

**Chapter 99**  
**FAIR HOUSING**

**§ 99-1. Preamble.**

Through the Civil Rights Act of 1866, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, as amended, and Executive Order 11063, individuals are guarded against discrimination in the sale or rental of housing. The Village of Palmyra recognizes the importance of these legal safeguards and wishes to provide for local enforcement of both federal and state fair housing laws through this chapter.

**§ 99-2. Purpose and intent.**

This chapter establishes a local procedure for enforcement of federal and state fair housing laws including but not limited to the Civil Rights Act of 1866, Title VI of the Civil Rights Act of 1964, and Title VIII of the Civil Rights Act of 1968, as amended.

**§ 99-3. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**DISCRIMINATORY HOUSING PRACTICE** — An act that is unlawful under §§ 804, 805 and/or 806 of Title VIII.

**PERSON** — Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, receivers and fiduciaries.

**TITLE VIII** — Title VIII of the Civil Rights Act of 1968, Public Law 90-284, 42 U.S.C. §§ 3601 to 3619.

**TO RENT** — Includes to lease, to sublease, to let, and otherwise to grant for consideration the right to occupy premises not owned by the occupant.

**§ 99-4. Complaint of violation; procedure.**

- A. Any persons wishing to file a complaint concerning discrimination in the sale or rental of housing must present information concerning the alleged violation(s) to the local designated fair housing officer.
- (1) Each complaint shall be filed on a housing discrimination complaint form (see Attachment A<sup>1</sup>) and contain substantially the following information:
    - (a) The name and address of the person aggrieved (complainant).
    - (b) The name and address of the person against whom the complaint is filed (respondent).
    - (c) A description and address of the dwelling, which involves the alleged discriminatory housing practice.

---

1. Editor's Note: Said form is on file in the office of the Village Clerk.

- (d) A concise statement of the facts, including dates, constituting the alleged discriminatory housing practice.
- (2) The complaint must be filed no later than 180 days after the alleged discriminatory housing practice occurred.
- B. Upon the filing of a complaint and upon any amendment of such a complaint, the designated fair housing officer will notify the respondent of the complaint by certified mail.
- C. A hearing will be held before the fair housing officer for the purpose of resolving the complaint. The complainant and respondent shall receive notification of hearing date by certified mail. The hearing must be held within 10 days of the mailing of the notification to both parties. At the hearing, the fair housing officer will explain the complaint and relevant law which has allegedly been violated to the respondent. The respondent will have the right to be represented by counsel. If the allegations of the complaint are proven by a preponderance of evidence, the fair housing officer shall describe to the respondent appropriate prescribed action to be taken by the respondent.
- D. The respondent will be notified by certified mail of the prescribed action. He will have 14 days in which to comply with the prescribed action. The fair housing officer at all times will encourage voluntary cooperation, but will resort to the compulsory processes authorized by § 811 of Title VIII. Further court action will only be done on the request of the complainant. The Assistant Secretary for Equal Opportunity in the Department of Housing and Urban Development will be forwarded a copy of the complaint and all relevant materials at this time.