

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 720

Short Title: Amend Durham Fair Housing.

(Local)

Sponsors: Representative Michaux.

Referred to: Local and Regional Government I.

April 11, 1991

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE CITY OF DURHAM'S FAIR HOUSING ORDINANCE
TO COVER DISCRIMINATION BASED ON FAMILIAL STATUS.

The General Assembly of North Carolina enacts:

Section 1. Section 121 of the Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws, as amended, reads as rewritten:

"Sec. 121. Equal Housing. The City Council may adopt ordinances prohibiting discrimination on the basis of race, color, sex, religion, national origin, age, familial status, or handicap in real estate transactions. Such ordinances may regulate or prohibit any act, practice, activity or procedure related, directly or indirectly to the sale or rental of public or private housing, which affects or may tend to affect the availability or desirability of housing on an equal basis to all persons; may provide that violations constitute a misdemeanor, and shall be punishable under G.S. 14-4; may subject the offender to civil penalties; and may provide that the City may enforce the ordinances by application to the General Court of Justice, Superior Court Division, for appropriate legal and equitable remedies, including but not limited to, mandatory and prohibitory injunctions and orders of abatement, attorney's fees and not more than one thousand dollars (\$1,000) punitive damages, and the court shall have jurisdiction to grant such remedies."

Sec. 2. Section 122 of the Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws, as amended, reads as rewritten:

"Sec. 122. Exemptions. Any ordinance enacted pursuant to this Chapter may provide for exemption from its coverage:

1 (1) the rental of a housing accommodation in a building containing accommodations
2 for not more than four families living independently of each other if the lessor or a
3 member of his family resides in one of those accommodations;

4 (2) the rental of a room or rooms in a housing accommodation by an individual if he
5 or a member of his family resides there;

6 (3) with respect to discrimination based on sex, the rental or leasing of housing
7 accommodations in single-sex dormitory property;

8 (4) with respect to discrimination based on religion to housing accommodations
9 owned and operated for other than a commercial purpose by a religious organization,
10 association, or society, or any nonprofit institution or organization operated, supervised,
11 or controlled by or in conjunction with a religious organization, association, or society,
12 the sale, rental or occupancy of such housing accommodation being limited or
13 preference being given to persons of the same religion, unless membership in such
14 religion is restricted because of race, color, national origin, sex, age, familial status, or
15 handicap;

16 (5) any person, otherwise subject to its provisions, who adopts and carries out a plan
17 to eliminate present effects of past discriminatory practices or to assure equal
18 opportunity in real estate transactions, if the plan is part of a conciliation agreement
19 entered into by that person under the provisions of the ordinance."

20 Sec. 3. This act is effective upon ratification.