

## **RESOLUTION NO. R-16-23**

**WHEREAS**, the Village of Hanover Park is a home rule unit of government by virtue of the provision of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Federal Fair Housing Amendments Act of 1988 took effect in March 1989 and was adopted to provide fair housing for persons without regard to race, color, religion, creed, national origin, age, sex, ancestry, marital status, physical or mental handicap, sexual orientation, familiar status, unfavorable military discharge or any other lawfully protected class; and

**WHEREAS**, the Village of Hanover Park has been and continues to be committed to fair housing practices and procedures; and

**WHEREAS**, the Village President and Board of Trustees believe it is in the best interest of the health, safety and welfare of the community to prescribe a Fair Housing Action Plan to assist in the resolution of complaints and disputes, and further to refer complaints or unfair housing practices to appropriate agencies charged with addressing violations of fair housing practices and procedures; now, therefore,

**BE IT RESOLVED** by the President and Board of Trustees of the Village of Hanover Park, Cook and DuPage Counties, State of Illinois, as follows:

### **HANOVER PARK FAIR HOUSING ACTION PLAN**

It is the policy and commitment of the Village of Hanover Park to ensure that fair and equal housing opportunities are granted to all persons, in all housing opportunities and development activities, regardless of race, color, religion, gender, sexual orientation, gender identity or expression, marital status, lawful source of income, familial status, national origin, ancestry, age or mental, physical disability provide or any other lawfully protected class. It is also the policy of the Village, within legal and constitutional limitations, for fair housing practices within the Village's jurisdictional boundaries, with the intention that such practices will protect the interests of buyer and sellers, lessors and lessees, landlords and tenants, in accordance with the provisions of this Plan and Resolution which are as follows:

1. That there is hereby established in the Village of Hanover Park a plan for establishing fair housing practices and procedures.
2. That the foregoing recitals shall be and are hereby incorporated as more fully set forth herein.
3. Definitions: For the purpose of this Plan and Resolution the following words and phrases shall have the meaning respectively assigned to them:

**DWELLING**

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

**FAMILIAL STATUS**

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

- (A) A parent or other person having legal custody of such individual or individuals or
- (B) The designee of such parent or other person having such custody, with the written permission of such parent or other person.

**FINANCIAL INSTITUTIONS**

Means any bank, insurance company, savings and loan association, other person in the business of lending money or guaranteeing loans, any person in the business of obtaining, arranging or negotiating loans or guarantees as agent or broker.

**HANDICAP**

Means, with respect to a person, a physical or mental impairment which substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

**MARITAL STATUS**

Means any legal status of being married, single, separated, divorced or widowed.

**NATIONAL ORIGIN**

Means the place in which a person or one of his or her ancestors was born.

**OFFER**

Every attempt, by means of written or oral communications, to enter into a real estate contract or transaction, and every solicitation of an offer.

**OWNER**

Means any person who holds legal or equitable title to, or owns any beneficial interest in, any real property or who holds legal or equitable title to shares of, or holds any beneficial interest in, any real estate cooperative which owns any real property.

**PURCHASE**

Includes any real estate contract to purchase.

**REAL ESTATE BROKER**

Means a person, who, for or with the expectation of receiving consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself or herself out as engaged in these.

**REAL ESTATE TRANSACTION**

Means the purchase, sale or fee or equitable title to, or beneficial interest in, or rental or lease of, any real property; or an option to do any of the foregoing, or any negotiation, listing, contract, or agreement in connection therewith. Real Estate Transaction also includes the brokering or appraising of residential real property and the making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling or secured by residential real estate.

**REAL PROPERTY**

Includes buildings, structures, real estate, lands, tenements, and hereditament, corporeal and incorporeal, or any interest therein.

**RELIGION**

Includes all aspects of religious observance and practice, as well as belief; and all aspects of religious non-observance, non-practice and non-belief.

**SALE**

Includes any contract to sell, exchange or convey, transfer or assign legal or equitable title to or beneficial interest in real property.

**SOLICIT OR SOLICITATION**

Means any communication by or on behalf of a real estate agent with the owner or occupant or a dwelling, which is intended to induce the sale or rental of such dwelling or which is intended to offer or promote services in connection with the sale, rental or listing of such dwelling which is carried out by means of:

1. In-person contacts at the dwelling;
2. Written material mailed or delivered directly to the dwelling, such as direct mail, leaflets or pamphlets; or
3. Telephone contacts with owners or occupants of the dwelling.

For purposes of the Policy, the term “solicit” or “solicitation” shall not refer to communication carried out by means of print or electronic media of general circulation, such as a newspaper, radio, television, or the yellow pages.

**UNLAWFUL DISCRIMINATION**

The treatment of any person differently from others because of race, color, religion, creed, national origin, age, sex, ancestry, marital status, physical or mental handicap, familial status, sexual orientation, unfavorable military discharge or any other lawfully protected class.

