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CITY OF
FAIRVIEW PARK
OHIO**



Complete to March 21, 2005

CHAPTER 563
Fair Housing Code

563.01 Purpose.	563.04 Discrimination in the financing of housing.
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563.03 Discrimination in the sale or rental of housing.	

CROSS REFERENCES

Fair housing - see Ohio R.C. Ch. 4112
Interfering with civil rights - see GEN. OFF. 525.13
Ethnic intimidation- see GEN. OFF. 541.12

563.01 PURPOSE.

It is the intent of the City to assure that all persons regardless of race, gender, creed, national origin, ancestry, handicap or familial status be treated equally in all respects throughout the City. One of the major, though not only, intentions of the City is to provide for equal and fair housing opportunities for all current and prospective residents of the City, thereby increasing the cultural diversity of the City and providing a rich and varied community for its citizens. It is the further intention of the City to assure compliance and aid in the enforcement of all State, Federal and constitutional requirements for the full equality of all races, genders and creed as mandated by law.

(Ord. 02-57. Passed 11-18-02.)

563.02 DEFINITIONS.

The following terms shall have the meanings as set forth herein:

- (a) "Dwelling" means 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.
- (b) "Family" includes a single individual.
- (c) "Financial institution" means any bank, credit union, insurance company, or savings and loan association or other entity or organization that makes or purchases loans or provides other financial assistance that operates or has a place of business in the City.
- (d) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts or unincorporated organizations.

- (e) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.
- (f) "Discriminating housing practice" means an act that is unlawful under any State or Federal statute regulation, executive order or directive regarding equal access to housing financing, listing opportunities or any other practices impeding the equal accessibility of housing to all persons regardless of race, sex, national origin, ancestry, handicap or familial status.
(Ord. 02-57. Passed 11-18-02.)

563.03 DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING.

No person shall engage in the following practices regarding any property of whatever kind within the City:

- (a) To refuse to sell or rent after the making of a bona fide offer, or refuse to negotiate for the sale or rental of, otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, gender, handicapping condition, age, 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, gender, handicapping condition, age, 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, gender, handicapping condition, age, 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, gender, handicapping condition, age, 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, gender, handicapping condition, age, familial status or national origin.
(Ord. 02-57. Passed 11-18-02.)

563.04 DISCRIMINATION IN THE FINANCING OF HOUSING.

No financial institution shall 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 discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of race, color, religion, gender, handicapping condition, age, familial status or national origin of such person or of any person associated with him 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 to be made or given.

(Ord. 02-57. Passed 11-18-02.)

563.05 ENFORCEMENT.

(a) The discrimination practices prohibited herein not only have a serious adverse impact upon the individual or group subjected to such practices, but also cause a severe and adverse impact on the public welfare of the citizens of the City through denying its citizens the benefits of a diverse community and by projecting an image that the City countenances such illegal practice. The City, through its Law Department, may at the direction of the Mayor or Council take such actions as are necessary to enforce the provisions of this chapter including, but not limited to, filing court actions against violators of this chapter enjoying such illegal practices.

(b) Anyone in violation of this chapter shall be subject to a fine of one hundred dollars (\$100.00) per violation in addition to any other penalty provided by law.

(c) The City is empowered to aid, at the request of State, Federal or individual complainants, in the investigation and enforcement of the provisions of this chapter or of any related State or Federal law whether enacted at this time or subsequent to the enactment of this chapter.

(Ord. 02-57. Passed 11-18-02.)