



DRAFT

**HUMAN RIGHTS BOARD  
Board Meeting  
Monday, April 13, 2017, 4 PM  
Governmental Center – Room 301**

**AGENDA**

- 1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**
- 2. PUBLIC INPUT**  
Presentation on the April 7, 2017, Broward County Fair Housing Celebration by:  
Ms. Rita Scott, Education & Outreach Coordinator-Broward, HOPE, Inc.
- 3. NEW BOARD APPOINTEE:** Ms. Shaheewa Gelin, appointed by Commissioner Dale Holness
- 4. ADOPTION OF AGENDA**
- 5. APPROVAL OF MINUTES:** January 9, 2017 – Draft; November 14, 2016
- 6. CHAIR’S REPORT**
- 7. LITIGATION REPORT**
  - A. Proposed amendment to Domestic Partnership Act, Chapter 16½-158. Visitation to licensed facilities.
  - B. Final Administrative Hearing in Yesenia Leon v. Pediatric Pulmonary and Allergy Associates, P.A.
- 8. UNFINISHED BUSINESS**
  - A. Gender Neutral Restrooms -- Recommendations for Signage
  - B. Conversion Therapy Ban
  - C. Proposed Presentation for Outreach Events
  - D. Update on “source of income” as a Protected Class (New York, Seattle, Chicago)
  - E. Update on Homeless Bill of Rights Presentation
- 9. NEW BUSINESS**
  - A. Responses to Human Rights Section Complaint Questionnaire Question, “How did you hear of our office?”
  - B. Human Rights Section Website “Report a Complaint” – Replace current photo with one illustrating diversity <http://www.broward.org/ReportAComplaint/Pages/Discrimination.aspx>  
Sample photos from the Broward 100 Centennial Celebration  
<http://www.insideoutproject.net/en/group-actions/usa-fort-lauderdale-17>
- 10. ANNOUNCEMENTS / CONCERNS / REQUEST FOR FUTURE AGENDA ITEMS**
- 11. ADJOURNMENT**

For questions about this Agenda or to request a reasonable accommodation in order participate in this meeting, please contact the Broward County ADA/HIPAA Section:  
954-357-6500  
954-357-7888 (TTY)

This Agenda is available in Large Print, Braille or Audio Cassette, upon request.



DRAFT

Office of Intergovernmental Affairs and Professional Standards  
 115 South Andrews Avenue, Room 427 • Fort Lauderdale, Florida 33301 • 954-357-7800 • FAX: 954-357-7817

**Meeting Record**

<b>Human Rights Board (HRB) Meeting</b>	<b>Date:</b> January 9, 2017 <b>Call to Order:</b> 4:21 PM
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Attendees			
Miya Burt-Stewart	Ellen Feiler	Joy Kuttiyani	Gregory Milford
Justin Nepola	Michael Rajner	Phyllis Shaw	Joshua Simmons
		Barbara Ann McGovern Board Coordinator	Adam Katzman Assistant County Attorney

Members Absent			
Maria Barth	Marta Estevez	Ben Sorensen	

Key Decisions			
<ul style="list-style-type: none"> <li>▪ Amended Agenda Adopted; Meeting Minutes tabled to next meeting.</li> <li>▪ Conversion therapy issue discussion to be continued at the next board meeting.</li> <li>▪ For each board meeting, the Agenda Draft and Meeting Minutes Draft will be posted to the website.</li> <li>▪ Ad hoc Outreach Committee Chair, Mr. Rajner; Co-chair, Ms. Burt-Stewart.</li> </ul>			

Action Items			
#	Description	Resource	Status
1.	Provide a workshop training on hearing panel process and review of sample cases to be scheduled prior to the April 10, 2017, training/board meeting	Human Rights Section and Assistant County Attorney	In progress
2.	Follow-up request to Ms. Barth for submittal of the support materials on the gender neutral restroom issue	Ms. McGovern	In progress
3.	Legislative updates, as published by Intergovernmental Affairs section, to be distributed to the board	Ms. McGovern	In progress
4.	Provide April date of National Fair Housing Day event at the Signature Grand Hotel for members to R.S.V.P. attendance	Mr. Cohen	In progress
5.	Provide presentation template to ad hoc Outreach Committee members by January 31, 2017	Mr. Cohen	In progress
6.	Update on "source of income" as a protected class	Mr. Cohen	In progress
7.	Report on the number of responses to the <i>Complaint Questionnaire</i> , "How did you hear of our office?" for discussion at the April 10, 2017, board meeting	Mr. Cohen	In progress
8.	Contact ACLU for representative to provide update on the Homeless Bill of Rights	Mr. Rajner	In progress

### 1. CALL TO ORDER

Moment of silence to honor the victims of the Fort Lauderdale-Hollywood Airport incident.

2. **NEW BOARD APPOINTEE:** Mr. Joy Kuttiyani, appointed by former Commissioner Marty Kiar.

### 3. ADOPTION OF AGENDA

#### Additional items to Agenda

Old Business: D. Update on Homeless Bill of Rights Presentation

New Business: D. Housekeeping: Agenda and Materials/Minutes; Request on Outreach and Advertising Information; How Florida statute relating to guns in public buildings applies to advisory board meetings.