IT SHALL BE A VIOLATION of this Policy to unlawfully discriminate in real estate transactions as follow:

(A) Any act of unlawful discrimination in a real estate transaction shall be considered an unfair housing practice, including but not limited to the following:

1. To misrepresent to any person, because of race, color, creed, national origin, age, sex, ancestry, marital status, physical or mental handicap, familial status, sexual orientation, unfavorable military discharge or any other lawfully protected class, that any particular real property is not being offered for sale, lease or rental.
2. To publish or cause to be publish, any notice, statement or advertisement with respect to the sale, leasing or rental of real property which states any priority, preference, limitation or restriction based on race, color, creed, national origin, age, sex, ancestry, marital status, physical or mental handicap, familial status, sexual orientation, unfavorable military discharge or any other lawfully protected class or which is calculated to disclose an intention to make any such priority, preference, limitation or restriction.
3. Refusal to engage in a real estate transaction with a person or discriminate in making available such a transaction.
4. Altering the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith.
5. Refusal to receive or failure to transmit a bona fide offer to engage in a real estate transaction from a person.
6. Refusal to negotiate for a real estate transaction with a person.
7. Representing to a person that real property is not available for inspection, sale, rental, or lease with in fact it is so available, or failure to bring a property listing to his or her attention, or refusal to permit him or her to inspect real property.
8. Offering, soliciting, accepting, using or retaining a listing or real property with knowledge that unlawful discrimination or discrimination on the basis of familial status in a real estate transaction is intended.
9. Soliciting for sale, leasing, listing or purchasing any residential real estate within the Village on the grounds of loss of value due to the present or prospective entry into the vicinity of the property involved of any person or persons of any particular race, color, religion, national origin, ancestry, age, sex, marital status, familial status, sexual orientation or handicap.

10. Distributing or causing to be distributed, written material or statements designed to induce any owner of residential real estate in this Village to sell or lease his or her property because of any present or prospective changes in the race, color, religion, national origin, ancestry, age, sex, marital status, familial status, sexual orientation or handicap of residents in the vicinity of the property involved.
11. Intentionally creating alarm, among residents of any community, by transmitting communications in any manner, including a telephone call whether or not conversation thereby ensues, with a design to induce any owner of residential real estate in the Village to sell or lease his or her property involved of any person or persons or any particular race, color, religion, national origin, ancestry, age, sex, marital status, familial status, sexual orientation or handicap.
12. Unlawfully discriminating or participating in unlawful discrimination in connection with borrowing or lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repairs or maintenance of any real property in the Village. For the purpose of this subsection, discrimination in lending shall include:
  - a. Refusal to make loans; or
  - b. Differentiation in the type of loans, including interest rates, charges to buyer or seller, duration and amount of loan; or
  - c. Influencing appraisals in connection with loans; or
  - d. Delaying processing loan applications.

(B) No owner, lessee, or sub lessee of real property, licensed real estate broker, lender, financial institution, or advertiser, or agent of any of the foregoing, shall unlawfully discriminate against any person because of that person's race, color, religion, sex, national origin, ancestry, age, marital status, or physical or mental handicap, familial status, sexual orientation, unfavorable discharge from military service or any other lawfully protected class with respect to any real estate transaction.

**COMPLAINT / CONCERN INTAKE PROCEDURES:**

(A) The Village Manager shall designate the Director of Community and Economic Development as the Fair Housing Plan Supervisor, who shall obtain instruction and training in the proper administration of complaints related to unfair housing practices. The Fair Housing Plan Supervisor shall intake and keep a log of all complaints and concerns regarding such violations against this Plan and the Fair Housing Act of 1988 and act upon each complaint or concern accordingly.

The Fair Housing Plan Supervisor's Log shall consist of the following information:

1. The name of the complainant including his/her address and telephone number,
2. The name, if known to the complainant, the address and telephone number of each person against whom the complaint is brought,
3. The names, and if known to the complainant, the addresses and telephone numbers, of all persons believed by the complainant to have direct knowledge concerning the facts on which the alleged unlawful discriminatory act is based, and
4. Such other information as may deem necessary or appropriate in the circumstances.

(B) Either the Village Manager or the Fair Housing Plan Supervisor shall take all reasonable measures necessary to assure that this Plan and Resolution and the assistance available from the Village shall be made available to the public in appropriate form.

(C) The Village shall act as a local source for assistance and information for persons who have complaints related to unfair housing practices.

(D) The Village shall provide assistance and information to any such person, which shall include but is not limited to:

1. The rights and remedies available to a person who has been discriminated against by virtue of an unfair housing practice;
2. The types of unlawful discrimination which are considered to be unfair housing practices;
3. The names, addresses and phone numbers of county, state and federal agencies where such a person may file formal complaints; and
4. Such other relevant information or assistance as the Village may have available to assist such person.
5. Any and all policies or resolutions of the Village of Hanover Park in conflict with the provisions of this Resolution shall be, and they are hereby, repealed.
6. This Plan and Resolution shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED this 15th day of September, 2016, pursuant to a roll call vote as follows:

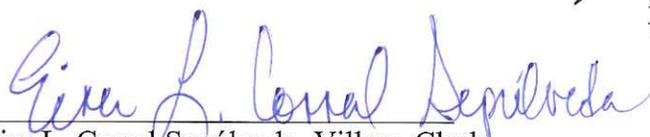
AYES: Kunkel, Cannon, Roberts, Porter, Kemper

NAYS: None

ABSENT: Trousdale

ABSTENTION: None

Approved:   
Rodney S. Craig  
Village President

Attest:   
Eira L. Corral Sepúlveda, Village Clerk