

Chapter 280

FAIR HOUSING

[HISTORY: Adopted by the Village Board of the Village of Plover 6-4-1985 as Ch. 11, Subchapter IV of the 1985 Code. Amendments where noted where applicable.]

§ 280-1. Policy statement.

It is the policy of the Village to provide, within constitutional limitations, for fair housing throughout the Village of Plover.

§ 280-2. Definitions.

Certain words or terms in this chapter are defined for the purpose hereof as follows:

DISCRIMINATORY HOUSING PRACTICE — It shall be discriminatory housing practice:

- 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 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 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 or national origin or an intention to make such preference, limitation or discrimination.
- D. To represent to any person because of race, color, religion, sex 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 or national origin.
- F. For any bank, savings and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against such person in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, sex or national origin of such person or of any person associated with such person in connection with such loan or other financial assistance or

the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is given; provided, however, that nothing contained in this subsection shall impair the scope of the effectiveness of the exception contained in § 280-3 of this chapter.

- G. To deny any person access to or membership or participation in any multiple listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting dwellings or to discriminate against such person in the terms or conditions of such access, membership or participation on account of race, color, religion or national origin.

FAMILY — One or more persons related by blood, adoption or marriage, or not more than two unrelated persons living and cooking together as a single housekeeping unit.

HOUSING — Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

TO RENT — To lease, to sublease, to let and otherwise to grant, for a consideration, the right to occupy premises not owned by the occupant.

§ 280-3. Discrimination prohibited; exceptions.

It shall be unlawful to discriminate in the sale or rental of housing or to commit any discriminatory housing practice, except that nothing in this chapter shall:

- A. Prohibit discrimination on the basis of age in relation to housing designed to meet the needs of elderly individuals.
- B. Prohibit exacting different or more stringent terms or conditions for financing housing based upon the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.
- C. Prohibit the development of housing designed specifically for a person with a handicap and discrimination on the basis of handicap in relation to such housing.
- D. Prohibit restrictions in the sale of a single-family house by an owner, provided that:
 - (1) Only one such sale is made in a twenty-four-month period.
 - (2) The owner does not have an interest in more than three single-family dwellings, or multifamily dwellings occupied by more than five or more families.
 - (3) The owner is not a real estate broker or salesman.
 - (4) The owner does not commit a discriminatory housing practice in advertising the sale of the house.
- E. Prohibit restrictions in the rental of rooms or dwelling units, provided that:
 - (1) The dwelling is occupied by no more than four families and the owner resides in such

dwelling.

- (2) The owner does not commit a discriminatory housing practice in advertising the rental of the room or dwelling unit.

- F. Prohibit religious or fraternal organizations from restricting the sale or rental of housing to members, provided that such organization is not restricted on the basis of race, color, sex or national origin.

§ 280-4. Equal Opportunities Committee.

The Administrative Review Appeals Board shall constitute the Equal Opportunities Committee and shall have the power and duty to study the existence, character, cause and extent of the denial of equal opportunities because of race, color, religion, sex or national origin in the Village. It may disseminate information and attempt by means of discussion and other means to educate the people of the Village to a greater understanding, appreciation and practice of human rights to the extent that the Village will be a better place to live. It shall receive complaints alleging violation of this chapter arising from bona fide transactions and attempt to eliminate or remedy any violation by means of conciliation, persuasion, education or any other means. In those cases where the Committee obtains compliance with this chapter or the Committee finds that the complaint is without foundation, no public disclosure shall be made of the person or persons named in the complaint.

§ 280-5. Enforcement.

Whenever the Equal Opportunities Committee is unable to eliminate or correct an alleged discriminatory housing practice by informal means, it may request the Village Attorney to commence and prosecute a civil action to enforce the provisions of this chapter. The Village Attorney may bring a civil action in Circuit Court by filing with it a complaint setting forth the facts and requesting such preventive relief, including an application for a temporary or permanent injunction, restraining order or such other order as he deems necessary to ensure the full enjoyment of the rights granted by this chapter; provided, however, that nothing contained herein shall prevent the imposition of a forfeiture in addition to other remedies enumerated herein.

§ 280-6. Violations and penalties.¹

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).