

Resolution No. 21-13 Pg. 1 of 5Passed August 8, 20 13

A RESOLUTION TO PROMOTE EQUAL HOUSING OPPORTUNITY IN THE CITY OF
MARYSVILLE, OHIO.

WHEREAS, THE POPULATION OF MARYSVILLE, OHIO, INCLUDES PEOPLE OF A
DIFFERENT RACES, COLORS, RELIGIONS, ANCESTRIES, SEXES, NATIONAL ORIGINS,
FAMILIAL STATUSES OR HAVE HANDICAP OR DISABILITIES OR MILITARY STATUS; AND,

WHEREAS, THE CITY OF MARYSVILLE BELIEVES IN THE PRINCIPLE OF EQUAL
RIGHTS AND PRIVILEGES FOR ALL CITIZENS; AND,

WHEREAS, DISCRIMINATION IN THE SALE, RENTAL, LEASING, FINANCING OF
HOUSING OR LAND TO BE USED FOR CONSTRUCTION OF HOUSING, OR IN THE PRO-
VISION OF BROKERAGE SERVICES BECAUSE OF RACE, COLOR, RELIGION, ANCES-
TRY, MILITARY STATUS, SEX, NATIONAL ORIGIN, HANDICAP OR DISABILITY OR FAMIL-
IAL STATUS IS PROHIBITED BY TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968 (FEDERAL
FAIR HOUSING LAW) AND THE OHIO CIVIL RIGHTS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MARYSVILLE, OHIO:

SECTION 1. DESIGNATION OF POLICY

That it is hereby to be the policy of the City of Marysville to do all things necessary and proper to secure
for all its citizens their right to equal housing opportunities, regardless of their race, color, religion, an-
cestry, military status, sex, national origin, handicap or disability or familial status.

SECTION 2. DEFINITIONS

That as used in this resolution, the following terms shall have these meanings:

A) "REAL ESTATE AGENT"

Real Estate Agent includes any real estate broker, real estate salesman, or an agent thereof, or
any other person, partnership association, or corporation who for consideration sells, pur-
chases, exchanges, rents, negotiates, offers, or attempts to negotiate the sale or the purchase,
exchange or rental of real property, or holds himself out as engaged in the business of selling,
purchasing, exchanging, renting or otherwise transferring any interest in real property.

B) "DISCRIMINATION, DISCRIMINATING, OR DISCRIMINATE"

The terms discrimination, discriminating, or discriminate mean to render any difference in the
sale, lease, rental, or financing of a dwelling or housing unit because of a person's race, color,
religion, ancestry, military status, sex, national origin, handicap or disability or familial status.

C) "HOUSING"

Housing includes any building, facility, or structure or part thereof which is used or occupied or
intended, arranged, or designed to be used or occupied as the home, residence, or sleeping
place of one or more persons.

D) "LENDING INSTITUTION"

Lending institutions means any bank, insurance company, savings and loan associations, or
any other person or organization regularly engaged in the business of lending money or guaran-
teeing loans.

E) "PERSON"

Person means one or more individuals, corporations, partnerships, associations, labor organiza-
tions, legal representatives, mutual companies, joint stock companies, trusts, unincorporated
organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

F) "HANDICAP"

Means, with respect to a person:

- (1) A physical or mental impairment which substantially limits one or more of such person's
major life activities,

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- (2) A record of having such an impairment, or
- (3) Being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802)).

G) "FAMILIAL STATUS"

Means one or more individuals (who have not attained the age of 18 years) being domiciled with:

- (1) A parent or another person having legal custody of such an individual or individuals, or
- (2) The designee of such parent or other persons having such custody, with the written permission of such parent or other person.

The protection afforded against discrimination on the basis of familial status shall apply to any person who is pregnant, or in the process of securing legal custody of any individual who has not attained the age of 18.

SECTION 3. UNLAWFUL HOUSING PRACTICES

The City of Marysville recognizes that the following practices are unlawful and are therefore violations of this resolution.

