organization, prior to the employment, contracting with an independent contractor or admission to membership, to:

(1) Elicit any information or make or keep a record of or use any form of application or application blank containing questions or entries concerning the race, color, religious creed, ancestry, age, sex, national origin, past handicap or disability or the use of a guide or support animal because of the blindness, deafness or physical handicap of any applicant for employment or membership. Prior to an offer of employment, an employer may not inquire as to whether an individual has a handicap or disability or as to the severity of such handicap or disability. An employer may inquire as to the individual's ability to perform the essential functions of the employment.

(2) Print or publish or cause to be printed or published any notice or advertisement relating to employment or

manner expresses a limitation or preference as to the race, color, religious creed, ancestry, age, sex, national origin, non-job related handicap or disability or the use of a guide or support animal because of the blindness, deafness or physical handicap of any prospective employer.

(h) For any person to:

(1) Refuse to sell, lease, finance or otherwise to deny or withhold any housing accommodation or commercial property from any person because of the race, color, familial status, age, religious creed, ancestry, sex, national origin or handicap or disability of any person, prospective owner, occupant or user of such housing accommodation or commercial property, or to refuse to lease any housing accommodation or commercial property to any person due to use of a guide animal because of the blindness or deafness of the user, use of a support animal because of a physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.

(1.1) Evict or attempt to evict an occupant of any housing accommodation before the end of the term of a lease because of pregnancy or the birth of a child.

(2) Refuse to lend money, whether or not secured by mortgage or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation or commercial property or otherwise withhold financing of any housing accommodation or commercial property from any person because of the race, color, familial status, age, religious creed, ancestry, sex, national origin, handicap or disability of any person, the use of a guide or support animal because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.

(3) Discriminate against any person in the terms or conditions of selling or leasing any housing accommodation or commercial property or in furnishing facilities, services or privileges in connection with the ownership, occupancy or use of any housing accommodation or commercial property because of the race, color, familial status, age, religious creed, ancestry, sex, national origin, handicap or disability of any person, the use of a guide or support animal because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.

(3.1) Refuse to permit, at the expense of a person with a handicap, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises, except that, in the case of a rental, the landlord may, where it is reasonable to do so, grant permission for a modification if the renter agrees to restore the interior of the premises to the condition that existed before the modification, with reasonable wear and tear excepted.

(3.2) Refuse to make reasonable accommodations in rules, policies, practices or services when such accommo-

(ii) Nothing in this act prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religious creed, ancestry, national origin, sex, age, handicap or disability, use of a guide or support animal because of a physical handicap or because the user is a handler or trainer of guide or support animals or familial status.

(9) Nothing in this clause, regarding age or familial status, shall apply with respect to housing for older persons. A person shall not be held personally liable for monetary damages for a violation of this act if the person reasonably relied, in good faith, on the application of the exemption of this subclause. A person may only prove good faith reliance on the application of the exemption of this subclause by proving that at the time of the act complained of all of the following applied:

(i) The person had no actual knowledge that the housing was not eligible for exemption under this subclause.

(ii) The owner or manager of the housing had stated formally, in writing, that the housing complied with the requirements for exemption under this subclause.

(10) Nothing in this clause shall bar any religious or denominational institution or organization or any charitable or educational organization which is operated, supervised or controlled by or in connection with a religious organization or any bona fide private or fraternal organization from giving preference to persons of the same religion or denomination or to members of such private or fraternal organization or from making such selection as is calculated by such organization to promote the religious principles or the aims, purposes or fraternal principles for which it is established or maintained. Nor shall it apply to the rental of rooms in a landlord-occupied rooming house with a common entrance, nor with respect to discrimination based on sex, the advertising, rental or leasing of housing accommodations in a single-sex dormitory or rooms in one's personal residence in which common living areas are shared.

(11) Nothing in this act limits the applicability of the **Fair Housing Act** and reasonable State or local restrictions on the maximum number of occupants permitted to occupy a dwelling or a reasonable restriction relating to health or safety standards or business necessity. Owners and managers of dwellings may develop and implement reasonable occupancy and safety standards based on factors such as the number and size of sleeping areas or bedrooms and the overall size of a dwelling unit so long as the standards do not violate the **Fair Housing Act** or State or local restrictions.

