

TOWN OF RICHFORD LOCAL LAW

(purposed - 10-14-97)

FAIR HOUSING LAW

A law prohibiting discrimination on the basis of race, color religion, sex, sexual orientation, handicap, familiar status, or national origin in the sale, rental, or advertising of dwellings, in the provision of brokerage services, or in the availability of residential real-estate related transactions.

Article I: Purpose and Enactment

Section 100 - Purposes and Enactment

For the purpose of providing fair housing opportunities within the Town of Richford, the Town Board of Richford in the County of Tioga, State of New York, under the authority of the General Municipal and Town Laws, hereby ordains, enacts, and publishes the Local Law.

Article II: Definitions

Section 200 - Definitions

Section 201 - General: For the purpose of this local law, certain words or phrases herein shall be interpreted as follows, except where the context clearly indicates the contrary:

Words used in the singular include the plural, words used in the present tense include the future tense, the word "person" includes a corporation as well as an individual, and the word "shall" is always mandatory.

Section 202 - Specific words or phrases: For the purpose of this local law, certain terms or words herein shall be interpreted as follows:

"Dwelling" means any building, structure, or portion thereof 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.

"Person" includes one or more of individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

"Family" includes a single individual.

"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.

"Discriminatory housing practice" means an act that is unlawful under Articles III, IV, or V of this law.

Article III: Discrimination in the Sale or Rental of Housing.

Section 300 - Discrimination in the Sale or Rental of Housing.

Except as exempted by Article VI of this law, it shall be unlawful within the Town of Richford:

- (a) To refuse to sell or rent after the making of a boni-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, sex, sexual orientation, handicap, familial status, or national origin.
- (b) 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, sex, handicap, familial status, or national origin.
- (c) 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, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.
- (d) To represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
- (e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status, or national origin.

Article IV: Discrimination in the Financing of Housing.

Section 400 - Discrimination in the Financing of Housing.

It shall be unlawful within the Town of Richford for any bank, building and loan association, insurance company, or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real-estate loans, to deny a loan or other financial assistance to a person applying thereof for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or rate, duration, or other terms or conditions of such loan or other financial assistance because of the race, color, religion, sex, handicap, familial status, or national origin of such person or any person associated with him/her in connection with such loan or other financial assistance, or the purpose of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given. Provided that nothing contained in the section shall impair the scope or effectiveness of the exception contained in the following Article VI.

Article V: Discrimination in the Provision of Brokerage Service.

Section 500 - Discrimination in the Provision of Brokerage Services:

It shall be unlawful within the Town of Richford 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/her in participation on account of race, color, religion, sex, handicap, familial status, or national origin.

Article VI - Exemptions

Section 600 - Exemptions

Section 601 - Sales/Rentals by Owners

Nothing in Article III other than subsection c, shall apply to any single-family house sold or rented by an owner.

- (1) As used in this section, "single-family house sold or rented by an owner" means:
 - (a) that such private individual owner does not own more than three such single-family houses at any one time; or
 - (b) that in case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale, or who was not the occupant of such house prior to such sale, the exception granted by this subsection shall apply only with respect to one such sale within any twenty-four month period; or
 - (c) that such bona-fide private individual owner does not own any interest, in nor is there owned or reserved on his behalf under any express or voluntary agreement, title to any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at one time; or
 - (d) that the sale or rental of any such single-family shall be excepted from the application of this law only if such house is sold or rented without the use in any manner of the sale or rental facilities or the sales or rental services of any real-estate broker, agent, or salesman, or of such facilities or services of any employee or agent of any such broker, agent, salesman, or person, and without the publication, posting, or mailing, after notice, or any advertisement or notice in violation of Article III of this law. Nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies and other such professional assistance as may be necessary to perfect or transfer the title.
- (2) As used in this section, rooms or units in dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other qualify if the owner actually maintains and occupies one of such living quarters as his/her residence.

For the purpose of this exemption, a person shall be deemed to be in the business of selling or renting dwellings if: