



CITY OF CARBONDALE, ILLINOIS

FAIR HOUSING POLICY

Declaration of Policy

In furthering the policy of the State of Illinois as expressed in its Constitution and other Laws; in order that the safety and general welfare, peace and health of all the inhabitants of the City may be ensured, it is hereby declared the policy of the City of Carbondale, Illinois to assure equal opportunity to all residents, regardless of race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry, to live in decent, sanitary, healthful, standard living quarters.

It is the policy of the City of Carbondale that no owner, lessee, sublessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodations and/or real property from any person or group of persons such housing accommodations and/or real property because of race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry of such person or persons or discriminate against any person or persons because of race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry in the conditions, terms privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.

It is the policy of the City of Carbondale, Illinois that grievances arising from relocation due to the acquisition of property by the City are to be resolved in a fair, responsible manner.

Relocation shall be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

Prohibited Acts

It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesman, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.

In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the City of Carbondale:

1. To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental lease, or occupancy of any housing accommodation or real property in the City or in furnishing of any facilities or services in connection therewith.
2. To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly and discrimination as to race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry of any person.

Fair Housing Policy - continued

3. To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property.
4. To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the ground of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry.
5. To distribute or cause to be distributed, written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry of persons in the neighborhood.
6. To make any misrepresentations concerning the listing for sale or the anticipated listing for sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry in the area will or may result in the lowering of property values in the block, neighborhood, or area in which the property is located.
7. For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry.
8. For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, sex, age, disability, marital status, familial status, sexual orientation, national origin or ancestry of the proposed buyer or tenant.

Relocation Pursuant to Federally Assisted Programs

Where required by Federal law or regulation, relocation caused by the City of Carbondale in carrying out federally assisted programs shall be consistent with policies and requirements under the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (PL 91-646, 1371.1) or current additions or revisions and applicable Federal regulations.

Penalty

Any person convicted of violating any of the provisions of Section 4-12-1 through 4-12-8 of this Code shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00). Each day a violation continues shall constitute a separate violation.



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FAIR HOUSING COMPLAINT PROCEDURE

Any person aggrieved in any manner by any violation of any provisions of Title 4, Chapter 11, Sections 1 through 8 of the Revised Code of the City of Carbondale, may file a written signed complaint setting forth his or her grievance on a form obtainable in the City Clerk Office, City Hall.

1. The complaint must be filed with the Clerk of the City of Carbondale within thirty (30) days from the date of commission of the alleged violation (or written 180 days in the case of a relocation grievance).
2. Upon receipt of a written signed complaint, the City Clerk shall notify the City Manager of receipt of the complaint and provide the City Manager with a copy of the complaint.
3. The City Manager shall, within three (3) business days of receipt of the complaint from the City Clerk, appoint an appropriate Hearing Officer, and provide the hearing Officer with a copy of the complaint. The City Manager may also serve as the Administrative Hearing Officer.
4. The Hearing Officer shall decide if the complaint is within his/her jurisdiction and give written notice of his/her decision to all affected parties within five (5) business days of receipt of the complaint from the City Manager.
5. If the Hearing Officer finds the complaint to be within his/her jurisdiction, a conciliation hearing will be called within fourteen (14) business days from the initial receipt of the complaint by the City Clerk.
6. If such attempts at conciliation are not successful, the Hearing Officer shall, within twenty-one (21) days of receipt of a written complaint, proceed promptly to set a date for a formal hearing to be held within thirty (30) days of receipt of the written complaint.
7. Such formal hearing shall be conducted by the Hearing Officer upon due and reasonable notice of all parties concerned.
8. At the conclusion of the hearing, the Hearing Officer shall render a written report and recommendations which shall be served in person or by mail upon the complainant, the party complained against, the City Manager, and the City Council of Carbondale, together with his/her recommendation, if any, that the City Attorney be instructed to seek injunctive relief in any court of competent jurisdiction to prohibit such violation and/or to prosecute any person or persons who may be in violation of any provisions of Title 4, Chapter 11, Sections 4-11-1 through 4-11-8 of the Carbondale Revised Code.