

BILL NO. 102, 2019

ORDINANCE NO. _____, 2019

Introduced by Councilmember Clancy

AN ORDINANCE

AMENDING CHAPTER 717, TITLE VII SLCRO 1974 AS AMENDED BY REPEALING AND RE-ENACTING SECTIONS 717.010, 717.020, 717.050 AND, 717.056, 718.020, 722.040 AND 722.056 PERTAINING TO DISCRIMINATION IN CONNECTION WITH SALE OR RENTAL OF HOUSING.

BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 3. Chapter 717, Title VII SLCRO 1974 as amended, "Fair Housing Code," is amended by repealing and re-enacting Sections 717.010, 717.020, 717.030, 717.040, 717.050 and 717.056 as follows:

717.010 Definitions. -- As used in this chapter:

1. *Chairman* means the Chairman of the St. Louis County Commission on Human Relations.
2. *Commission* means the St. Louis County Commission on Human Relations.
3. *Dwelling* means any building, structure, or portion thereof located within the unincorporated area of St. Louis County 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.
4. *Family* includes a single individual.
5. *Person* includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts,

NOTE: Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted from the ordinance.

trustees, trustees in bankruptcy, unincorporated organizations, receivers, and fiduciaries. Masculine pronouns shall include the feminine.

6. *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.

7. *Discriminatory housing practice* means an act that is unlawful under Section 717.020, and also includes coercion, intimidation, threats, or interference with any person in the exercise or enjoyment of the rights to fair housing set out in this Code.

8. *Code* means the Fair Housing Code of St. Louis County hereby enacted.

9. *Familial status* means one or more individuals less than 18 years of age being domiciled with:

- a. a parent or another person having legal custody of such individual or individuals; or
- b. the designee of such parent or other person having such legal custody, with the written permission of such parent or other person.

10. *Disability* means, with respect to a person -

- a. a physical or mental impairment which substantially limits such person's major life activities,
- b. a record of having such an impairment,
- c. being regarded as having such an impairment.

Provided, however, that "disability" shall not include current illegal use of or addiction to a controlled substance as defined by Missouri law.

11. *Gender identity* means the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated gender at birth.

12. *Lawful source of income* includes but is not limited to income from Section 8 or other subsidy program, short or long-term federal, state or local government, private nonprofit, or other assistance programs in which a tenant's rent is paid either partially by the program (through a direct arrangement between the program and the owner or lessor of the real property), and partially by the tenant or completely by the program. Other subsidy programs which are lawful sources of income include but are not limited to HUD-Veteran Affairs

Supportive Housing (VASH) vouchers, Housing and Essential Needs (HEN) funds, and short-term rental assistance provided by Rapid Rehousing subsidies.

13 [12]. *Sexual orientation* means real or perceived heterosexuality, homosexuality or bisexuality.

717.020 - Discrimination in the Sale or Rental of Housing.-

Except as exempted by Section 717.030, it shall be unlawful for any person:

1. 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, national origin, gender, disability, sexual orientation, gender identity, lawful source of income, or familial status.

2. 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, national origin, gender, disability, sexual orientation, gender identity, lawful source of income, or familial status.

3. 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, national origin, gender, disability, sexual orientation, gender identity, lawful source of income, or familial status or an intention to make any such preference, limitation, or discrimination.

4. To represent to any person because of race, color, religion, national origin, gender, disability, sexual orientation, gender identity, lawful source of income, or familial status that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

5. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, national origin, gender, disability, sexual orientation, gender identity, lawful

source of income, or familial status.

717.050 - Discrimination in the Provision of Brokerage Services.

-It shall be unlawful for any person to deny any person access to or membership or participation in any multiple listing service, real estate broker's organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, national origin, gender, disability, sexual orientation, gender identity, lawful source of income, or familial status.

717.056 - Steering-Sale or Rental of Dwellings-Unlawful.-1. It shall be unlawful for any real estate corporation, partnership, firm or association or for any person acting as a real estate agent, salesman or broker, or for any agent, employee or person acting in their behalf to:

(a) influence or attempt to influence any person who represents himself to be a prospective purchaser, occupant, or tenant of a dwelling to refrain from purchasing or renting a dwelling by referring to race, color, religion, national origin, gender, disability, sexual orientation, gender identity, lawful source of income, or familial status of occupants or prospective occupants of other dwellings in the neighborhood;

(b) discriminate against any person who represents himself to be a prospective seller, purchaser, occupant, landlord or tenant of a dwelling by any influence, suggestion, act or failure to act, or accord any differential treatment among such persons, in connection with the sale or rental of a dwelling or in the furnishing of information, services, or facilities relative thereto, because of race, color, religion, national origin, gender, disability, sexual orientation, gender identity, lawful source of income, or familial status of any person.

2. The complaint procedure set forth in Sections 717.070, 717.080 and 717.090 shall not be applicable to enforcement of the provisions of subsection 717.056-1.

ADOPTED: _____

CHAIR, COUNTY COUNCIL

APPROVED: _____

COUNTY EXECUTIVE

ATTEST: _____
ADMINISTRATIVE DIRECTOR

APPROVED AS TO LEGAL FORM:

COUNTY COUNSELOR