

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2398

AN ORDINANCE amending Section 1 of Ordinance No. 1214 and Bellevue City Code sections 10.24.010, 10.24.020, 10.24.030, 10.24.040 and 10.24.060 and repealing Bellevue City Code Section 10.24.050 and adding a new section 10.24.050 to the Fair Housing Practices Chapter of the Bellevue City Code.

Section 1. Bellevue City Code Chapter 10.24 and Ordinance No. 1214 are each hereby amended to read as follows:

10.24

FAIR HOUSING PRACTICES

Sections:

- 10.24.010 Declaration of Policy.
- 10.24.020 Definitions.
- 10.24.030 Unfair Housing Practices Prohibited - Generally.
- 10.24.040 Unfair Housing Practices designated.
- 10.24.050 Enforcement Procedures.
- 10.24.060 Violation - Penalty.

Section 2. Bellevue City Code section 10.24.010 and Ordinance No. 1214 are each hereby amended as follows:

10.24.010 Declaration of policy.

Recognizing that discrimination in housing adversely and seriously affects the public health, safety and welfare, and in the belief that all persons, regardless of race, color, religion, ancestry, national origin, sex, or marital status should be assured an equal opportunity to acquire, use and possess housing facilities within the City, the ordinance codified in this chapter is enacted, and certain practices described as unfair housing practices are prohibited as an exercise of the City's police power and in furtherance and for the protection of the public health, safety and welfare.

Section 3. Bellevue City Code section 10.24.020 and Ordinance No. 1214 are each hereby amended as follows:

10.24.020 Definitions.

Definitions as used in this chapter, unless additional meaning clearly appears from the context, shall have the meanings subscribed:

- A. "Commission" means the Washington State Human Rights Commission.
- B. "Dwelling" includes any building containing one or more dwelling units.
- C. "Dwelling unit" includes a suite of rooms for occupancy by one family containing space for living, sleeping and preparation of food, and containing toilet and bathing facilities.
- D. "Housing accommodations" includes any dwelling, or dwelling unit, rooming unit, rooming house, lot or parcel of land in the City which is used, intended to be used or arranged or designed to be used as, or improved with, a residential structure for one or more human beings.
- E. "Lender" includes any bank, insurance company, savings or building and loan association, credit union, trust company, mortgage company or other person engaged wholly or partly in the business of lending money for the financing or acquisition, construction, repair or maintenance of a housing accommodation.
- F. "Owners" include persons who own, lease, sublease, rent, operate, manage, have charge of, control or have the right of ownership, possession, management, charge or control of the housing accommodation, on their own behalf or on behalf of another.
- G. "Occupant" includes any person who has established residence or has the right to occupancy in a housing accommodation.
- H. "Person" includes one or more individuals, partnerships, organizations, trade or professional associations, corporations, legal representatives, trustees, trustees in bankruptcy and receivers; it includes any owner, lessee, proprietor, manager, agent or employee, whether one or more natural persons, and further includes any political subdivision or agency or instrumentality of or in the City of Bellevue.
- I. "Person aggrieved" means any person against whom any alleged unfair housing practice has been committed.
- J. "Prospective borrower" includes any person who seeks to borrow money to finance the acquisition, construction, repair or maintenance of a housing accommodation.
- K. "Prospective occupant" includes any person who seeks to purchase, lease, sublease or rent a housing accommodation.

- L. "Real estate broker" includes any person who, for a fee, commission or other valuable consideration, lists for sale, sells, purchases, exchanges, leases or subleases, rents, or negotiates or offers or attempts to negotiate the sale, purchase, exchange, lease, sublease or rental of a housing accommodation of another, or holds himself out as engaged in the business of selling, purchasing, exchanging, listing, leasing, subleasing or renting a housing accommodation of another, or collects the rental for the use of a housing accommodation of another.
- M. "Real estate agent, salesman or employee" includes any person employed by or associated with a real estate broker to perform or assist in the performance of any or all of the functions of a real estate broker.
- N. "Respondent" means any person who is alleged to have committed an unfair housing practice.
- O. "Rooming unit" includes one or more rooms within a dwelling unit or rooming house containing space for living and sleeping.
- P. "Unfair housing practice" means any act prohibited by this chapter.