(i) For any person being the owner, lessee, proprietor, manager, superintendent, agent or employe of any public accommodation, resort or amusement to:

(1) Refuse, withhold from, or deny to any person because of his race, color, sex, religious creed, ancestry, national origin or handicap or disability, or to any person due to use of a guide or support animal because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, either directly or indirectly, any of the accommodations, advantages, facilities or privileges of such public accommodation, resort or amusement.

C

Effective:[See Text Amendments]

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness

Title 43 P.S. Labor (Refs & Annos)

☞ Chapter 17. Human Relations (Refs & Annos)

→ § 959. Procedure

(a) Any person claiming to be aggrieved by an alleged unlawful discriminatory practice may make, sign and file with the Commission a verified complaint, in writing, which shall state the name and address of the person, employer, labor organization or employment agency alleged to have committed the unlawful discriminatory practice complained of, and which shall set forth the particulars thereof and contain such other information as may be required by the Commission. Commission representatives shall not modify the substance of the complaint. Whenever a person invokes the procedures set forth in this act, the Commission shall refuse to accept for filing a complaint it determines to be untimely with no grounds for equitable tolling, outside its jurisdiction or frivolous on its face. The Commission upon its own initiative or the Attorney General may, in like manner, make, sign and file such complaint. Any employer whose employes, or some of them, hinder or threaten to hinder compliance with the provisions of this act may file with the Commission a verified complaint, asking for assistance by conciliation or other remedial action and, during such period of conciliation or other remedial action, no hearings, orders or other actions shall be taken by the Commission against such employer.

(b) (1) After the filing of any complaint, or whenever there is reason to believe that an unlawful discriminatory practice has been committed, the Commission shall make a prompt investigation in connection therewith.

(2) The Commission shall send a copy of the complaint to the named respondent within thirty days from the date of docketing the complaint, unless otherwise required by the **Fair Housing Act**.

(3) A respondent shall file a written, verified answer to the complaint within thirty days of service of the complaint, unless otherwise required by the **Fair Housing Act**. The Commission, upon request of the respondent, may grant an extension of not more than thirty additional days, unless otherwise required by the **Fair Housing Act**.

(4) After service of the complaint, the Commission shall encourage voluntary and informed predetermination settlements between parties.

(c) If it shall be determined after such investigation that no probable cause exists for crediting the allegations of the complaint, the Commission shall, within ten days from such determination, cause to be issued and served upon the complainant written notice of such determination, and the said complainant or his attorney may, within ten days after such service, file with the Commission a written request for a preliminary hearing before the Com-

mission to determine probable cause for crediting the allegations of the complaint. If it shall be determined after such investigation that probable cause exists for crediting the allegations of the complaint, the Commission shall immediately endeavor to eliminate the unlawful discriminatory practice complained of by conference, conciliation and persuasion. The members of the Commission and its staff shall not disclose what has transpired in the course of such endeavors: Provided, That the Commission may publish the facts in the case of any complaint which has been dismissed, and the terms of conciliation when the complaint has been adjusted, without disclosing, except as required by the **Fair Housing Act**, the identity of the parties involved.

(c.1) The Commission shall dismiss a case with prejudice, before or after a finding of probable cause, where, in its opinion, appropriate remedy has been offered by the respondent and refused by the complainant.

(d) In case of failure so to eliminate such practice or in advance thereof, if in the judgment of the Commission circumstances so warrant, the Commission shall cause to be issued and served a written notice, together with a copy of such complaint as the same may have been amended, requiring the person, employer, labor organization or employment agency named in such complaint, hereinafter referred to as respondent, to answer the charges of such complaint at a hearing before the Commission at a time and place to be specified in such notice. The place of any such hearing shall be in the county in which the alleged offense was committed.

