

## **3-08 [Prohibiting Discrimination]**

### **3-08.01-10 [Declaration of Policy]**

It is hereby declared to be the policy of the City for the safety, public health, and general welfare of its citizens to assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, sex, sexual orientation, national origin, marital status, age, or disability and, to that end, to prohibit discrimination in housing by any persons. ORS Chapter 659A Unlawful Discrimination in Employment, Public Accommodations and Real Property Transactions; Administrative and Civil Enforcement.

### **3-08.01-20 [Definitions]**

- A. "Real property" includes buildings, structures, lands, tenements leaseholds, cooperatives and condominiums.
- B. "Discrimination" or "discriminatory housing practice" means any difference in treatment based upon race, color, religion, sex, sexual orientation, national origin; marital status, age, or disability or any act that is unlawful under this Ordinance or Oregon State Law.
- C. "Person" includes one or more individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations and all other groups or combinations.
- D. "Owner" includes a lessee, sub-lessee, co-tenant, assignee, managing agent or other person having the right of ownership or possession, or the right to sell, rent or lease any housing accommodation.
- E. "Financial Institution" includes any person, as defined herein, engaged in the business of lending money or guaranteeing losses.
- F. "Real Estate Broker" "Real Estate Salesman" includes any individual, qualified by law, who, for a fee, commission, salary or for other valuable consideration, or who with the intention or expectation of receiving or collecting same, lists, sells purchases, rents or leases any housing accommodations, including options thereupon, or who negotiates or attempts to negotiate such activities; or who advertises or holds himself out as engaged in such activities; or who negotiates or attempts to negotiate a loan, secured by a mortgage or other encumbrance, upon transfer of any housing accommodation; or who is engaged in the business of charging and advance fee or contracting for collection of a fee in connection with a contract whereby he undertakes to promote the sale, purchase, rental or lease of any housing accommodation through its listing in a publication issued primarily for such purpose; or an individual employed by or acting on behalf of any of these.
- G. "Housing accommodation" or "Dwelling" means any building, manufactured home, mobile home or trailer, 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, manufactured home, mobile home or trailer, structure, or portion thereof or any real property, as defined herein, used or intended to be used for any of the purposes set forth in this subsection.
- H. "Open Market" means the market which is informed of the availability for sale, purchase, rental or lease of any housing accommodation, whether informed through a real estate

broker or by advertising by publication, signs or by any other advertising methods directed to the public or any portion thereof.

### **3-08.01-30 [Unlawful Practices]**

In connection with any of the transactions set for in this section which affect any housing accommodations on the open market, or in connection with any public sale, purchase, rental or lease of any housing accommodation, it shall be unlawful within the City for any person, owner, financial institution, real estate broker or real estate salesman, or any representative of the above, to:

1. Refuse to sell, purchase, rent or lease, or deny to or withhold any housing accommodation from a person because of his/her race, color, religion, national origin, sex, sexual orientation, marital status or age; or
2. To discriminate against a person in the terms, conditions or privileges of the sale, purchase rental or lease of any housing accommodation, or in the furnishing of facilities or services in connection therewith; or
3. To refuse to negotiate for the sale, purchase, rental or lease, of any housing accommodation to a person because of his/her race, color, religion, national origin, sex, sexual orientation, marital status or age; or
4. Otherwise to deny to, or withhold any housing accommodation from a person because of his/her race, color, religion, national origin, sex, sexual orientation, marital status or age.

### **3-08.01-40 [Exemptions to this Ordinance]**

1. Rooms or units in dwellings containing living quarters occupied or intended to be occupied by not more than four families living independently or with each other, if the owner actually maintains and occupies one of such living quarters as his/her residence.

### **3-08.01-50 [Procedure]**

Any person aggrieved by an unlawful practice prohibited by this Ordinance may file a complaint with the City Recorder within thirty (30) days after the aggrieved person becomes aware of the alleged unlawful practice. The City Recorder or his/her duly authorized representative shall investigate each complaint and attempt to resolve each complaint. Failure to achieve a resolution acceptable to both parties and compliance with this Ordinance shall cause the City Recorder to forward the complaint and his /her findings to appropriate state and federal officials.

### **3-08.01-60 [Other Remedies]**

Nothing herein contained shall prevent any person from exercising any right or seeking any remedy to which he might otherwise be entitled or from filing his complaint with any appropriate governmental agency.

### **3-08.01-70 [Penalties]**

Any person violating any provision of this Ordinance shall, upon conviction thereof, be punished as provided by ORS 659A Oregon State Law.