Section 4. Bellevue City Code section 10.24.030 and Ordinance No. 1214 are each hereby amended as follows:

10.24.030 Unfair Housing Practices Prohibited - Generally.

Unfair housing practices, as hereinafter defined regarding housing accommodations are contrary to the public peace, health, safety and general welfare and are prohibited by the City in the exercise of its police power.

Section 5. Bellevue City Code section 10.24.040 and Ordinance No. 1214 are each hereby amended as follows:

10.24.040 Unfair Housing Practices designated.

- A. No owner, lessee, sublessee, assignee, real estate broker, real estate salesman, managing agent of a housing accommodation, or other person having the right to sell, rent, lease, sublease, assign, transfer or otherwise dispose of a housing accommodation shall refuse to sell, rent, lease, sublease, assign, transfer or otherwise deny to, or withhold from any person or group of persons such housing accommodations, or segregate the use thereof, or represent that housing accommodations are not available for inspection, when in fact they are still available, or expel or evict an

occupant from a housing accommodation because of race, color, religion, ancestry, national origin, sex, or marital status of such person or persons, or discriminate against or segregate any person because of race, color, religion, ancestry, national origin, sex, or marital status of such person, in the terms, conditions or privileges of the sale, rental, lease, sublease, assignment, transfer or other disposition of any such housing accommodations or in the furnishing of facilities or services in connection therewith.

B. A real estate broker, agent, salesman or employee shall not, because of race, color, religion, ancestry, national origin, sex, or marital status of an occupant, purchaser, prospective occupant or prospective purchaser:

1. Refuse, or intentionally fail to list, or discriminate in listing a housing accommodation for sale, rent, lease or sublease;
2. Refuse or intentionally fail to show to a prospective occupant the housing accommodation listed for sale, rental, lease or sublease;
3. Refuse or intentionally fail to accept and/or transmit to an owner any reasonable offer to purchase, lease, rent or sublease a housing accommodation;
4. Otherwise discriminate against an occupant, prospective occupant, purchaser or prospective purchaser of a housing accommodation.

C. No person, bank, banking organization, mortgage company, insurance company or other financial institution or lender, or any agent or employee thereof, to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation shall:

1. Discriminate against any person or group of persons, because of race, color, religion, ancestry, national origin, sex, or marital status of such person or group of persons or of the prospective occupants or tenants of such real property, in the granting, withholding, extending, modifying or renewing, or in the rates, terms, conditions or privileges of, any such financial assistance or in the extension of services in connection therewith; or
2. Use any form or application for such financial assistance, or make any record of inquiry in connection with applications for such financial assistance which

expresses, directly or indirectly, any limitation, specification or discrimination on the ground of race, color, religion, ancestry, national origin, sex, or marital status.

- D. Any owner, person, real estate broker, agent, salesman, employee or lender shall not:
1. Require any information, make, or keep any record, or use any form of application containing questions or entries concerning race, color, religion, ancestry, national origin, sex, or marital status for the purpose of discrimination in connection with the sale, rental, lease or sublease of any housing accommodation;
 2. Publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement or sign of any kind relating to the sale, rental, lease, sublease, assignment, transfer or listing of a housing accommodation or accommodations which indicate any preference, limitation, specification or discrimination based on race, color, religion, ancestry, national origin, sex, or marital status;
 3. Aid, abet, incite, compel or coerce the doing of any act defined in this chapter as an unfair housing practice; or obstruct or discriminate against a person in any manner because he has complied or proposes to comply with the provisions of this chapter or has filed a complaint, testified or assisted in any proceeding under this chapter, or any order issued thereunder, or attempt, either directly or indirectly, to commit any act defined in this chapter to be an unfair housing practice or apply any economic sanctions or deny any membership privileges because of compliance with the provisions of this chapter.