(d.1) When notice of hearing is given as set forth in subsection (d) and an election procedure is required by the **Fair Housing Act**, either party may elect to have the claim asserted in the complaint decided in a civil action brought under the original jurisdiction of Commonwealth Court. The written notice of the Commission shall be sent to all parties and will inform them of their right to take civil action. An election must be made within twenty days after receipt of the notice of hearing. A party making this election shall notify the Commission and all other parties. If an election for civil action is made by either party, the Commission shall, within thirty days from the date of election, commence and maintain a civil action on behalf of the complainant provided, however, that, whenever the Attorney General signs and files the complaint pursuant to subsection (a), the Attorney General shall, within thirty days from the date of election, commence and maintain a civil action on behalf of the complainant. In those cases commenced by the Attorney General, the Commission shall have the right to intervene. In any action brought under this subsection:

(1) All filing fees shall be waived for the Commission and all parties, including the action brought under Commonwealth Court's original jurisdiction and any appeal arising out of such action.

(2) If, after a trial, Commonwealth Court finds that a respondent engaged in or is engaging in any unlawful discriminatory practice as defined in this act, the court may award attorney fees and costs to the complainant on whose behalf the action was commenced.

(3) If, after a trial, Commonwealth Court finds that a respondent has not engaged in or is not engaging in any unlawful discriminatory practice as defined in this act, the court may award attorney fees and costs to the prevailing respondent if the respondent proves that the complaint upon which the civil action was based was brought in bad faith.

(4) If, after a trial, the Commonwealth Court finds that a respondent has not engaged in any unlawful discriminatory practice as defined in this act, the court may award attorney fees and costs to the prevailing respondent if the court determines that the complaint is frivolous and that the Commission dealt with the party complained against in a wilful, wanton and oppressive manner, in which case the Commission shall be ordered to pay such costs and attorney fees.

(e) The case in support of the complaint shall be presented before the Commission or before a permanent hearing examiner designated by the Commission for the purpose of hearing said complaint by one of its attorneys or agents, by the complainant's attorney or by a designated agent of the complainant. The respondent may appear at such hearing in person or otherwise, with or without counsel, and submit testimony. The complainant may likewise appear at such hearing in person or otherwise, with or without counsel, and submit testimony. The Commission or the complainant shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend his answer. The Commission shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and be transcribed.

(f) (1) If, upon all the evidence at the hearing, the Commission shall find that a respondent has engaged in or is engaging in any unlawful discriminatory practice as defined in this act, the Commission shall state its findings of fact, and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful discriminatory practice and to take such affirmative action, including, but not limited to, reimbursement of certifiable travel expenses in matters involving the complaint, compensation for loss of work in matters involving the complaint, hiring, reinstatement or upgrading of employees, with or without back pay, admission or restoration to membership in any respondent labor organization, the making of reasonable accommodations, or selling or leasing specified housing accommodations or commercial property upon such equal terms and conditions and with such equal facilities, services and privileges or lending money, whether or not secured by mortgage or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations or commercial property, upon such equal terms and conditions to any person discriminated against or all persons, and any other verifiable, reasonable out-of-pocket expenses caused by such unlawful discriminatory practice, provided that, in those cases alleging a violation of section 5(d), (e) or (h) [FN1] or 5.3 [FN2] where the underlying complaint is a violation of section 5(h) or 5.3, the Commission may award actual damages, including damages caused by humiliation and embarrassment, as, in the judgment of the Commission, will effectuate the purposes of this act, and including a requirement for report of the manner of compliance.

(2) Such order may also assess a civil penalty against the respondent in a complaint of discrimination filed under sections 5(h) or 5.3 of this act:

(i) in an amount not exceeding ten thousand dollars (\$10,000) if the respondent has not been adjudged to have committed any prior discriminatory practice;

(ii) in an amount not exceeding twenty-five thousand dollars (\$25,000) if the respondent has been adjudged to have committed one other discriminatory practice during the five-year period ending on the date of this order; or

(iii) in an amount not exceeding fifty thousand dollars (\$50,000) if the respondent has been adjudged to have committed more than one other discriminatory practice during the seven-year period ending on the date of this order.