A) REAL ESTATE AGENTS

It shall be unlawful for real estate agents to:

- 1) Discriminate against any person in the selling, leasing, subleasing, renting, assigning, or otherwise transferring of any interest in a housing unit.
- 2) Discriminate against any person by refusing to negotiate, making false representations on the availability of the housing unit which is for sale, lease, sublease, or rental.
- 3) Include in the terms, conditions, or privileges of any sale, lease, sublease, rental, assignment, or other transfer of any housing, any clause, condition, or restriction discriminating against any person in the use or occupancy of such housing.
- 4) To discriminate in the furnishing of any facilities, repairs, improvements, or services or in the terms, conditions, privileges, or tenure of occupancy of any person.

B) LENDING INSTITUTIONS

Lending institutions shall not discriminate in lending money, guaranteeing loans, accepting a deed or trust or mortgage, or otherwise making available funds for the purchase, acquisition, construction, alteration, rehabilitation, repair, or maintenance of any housing, or discriminate in the fixing of the rates, terms, conditions, or provisions of any such financial assistance.

C) PUBLICATIONS, ANNOUNCEMENTS, AND RECORDS

It shall be unlawful for any person or real estate agent, with respect to any prohibited act specified in this resolution, to publish or circulate or cause to be published or circulated any notice, statement, listing, or advertisement, or to announce a policy or to make any record in connection with the prospective sale, lease, sublease, rental, or financing of any housing which indicates reliance, determination or decision based on race, color, creed, sex, marital status, age, religious belief, national origin, or handicap.

D) UNLAWFUL ACTS

It is unlawful for any person or real estate agent to assist in, compel, or coerce the doing of any act declared to be an unlawful housing practice under this resolution or to obstruct or prevent enforcement or compliance with provisions of this resolution or to at-

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tempt directly or indirectly to commit any act declared by this resolution to be an unlawful housing practice.

E) SALES AND LEASING PRACTICES

It is unlawful for any person or real estate agent:

- 1) To induce or attempt to induce the sale, transfer of interest, or listing for sale of any housing by making representations regarding the existing or potential proximity of real property owned, used, or occupied by any particular race, color, creed, religious belief, national origin, or handicap by direct or indirect methods.
- 2) To make any representation to prospective purchasers or lessees that any housing in a particular block, neighborhood, or area may undergo, is undergoing, or had undergone a change with respect to racial, color, religion, nationality, or ethnic composition of such block, neighborhood or area.
- 3) To induce or attempt to induce the sale or listing for sale of any housing by representing that the presence or anticipated presence of persons of any particular race, color, religious belief, or national origin in the area will or may result in:
 - a) Lowering of property values.
 - b) A change in the racial, color, religious, nationality, or ethnic composition of the block, neighborhood, or area in which the property is located.
 - c) An increase in criminal or antisocial behavior in the area.
 - d) A decline in quality of the schools serving the area.

F) RETALIATION AGAINST COMPLAINANTS

It is unlawful for any person or real estate agent to cause or coerce or attempt to cause or coerce retaliation against any person because such person has lawfully opposed any act or failure to act that is in violation of this ordinance or has, in good faith, filed a complaint, testified, participated, or assisted in any way in any proceeding under this resolution.

G) ASSOCIATION WITH A HOUSING BUSINESS ORGANIZATION OR FACILITY

It is unlawful to deny any person access to or membership or participation in any multiunit residential building containing more than two units shall post at all times when prospective tenants are being interviewed, in a conspicuous location in that portion of this housing business normally used by him for negotiating the rental of a housing unit therein, a notice which contains the following language printed in black on a light-colored background, in not less than fourteen-point type:

H) OTHER

To do any other thing or engage in conduct which would otherwise make unavailable equal housing opportunities.

