

CHAPTER 1103

Unfair Housing Practices Prohibited

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1103.01 INTENT.

It is the intent of Chapter 1103 to assure full and equal opportunity to all residents of the City of Wickliffe to obtain fair and adequate housing for themselves and their families in the City of Wickliffe without discrimination against them because of their race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status, or source of income.

(Ord. 2013-10. Passed 4-8-13.)

1103.02 UNFAIR HOUSING PRACTICES.

It shall be an unfair housing practice and unlawful for any owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease or sublease any housing accommodation, within the City of Wickliffe, or any agent of any of these, or any real estate broker licensed as such:

- (a) To make any distinction, discrimination, or restriction against any person in the price, terms, conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any real estate used for residential purposes in the City of Wickliffe or in the furnishing of any facilities or services in connection therewith, predicated upon the race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or source of income of the prospective or actual buyer or tenant thereof.
- (b) To publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, sign or other writing of any kind relating to the sale, rental or leasing of any residential real property within the City of Wickliffe which will indicate or express any limitation or discrimination in the sale, rental or leasing of such residential real estate, predicated upon the race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or source of income of any prospective buyer, lessee or renter of such property.
- (c) To refuse to sell, lease or rent, any real estate for residential purposes within the City of Wickliffe because of the race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or source of income of the proposed buyer or renter.
- (d) To discriminate or to participate 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, repair or maintenance of any residential housing unit or housing accommodation in the City of Wickliffe because of race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or source of income.
- (e) To solicit for sale, lease or listing for sale or lease, residential real estate within the City of Wickliffe on the ground of loss of value due to the present or prospective entry into any neighborhood of any person or persons of any particular race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or source of income.
- (f) To distribute or cause to be distributed, written material or statements designed to induce any owner of residential real estate in the City of Wickliffe to sell or lease his property because of any present or prospective change in the race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or source of income of persons in the neighborhood.
- (g) To deliberately and knowingly refuse examination of any listing of residential real estate within the City of Wickliffe to any person because of race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or source of income.
- (h) Chapter 1103 - Unfair Housing Practices Prohibited, shall be applicable to all hotels and motels within the City of Wickliffe.

(Ord. 2013-10. Passed 4-8-13.)

1103.03 EXEMPTIONS.

No provision of this chapter shall be construed to prohibit any of the following:

- (a) Restricting rental or sale of a housing accommodation to a person of a certain age group:
 - (1) When such housing accommodation is authorized, approved, financed or subsidized in whole or in part for the benefit of that age group by a unit of state, local or federal government; or
 - (2) When the duly recorded initial declaration of a condominium or community association limits such housing accommodations to persons above the age of 50; provided, that a person or the immediate family of a person owning or renting a unit in such housing accommodation prior to the recording of the initial declaration shall not be deemed to be in violation of the age restriction so long as the person or the person's immediate family continue to own or reside in the housing accommodation.
- (b) A religious organization, association or society, or any not-for-profit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society, from limiting the sale, rental or occupancy of a dwelling which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin.

(Ord. 2013-10. Passed 4-8-13.)

1103.04 COMPLAINT PROCEDURE.

Any person aggrieved in any manner by any violation of this chapter may file a written complaint with the Director of Public Safety. The complaint shall include the name and address of the complainant and of every person against whom the complaint is made, and shall set out the facts giving rise to the complaint. No person shall refuse or fail to comply with any subpoena, order or decision issued in the course of or as a result of an investigation of a complaint.

(Ord. 2009-30. Passed 6-8-09.)

1103.99 PENALTY.

Any owner, lessee, sub-lessee, assignee, managing agent, or other person, firm, corporation, or real estate broker, who shall violate or fail to comply with any of the provisions of this chapter, shall be guilty of a misdemeanor of the first degree. Nothing herein contained shall be construed so as to preclude any aggrieved person from pursuing such other and further legal and equitable relief to which he may be entitled.

(Ord. 2009-30. Passed 6-8-09.)