Section 6. Bellevue City Code section 10.24.050 and section 7.60.050 of Ordinance No. 1214 are each hereby repealed.

Section 7. A new section is hereby added to the Bellevue City Code to be designated as follows:

10.24.050 Enforcement procedures.

- A. A complaint alleging an unfair housing practice shall be in writing and signed by the charging party, describing the unfair housing practice complained of, and must be filed within six (6) months of the occurrence of the alleged unfair housing practice by:

1. Any person, or the person's attorney, when the person claims to be aggrieved by an unfair housing practice.
 2. The City Manager or City Attorney, whenever the City Manager or City Attorney has reason to believe an unfair housing practice has been or is being committed.
 3. A state or federal agency concerned with discrimination in housing, whenever it has reason to believe an unfair housing practice has been or is being committed.
- B. Complaints shall be filed with the City Manager's office which shall have primary enforcement responsibility with respect thereto. A complaint shall not be rejected as insufficient because of failure to include all required information so long as it substantially satisfies the information requirements necessary for processing.
- C. Notice of the complaint, including date, place and circumstances of the alleged unlawful practice, shall be served upon the respondent and a copy thereof shall be filed with the City Attorney.
- D. An investigation into the allegations contained in the complaint shall be made by the City Manager, or his designee, and the results thereof reduced to written findings of fact. A finding shall be made, based upon a preponderance of the evidence obtained in the investigation, that there is or is not reasonable cause to believe that an unfair housing practice has been or is being committed.
- E. If a finding is made that there is no reasonable cause, said finding shall be furnished to the charging party and to the respondent. Within thirty (30) days after the receipt of the finding, the charging party shall have the right to appeal such finding to the Washington State Human Rights Commission by filing a written statement of appeal with it. In the event that no appeal is taken or such appeal is unsuccessful, the complaint shall be dismissed.
- F. If the finding is made initially or on appeal that reasonable cause exists to believe that an unfair housing practice has occurred, the City Manager or his designee shall endeavor to eliminate the unfair practice by conference, conciliation and persuasion which may include as a condition of settlement the elimination of the unfair housing practice, rent refunds or credits, reinstatement to tenancy, affirmative recruiting or advertising measures or such other requirements as may lawfully be agreed upon by the parties and the City Manager. Any settlement agreement shall be reduced to writing and

signed by the respondent and the City Manager. Copies of such agreements shall be delivered to all affected parties and the City Attorney and the original thereof filed with the City Clerk. If no agreement can be reached, a finding to that effect shall be made and reduced to writing, with a copy thereof furnished to the charging party, the respondent, and the City Attorney.

- G. In case of failure to reach agreement for the elimination of such unfair practice, and upon the entry of a finding to that effect, the complaint and any and all findings made shall be certified by the City Manager or his designee to the City Attorney.
- H. The City Attorney may institute legal proceedings on the basis of a complaint filed under this Chapter.

Section 8. Bellevue City Code section 10.24.060 and Ordinance No. 1214 are each hereby amended to read as follows:

10.24.060 Violation - Penalty.

- A. Civil remedies. The violation or failure to comply with any of the provisions of this chapter shall be and hereby is declared to be unlawful.
- B. Civil penalty. Any person who violates or fails to comply with any of the provisions of this chapter shall be subject to a civil penalty not exceeding five hundred dollars (\$500) for each day or portion thereof that the unlawful act or omission has continued.
- C. Criminal penalty. Any person who violates or fails to comply with the provisions of this chapter is guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars. Each day or

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portion thereof upon which the unlawful act or omission occurs constitutes a separate offense.

Section 9. This ordinance shall take effect and be in force thirty (30) days after enactment by the City Council.

PASSED by the City Council this 28 day of February, 1977 and signed in authentication of its passage this 28 day of February, 1977.

(SEAL)

M. F. Vanik
M. F. Vanik, Mayor

Approved as to form:

Laurence G. Nord, Jr.
Laurence G. Nord, Jr.

Attest:

Patricia K. Weber
Patricia K. Weber, City Clerk

Published March 8, 1977