SECTION 4. POSTING OF NOTICES

Every real estate agent shall post in a conspicuous location in that portion of his business normally used by him for negotiating the terms of a sale or lease of housing, and each person who operates a multiunit residential building containing more than two units shall post at all times when prospective tenants are being interviewed, in a conspicuous location in that portion of this housing business normally used by him for negotiating the rental of a housing unit therein, a notice which contains the following language printed in black on a light-colored background, in not less than fourteen-point type:

It is a violation of Title VIII of the Civil Rights Act of 1968 which includes the Fair Housing Amendments Act of 1988 for any real estate agent, or for any person owning or managing a multiunit apartment dwelling to:

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Deny housing to any person because of race, color, religion, ancestry, military status, sex, national origin, handicap or disability or familial status; and/or

Discriminate against any person because of that person's race, color, religion, ancestry, military status, sex, national origin, handicap or disability or familial status with respect to the terms, conditions, or privileges of housing accommodations or in the furnishing of facilities or services in connection therewith.

IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT THE CITY OF MARYSVILLE'S FAIR HOUSING COORDINATOR, THE OHIO CIVIL RIGHTS COMMISSION, OR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

SECTION 5. FAIR HOUSING COORDINATOR

The Marysville Fair Housing Coordinator shall:

Actively provide education and training about laws against housing discrimination to be public; and

Collect, screen, and perform limited investigations of housing discrimination complaints as well as refer such complaints to the Ohio Civil Rights Commission and/or the U.S. Department of Housing and Urban Development as appropriate.

The City of Marysville may contract with a qualified contractor to perform all or some of the duties listed above under the direction of the Fair Housing Coordinator.

SECTION 6. PROCEDURES AND ENFORCEMENT

The Fair Housing Coordinator will receive written and signed complaints as well as oral complaints.

A) COMPLAINT INTAKE

The Marysville Fair Housing Coordinator or a person under his or her direction will record, review, and investigate each complaint. Once the initial intake is complete, the person(s) filing the complaint may then be referred to a qualified contractor under contract, or the Ohio Civil Rights Commission, and/or the U.S. Department of Housing and Urban Development for possible further investigation and action.

The person directly responsible for complaint intake will report to the Mayor of Marysville any affiliations that might create a conflict of interest in administering this activity. In the event that such a conflict exists, the Local Fair Housing Contact or other designated city staff member will conduct specific intake procedures.

B) COMPLAINT RECORDS

The Fair Housing Coordinator will maintain records of all complaints received.

SECTION 7. SCOPE OF RESOLUTION

The provisions of this resolution shall apply to all housing located within the territorial limits of the City of Marysville.

SECTION 8. OTHER LEGAL ACTION

Nothing contained in this resolution shall prevent any person from exercising any right or seeking any remedy to which he might otherwise be entitled or from filing any complaint with any other agency or court of law or equity.

SECTION 9. SEVERABILITY

Sections and subsections of this resolution and the several parts and provisions thereof are hereby declared to be independent sections, subsections, parts, and provisions, and the holding of any such section, subsection, part, or provision thereof to be unconstitutional, void, or ineffective for any cause, shall not affect nor render invalid any other such section, subsection, part, or provisions thereof.

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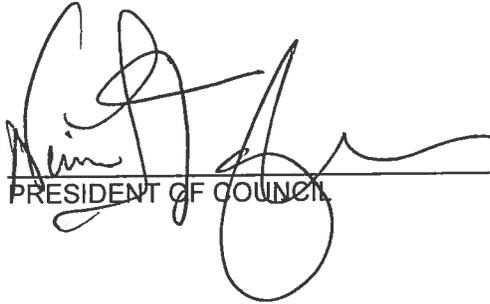
SECTION 10. EFFECTIVE DATE

This resolution shall take effect upon signing.

1st Reading July 25, 2013 (tabled to August 8, 2013)

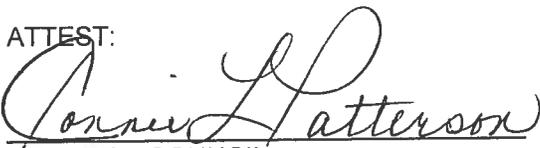
1st Reading August 8, 2013

Passed August 8, 2013



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL

APPROVED BY MAYOR August 12, 2013