

## CHAPTER 23. EQUAL OPPORTUNITIES

### SECTION 23.01 FAIR HOUSING

The provisions of s. 101.22, Wis. Stats., describing and defining regulations concerning unlawful discrimination in housing, as amended, repealed or modified from time to time, are hereby adopted except for those provisions pertaining specifically to the powers and duties of the Department of Industry, Labor and Human Relations. Complaints concerning violations of this ordinance shall be filed and prosecuted as regular civil forfeiture actions for violations of the Municipal Code.

#### (1) Definitions:

- (a) "Housing" means any improved property, including any mobile home as defined in s. 66.058 Wis. Stats., which is used or occupied or is intended, arranged, or designed to be used or occupied as a home or residence.
- (b) "Discriminate", "Discrimination", and "Discriminating" mean any act or refusal to act which is based to any degree on a consideration by the actor of another person's sex, race, color, physical condition, developmental disability as defined in s. 51.01 (5) Wis. Stats., sexual orientation as defined in s. 111.32 (4s) Wis. Stats., religion, national origin, ancestry, or sexual orientation.
- (c) "Sexual orientation" shall mean having a preference for heterosexuality, homosexuality, and/or bisexuality. Having a history of such preference or being identified with such a preference.

#### (2) Declaration of Policy

It is the right of all persons to have equal opportunity for housing regardless of sex, race, color, physical condition, developmental disability as defined in s. 51.01 (5) Wis. Stats., sexual orientation as defined in s. 111.32 (4s), Wis. Stats., religion, national origin, ancestry, or sexual orientation. This section is enacted pursuant to s. 66.432, Wis. Stats. to prohibit discrimination in the sale or rental of housing within the City of Mondovi.

#### (3) Prohibited Acts

Except as otherwise exempted in this section, it is unlawful for any person to discriminate:

- (a) By refusing to sell, lease, finance or contract to construct housing or by refusing to discuss the terms thereof.
- (b) By refusing to permit inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing or rental of housing.
- (c) By refusing to finance or sell an unimproved residential lot or construct a home or residence upon such lot.
- (d) By publishing, circulating, issuing or displaying, or causing to be published, circulated, issued or displayed any communication, notice, advertisement or sign in connection with the sale, financing lease, or rental of housing which states or indicates any discrimination in connection with housing.

- (e) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to a contract of insurance against hazards to a dwelling.
- (f) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.
- (g) By inducing or attempting to induce any person to sell, rent or lease any dwelling by representations regarding the present or prospective entry into the neighborhood of a person or persons of a particular sex, race, color, physical condition, developmental disability as defined in s. 51.01 (5) Wis. Stats., sexual orientation as defined in s. 111.32 (4s) Wis. Stats., religion, national origin, ancestry, or sexual orientation, or by representations to the effect that such present or prospective entry will or may result in:
  - (i) The lowering of real estate values in the area concerned;
  - (ii) A deterioration in a character of the area concerned;
  - (iii) An increase in criminal or anti-social behavior in the area concerned; or
  - (iv) A decline in the quality of schools or other public facilities serving the area.
- (h) By doing or refusing to do any act which to any degree effects the purpose of any activity prohibited by this section.

(4) Exemptions

This section shall not apply to:

- (a) Discrimination on the basis of age in relation to housing designed to meet the needs of elderly individuals.
- (b) The exaction of different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms r conditions are reasonable related to the individual applicant.
- (c) The development of housing designed specifically for persons with a handicap and discrimination on the basis of handicap in relation to such housing.
- (d) Any religious organization, association, or society or any charitable or educational organization which is operated, supervised, or controlled by or in connection with a religious organization, association, or society which limits admission to or gives preference to persons of the same religion or denomination, or makes such selection as to reasonably calculated by such organization to promote the religious principles for which it is established or maintained provided that membership in such a religious organization, association or society is not restricted on the basis of sex, race, color, physical condition, developmental disability as defined in s. 51.01 (5), Wis. Stats., national origin, ancestry or sexual orientation.
- (e) The requirement by an owner or his agent that any person who seeks to buy, rent or lease housing supply information concerning family, marital, financial and business status but not concerning sex, race, color, physical condition, developmental disability as defined in s. 51.01 (5), Wis. Stats., sexual orientation as defined in s. 111.32 (4s) Wis. Stats., religion, national origin, ancestry or sexual orientation.

(5) Penalties

- (a) Any person who willfully violates this section or any lawful order issued under this section shall, for the first violation, forfeit not less than \$100.00 nor more than \$1,000.00.
- (b) Any person adjudged to have violated this section within five years after having been adjudged to have violated this section, for every violation committed within the five years, shall forfeit not less than \$1,000.00 nor more than \$10,000.00.
- (c) Payment for a forfeiture under this section shall be stayed during the period in which any appeal may be taken and during the pendency of an appeal.