If, however, the acts constituting the discriminatory practice that is the object of the charge are committed by the same natural person who has been previously adjudged to have committed acts constituting a discriminatory practice, then the civil penalties set forth in subparagraphs (ii) and (iii) may be imposed without regard to the period of time within which any subsequent discriminatory practice occurred.

(3) When the respondent is a licensee of the Commonwealth, the Commission shall inform the appropriate State licensing authority of the order with the request that the licensing authority take such action as it deems appropriate against such licensee. An appeal from the Commission's order shall act as a supersedeas and stay such action by the State licensing authority until a final decision on said appeal.

(4) If, upon all the evidence, the Commission shall find that a respondent has not engaged in any such unlawful discriminatory practice, the Commission shall state its findings of fact, and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent.

(f.1) If, upon all the evidence at the hearing, in those cases alleging a violation of section 5(d), (e), (h) or 5.3 where the underlying complaint is a violation of section 5(h) or 5.3, the Commission finds that a respondent has engaged in or is engaging in any unlawful discriminatory practice as defined in this act, the Commission may award attorney fees and costs to prevailing complainants.

(f.2) If, upon all the evidence at the hearing, in those cases alleging a violation of section 5(d), (e), (h) or 5.3 where the underlying complaint is a violation of section 5(h) or 5.3, the Commission finds that a respondent has not engaged in or is not engaging in any unlawful discriminatory practice as defined in this act, the Commission may award attorney fees and costs to a prevailing respondent if the respondent proves that the complaint was brought in bad faith.

(g) The Commission shall establish rules of practice to govern, expedite and effectuate the foregoing procedure and its own actions thereunder. Three or more members of the Commission or a permanent hearing examiner designated by the Commission shall constitute the Commission for any hearing required to be held by the Commission under this act. The recommended findings, conclusions and order made by said members or permanent hearing examiner shall be reviewed and approved or reversed by the Commission before such order may be served upon the parties to the complaint. The recommended findings, conclusions and order made by said members or permanent hearing examiner shall become a part of the permanent record of the proceeding and shall accompany any order served upon the parties to the complaint.

(h) Any complaint filed pursuant to this section must be so filed within one hundred eighty days after the alleged act of discrimination, unless otherwise required by the **Fair Housing Act**.

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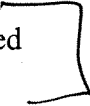
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CHAPTER 9-1100. FAIR PRACTICES ⁷¹⁹**§ 9-1101. Legislative Findings.**

(1) The Council finds that:

(a) The population of the City consists of people of every race, color, religion, national origin and sexual orientation, many of whom are discriminated against in employment opportunities, public accommodations and obtaining adequate housing facilities. ⁷²⁰

(b) Discrimination in employment has and will prevent the gainful employment of large segments of the citizens of the City and tends to create breaches of the peace, the imposition of added burdens upon the public for relief and welfare.

(c) Discrimination in housing results in overcrowded, segregated areas, under standard, unsafe, unsanitary living conditions. 

(d) Discrimination in places of public accommodation causes embarrassment and inconvenience to citizens and visitors of the City, creates breaches of the peace, and is otherwise detrimental to the welfare and economic growth of the City.

(e) In order to assure that all persons regardless of race, color or creed enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing and use of public accommodation facilities, it is necessary that appropriate legislation be enacted.

§ 9-1102. Definitions. ⁷²¹

(a) *Age*. For the purpose of employment, any person who is 40 or more years of age.

(b) *AIDS*. Acquired Immunodeficiency Syndrome.

(c) *Commercial Housing*. Housing accommodations held or offered for sale or rent:

(1) by a real estate broker, salesman or agent or by any person pursuant to authorization of the owner;

(2) by the owner himself; or

(3) by legal representatives, but shall not include either the rental of a room or rooms in a personal residence or the rental of one living unit other than that of the owner in a personal residence, when such room, rooms or living unit is offered for rent by the owner or by his broker, salesman, agent or employee. ⁷²²

(e) *Discrimination.* Any difference in treatment in hiring, referring for hire, promoting, training, in membership in employee or labor organizations because of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, age or handicap; in rendering service in places of public accommodation because of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry or handicap; in the sale, lease, rental or financing of housing because of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, handicap, marital status, age, presence of children or source of income. 723

(f) *Employer.* Any person who employs one or more employees exclusive of parents, spouse or children, including the City, its departments, boards and commissions, but excluding any fraternal, sectarian, charitable or religious group.

(g) *Employment.* Shall not include the employment of individuals as domestic servants or in a personal or confidential capacity.

(h) *Employment Agency.* Any person regularly undertaking with or without compensation to procure opportunities to work or to procure, recruit, refer or place employees.

(h.1) *Gender Identity.* Self-perception, or perception by others, as male or female, and shall include a person's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or sex assigned at birth; and shall include, but is not limited to, persons who are undergoing or have completed sex reassignment. 724

(i) *Handicap.*

(1) For the purpose of employment, any handicap or disability which does not substantially interfere with the ability to perform the essential functions of the employment which a handicapped person applies for, is engaged in or has been engaged in. Uninsurability or increased cost of insurance under a group or employee insurance plan does not render a handicap or disability job related. A handicapped person is anyone who has a physical or mental impairment which substantially limits one or more of his major life activities, or has a record of such an impairment, or is regarded as having such an impairment.

(2) As used in paragraph (i) of this Section, the phrase: (i) "physical or mental impairment" means (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic, skin; and endocrine; and includes, but is not limited to, (B) such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of controlled substance) and alcoholism.

(j) *Health Care Providers.* Any medical doctor, osteopath, dentist, podiatrist, optometrist, optician, chiropractor, psychologist, social worker, pharmacist, nurse, midwife, emergency medical technician, radiologist, x-ray technician, physician's assistant, or dental hygienist, licensed to practice under the laws of the Commonwealth of Pennsylvania.

(k) *HIV.* Human Immunodeficiency virus.

(l) *HIV Disease.* The spectrum of disease clinically associated with HIV infection, encompassing both the symptomatic and asymptomatic forms of the infection.

(m) *Housing Accommodation.* Any building, structure or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied as the home residence or sleeping place of one or more individuals, groups, or families, and any vacant land offered for sale or lease for commercial housing.

(n) *Labor Organization.* Any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms, or conditions of employment or of other mutual aid or protection in relation to employment.

(o) *Lending Institution.* Any bank, insurance company, savings and loan association or any other person or organization regularly engaged in the business of lending money or guaranteeing loans.

(p) *Life Partner.* A member of a Life Partnership that is verified pursuant to § 9-1106(2). ⁷²⁵

(q) *Owner.* Shall include lessee, sublessee, assignee, manager, agent, or any other person having the right of ownership or possession or the authority to sell, rent, or lease any housing accommodation, including the City and its departments, boards and commissions.

(r) *Marital Status.* The status of being single, married, separated, divorced, widowed or a life partner. ⁷²⁶

(s) *Personal Residence.* A building or structure occupied by the owner thereof as a bona fide residence for himself and any member of his family forming his household containing living quarters occupied or intended to be occupied by either no more than two individuals, two groups or two families living independently of each other, or no more than three roomers living independently of each other in addition to the owner thereof and any of his family forming his household. ⁷²⁷

(t) *Presence of children.* Presence in a household of persons under twenty-one years of age who are related by blood or marriage to, or in the custody of, the household head. ⁷²⁸

(u) *Public Accommodation, Resort or Amusement.* Any accommodation, resort or amusement which is open to, accepts or solicits the patronage of the general public, including but not limited to inns, taverns, roadhouses, hotels, motels whether conducted for the entertainment of transient guests or for the accommodation of those seeking health related services, recreation, or restaurants or eating houses, or any place where food is sold for consumption

complying with the provisions of this Chapter or any order issued hereunder or to attempt directly or indirectly to commit any act declared by this Chapter to be an unfair employment practice. ^{734.3}

(B) *Exceptions.* It shall not be an unlawful employment practice for:

(1) An employer to express a preference for a certain kind of applicant where the position to be filled requires special qualifications, skills or experience.

(2) An employer to express a preference for a certain kind of applicant where the position to be filled is that of a domestic or the position is of a personal or confidential nature.

(3) An employer, employment agency or labor organization to inquire as to the existence and nature of any present handicap to determine whether such handicap substantially interferes with the ability to perform the essential functions of the employment which is applied for, is being engaged in or has been engaged in.

(4) An employer, employment agency or labor organization to inquire into the age of any individual where age is a bona fide occupational qualification.

(5) An employer, employment agency or labor organization to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this Chapter, except that no such employee benefit plan shall excuse the failure to hire any individual, and no such seniority system or employee benefit plan shall require or permit the involuntary retirement of any individual because of the age of such individual, and no such employee benefit plan shall excuse the failure to provide to the Life Partner of any employee any benefit that is provided to the dependent of any employee.

(6) An employer to discharge or otherwise discipline an employee for good cause.

(C) *Employee benefits.* Nothing in this Section shall apply with respect to employee benefits offered by an employer whose employee benefits plan is governed by the Employee Retirement Income Security Act of 1974 ("ERISA"), including, but not limited to, employee benefits that are not part of an "employee benefits plan" as defined by ERISA. ⁷³⁵

§ 9-1104. Unlawful Housing Practices. ⁷³⁶

(A) It shall be an unlawful housing practice:

(1) For the owner of any commercial housing, or any other real property except as provided in Section 9-1102(a)(3) hereof, to refuse to sell, rent, lease or in any way discriminate because of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap, marital status, age, presence of children or sources of income in the terms, conditions, or privileges of the sale, rental or lease of any commercial housing accommodation or other real property or in the furnishing of facilities or services in connection therewith. ⁷³⁷

(2) For any lending institution, to discriminate against any person because of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap, marital status, age, presence of children or source of income in lending, guaranteeing loans, accepting mortgages or otherwise making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation. 738

(3) For any person to make, print or circulate or cause to be made, printed or circulated any written or oral statement, advertisement, or publication, or to use any form of application for the purchase, rental or lease of housing accommodations or to make real estate appraisals, financial or credit reports or any record or inquiry in connection with the prospective purchase, rental or lease of housing accommodations which express, directly or indirectly, any limitation, specification or discrimination as to race, color, sex, sexual orientation, gender identity, religion, national origin, physical handicap, marital status, age, presence of children or sources of income or any intent to make any such limitation, specification or discrimination. 739

(4) For any person with the intention of defeating the purposes of this Chapter to sell, lease or transfer any housing accommodation which is the subject of a written verified complaint filed with the Commission.

(5) For any person, after a complaint regarding a housing accommodation has been filed and prior to a final determination by the Commission, to fail to include a notice of the complaint in any subsequent lease or agreement of sale involving that housing accommodation.

(6) For any person being the owner, lessee, manager, superintendent, agent or broker of any commercial housing, or any other person whose duties, whether voluntary or for compensation, relate to the rental, sale or leasing of commercial housing, to establish, announce, follow a policy of denying or limiting, through a quota system or otherwise, the housing opportunities of any individual or group because of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap, marital status, age, presence of children or source of income. 740

(7) For any person to harass, threaten, harm, damage or otherwise penalize any individual, group or business because he or they have complied with the provisions of this Chapter, or because he or they have exercised his or their rights under this Chapter, or enjoyed the benefits of this Chapter, or because he or they have made a charge, testified or assisted in any manner in any investigation, proceeding or hearing hereunder.

(8) For any person subject to this Chapter to fail to post and exhibit prominently in any place of business where the sale or rental of housing accommodations is carried on, any fair practices notice prepared and distributed by the Commission.

(9) For any person to give false or misleading information written or oral, with regard to the sale or rental of any commercial housing for the purpose of discriminating on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap, marital status, age, presence of children or source of income. 741

(10) For any person to make any distinctions in the location of a

nouse, lot, apartment or other commercial housing or to make any distinctions relating to the time of delivery of a house or the date of availability of an apartment or other commercial housing on the basis of race, color, sex, sexual orientation, gender identity, creed, national origin, ancestry, marital status, age, presence of children or source of income. 742

(11) For any person to aid, abet, incur, induce, compel or coerce the doing of any unlawful housing practice prohibited by this Chapter or to obstruct or prevent any person from complying with the provisions of this Chapter or any order issued hereunder. 743

(12) For any person selling, renting or leasing housing accommodations, as broker or agent or as an employee or representative of a broker or agent, to refuse or limit service to any person on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap, marital status, age, presence of children or source of income or to accept or retain a listing of any housing accommodation for sale, rent or lease with an understanding that discrimination may be practiced in connection with the sale, rental or lease thereof. 744

(13) For any real estate broker or agent, or the employee or representative of any such broker or agent to solicit any property for sale or rental, or the listing of any property for sale or rental at any time after such broker, agent, employee or representative shall have notice that any owner of such real estate does not desire to sell such real estate, or does not desire to be solicited, either by such broker or agent, or by any and all brokers or agents. The word "solicit" shall mean any printed matter mailed or delivered to the owner or occupant of a residential property by any real estate broker or agent or representative of any such broker or agent or any oral communication made either in person or by telephone to the owner or occupant of a residential property by any real estate broker or agent which advertises the accomplishments and/or abilities of the real estate broker or agent to sell homes or rent apartments or requests or suggests that the owner list his house for sale or rent with the real estate broker or agent or which offers to purchase or rent the owner's house or apartment.

(B) *Exceptions.* Nothing herein contained shall:

(1) Bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, from limiting admission to or giving preference to persons of the same religion or denomination with regard to the occupancy, leasing, sale or purchase of real estate, or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained.

(2) Apply to the rental or leasing of a room or rooms in a personal residence or the furnishing of facilities or services in connection therewith.

(3) Prohibit the owners of any federally regulated housing for senior citizens from operating in accordance with federal law. 745

§ 9-1105. Unlawful Public Accommodations Practice. 746

(A) It shall be an unlawful public accommodations practice:

(1) For any person being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement to:

(a) Refuse, withhold from, or deny to any person because of his race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap or marital status, either directly or indirectly, any of the accommodations, advantages, facilities or privileges of such place of public accommodation, resort or amusement. 747

(b) Publish, circulate, issue, display, post or mail, either directly or indirectly, any written or printed communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities, and privileges of any such place shall be refused, withheld or denied to any person on account of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap or marital status, or that the patronage of any person of any particular race, color, sex, religious creed, ancestry, national origin, physical handicap or marital status is unwelcome, objectionable or not acceptable, desired or solicited. 748

(c) Prohibit a breastfeeding mother from or segregate a breastfeeding mother within any public accommodation where she would otherwise be authorized to be, irrespective of whether or not the nipple of the mother's breast is covered during or incidental to breastfeeding. 749

(2) Private entities providing taxi service shall not discriminate against individuals with disabilities by actions including, but not limited to, refusing to provide service to individuals with disabilities who can use taxi vehicles, refusing to accommodate such individuals in the use of a guide or support animal due to blindness, deafness or refusing to assist with the stowing of mobility devices, and any other assistive instrument and charging higher fares or fees for carrying individuals with disabilities and their equipment than are charged to other persons. 749.1

§ 9-1106. Administration and Enforcement. 750

(1) The Commission on Human Relations is hereby vested with the authority to administer and enforce this Chapter and in connection therewith may promulgate and issue regulations.

(2) *Life Partnerships.*

(a) *Definition.* For purposes of this Chapter, "Life Partnership" shall mean a long-term committed relationship between two unmarried individuals of the same gender who:

(i) are at least 18 years old and competent to contract;

(ii) are not related to the other Life Partner by blood in any way which would prohibit marriage in the Commonwealth of Pennsylvania;

(iii) are the sole Life Partner of the other person;

(11) If no appeal is taken within thirty (30) days, the order of the Commission shall be final and conclusive and shall not be subject to review by any court in any action, including any proceedings to obtain enforcement.

(12) No complaint shall be considered unless it is filed with the Commission within three hundred (300) days after the occurrence of the alleged unlawful practice. ⁷⁵²

§ 9-1108. Enforcement. ⁷⁵³

(1) In the event the Respondent refuses or fails to comply with any order of the Commission or violates any of the provisions of this Chapter, the Commission shall certify the case and the entire record of its proceedings to the Law Department, which may certify the case and record to an appropriate court and seek enforcement or compliance with the order of the Commission. If an appeal has been taken by Respondent, the Law Department may move to consolidate the appeal and enforcement proceedings.

(2) In addition to the remedies provided in § 9-1108(1), the Law Department is authorized in an appropriate action to seek imposition by the appropriate court of the penalties set forth in Section 9-1109.

§ 9-1109. Penalties. ⁷⁵⁴

(1) Any person who shall willfully resist, prevent, impede or interfere with the Commission, its members, agents or agencies in the performance of duties pursuant to this Act, or shall violate any order of the Commission or any provision of this Chapter shall be subject to a fine of not more than three hundred (300) dollars in addition to such order or decree that may be issued by any court.

(2) *Repeat Offenders.* Any person who violates, on more than one occasion, any order of the Commission or any provision of this Chapter, or who, on more than one occasion, willfully resists, prevents, impedes or interferes with the Commission, its members, agents or agencies in the performance of duties pursuant to this Chapter, shall be guilty of a separate offense of Repeat Violation, and for each such Repeat Violation shall be subject to a fine of not more than three hundred (300) dollars, or imprisonment for not more than ninety (90) days, or both. A person shall be guilty of a Repeat Violation regardless whether the second or subsequent violation occurs before or after a judicial finding of a first or previous violation. Each violation, after the first, shall constitute a separate Repeat Violation offense.

§ 9-1110. Private Right of Action. ⁷⁵⁵

(1) Notwithstanding the provisions of Section 9-1106 to 9-1109, any person aggrieved by a violation of this ordinance shall have a right of action in a court of competent jurisdiction and may recover for each violation:

- (i) Back pay and other actual damages;
- (ii) Exemplary damages of three hundred (\$300) dollars for each violation;

(iii) Reasonable attorney's fees and court costs;

(iv) Such other relief, including injunctive relief, as the court may deem appropriate.

(2) Nothing in this ordinance limits the right of an injured person to recover damages under any other applicable law or legal theory.

§ 9-1111. Severability. ⁷⁵⁶

(1) If any clause, sentence, paragraph or part of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance nor the application of such clause, sentence, paragraph or part to other persons or circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and to the persons or circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage.

Notes

- 719 Amended, 1963 Ordinances, p. 411.
- 720 Amended, 1982 Ordinances, p. 1476.
- 721 Amended, 1982 Ordinances, p. 1533; amended by adding definitions and renumbering, 1990 Ordinances, p. 822.
- 722 Amended, 1967 Ordinances, p. 1328.
- 723 Amended, 1972 Ordinances, p. 687; amended, 1980 Ordinances, p. 556; amended, 1982 Ordinances, p. 1476; amended, Bill No. 010719 (approved May 29, 2002).
- 724 Added, Bill No. 010719 (approved May 29, 2002).
- 725 Added and subsequent subsections renumbered, Bill No. 970750 (approved May 19, 1998).
- 726 Added, 1980 Ordinances, p. 556; amended, Bill No. 970750 (approved May 19, 1998).
- 727 Amended, 1967 Ordinances, p. 1328; amended, 1980 Ordinances, p. 556.
- 728 Added, 1980 Ordinances, p. 556.
- 729 Amended, 1990 Ordinances, p. 822.
- 730 Added, 1967 Ordinances, p. 1328; amended, 1980 Ordinances, p. 556.
- 731 Added, 1967 Ordinances, p. 1328; amended, 1980 Ordinances, p. 556.
- 732 Added, 1980 Ordinances, p. 556.
- 733 Added, 1982 Ordinances, p. 1476.
- 734 Amended, 1972 Ordinances, p. 687; amended, 1982 Ordinances, p. 1476; amended, 1982 Ordinances, p. 1533; amended, Bill No. 970750 (approved May 19, 1998); amended,