**MOTION** by Mr. Rajner to adopt the agenda as amended. Seconded by Mr. Simmons.  
*Passed Unanimously.*

### 4. APPROVAL OF MINUTES

**MOTION** by Mr. Rajner to approve the amended minutes as presented. Seconded by Ms. Burt-Stewart.

#### Amendments to Minutes:

(1) Page 2, Motion to research local ordinances relating to restrictions on the homeless. Remove Passed Unanimously, as no vote on this motion.

(2) Page 3, gender neutral restrooms, Ms. Barth named "South Florida Gay Men;" this reference will be clarified by Ms. Barth at the next board meeting.

**MOTION** by Mr. Rajner to table the minutes until the next board meeting. Seconded by (inaudible).  
Vote: Yes – 4. Ms. Feiler noted a majority in favor. *Motion Passed.*

Ms. Feiler stated the minutes will be tabled until done. We will look at them next month, they will be sent out in draft, and they will be voted on at the next board meeting.

(4:32 PM Ms. Shaw enters the meeting)

### 5. CHAIR'S REPORT

Ms. Feiler distributed reference materials for each board member. Ms. Feiler stated that she looks forward to working with the board members in the coming year.

### 6. HUMAN RIGHTS SECTION (HRS) REPORT

Mr. Cohen distributed a copy of the 2015-2016 Outreach events. An event not listed was an additional fair housing training for condominium board members on December 13, 2016, to accommodate members who just returned to Florida for the winter.

#### Housing Case Inventory / Receipt of HUD Funds:

Approximately 60 active cases, plus 15 fair housing cases assigned to Mr. Cohen. He also handles, with Professional Standards investigators who are assisting, 35 Human Rights Act only cases (employment, public accommodations and the like). The investigators have 25 and 15 cases, respectively. The Human Rights Section has taken on almost all of the intake responsibilities from HUD, our Fair Housing partner in Washington, DC, and we coordinate our work with the HUD regional office in Atlanta.

The Human Rights Section received \$166,200 from HUD for case processing; \$28,750 for training of investigators and administrative staff; and \$55,000 in administrative funds which may be utilized for equipment, supplies, paying a portion of administrative assistant's salary, etc. The total funds received -- \$249,950. He noted to new members they may contact him on his direct line: 954-357-6503.

#### Responses to Complaint Questionnaire, "How did you hear of our office?"

Mr. Rajner requested an overview of the responses, what is done with advertising and social media, and that April would be the best time to make a recommendation to Director Labrador or the County Commission in terms of increasing the budget for advertising. Mr. Cohen responded that the Human Rights Section will

endeavor to assemble that data for the April 10, 2017, board meeting.

Outreach:

Mr. Cohen stated that Outreach is conducted only by him or the members of the Human Rights Board. He noted that knowing about the Human Rights Act and what the Human Rights Section does is on the website, including the information on how a case is processed. Even after business hours, the telephones record voicemails, faxes and emails are received and they all will receive a response.

Ms. Feiler stated that outreach is a very large commitment and we need volunteers to do it, if we want to get grant money and use some of the HUD money to put out some palm cards and conduct marketing and advertising. If we can look for a grant to do this for simple advertising and get the information out by going to 2-1-1 and getting it posted, and in local magazines and local newspapers. This can be discussed at an outreach team meeting, rather than at this meeting.

Mr. Rajner remarked that the Board recommended putting the Human Rights Section poster with the protected classes in county government buildings where individuals applying for or receiving social services would encounter and see recourse. This recommendation was not implemented as it may confuse county employees, since they are exempt from the Human Rights Act.

Mr. Cohen noted that the Office of Public Communications approves all communications for publication. He also stated that he would be happy to assist board member with outreach activities. He has a standard presentation which they may adapt, as applicable, for their topic and audience.

Complaints Received in 2016:

- 1) disability
- 2) familial status (individual with children wanting to rent or buy-- for example, some of the age 55 and older communities may not want children under the age of 18 in their community)
- 3) national origin

Mr. Rajner requested the board look at some sample cases (employment, public accommodations, housing) to use as a case study, more than the training Mr. Katzman provides.

**MOTION** by Mr. Rajner to have a case study training any time prior to the April meeting.

Mr. Cohen advised that cause was found in an employment matter, as well as cause in two housing cases. Mr. Rajner requested an additional meeting date for a workshop training session, prior to the board's April 10, 2017, training.

**MOTION** by Mr. Rajner to schedule an additional date for a workshop training session prior to the board's April 10, 2017, training. Seconded by Mr. Simmons.

Quorum is not required for the training workshop.

**MOTION** by Mr. Rajner for the Human Rights Section and Assistant County Attorney to provide a workshop training scheduled prior to the April 10, 2017, board meeting to walk us through the hearing panel process, as well as to review samples of past cases to help better familiarize ourselves with the process. Seconded by Mr. Simmons.

Vote: Yes – 7; No – 1 (Mr. Milford) *Motion Passed.*

Required Notices in Connection with Application to Purchase or Rent a Dwelling (Human Rights Act, Section 16-½-35.6)  
Based on the best estimate of the Office of the County Attorney, Mr. Cohen advised that this matter would come before the Board of County Commissioners at the January 31, 2017, Commission meeting.

Source of Income as a Protected Class

Mr. Cohen will follow-up with Mr. Labrador.

Advance Notice of Outreach Events Mr. Cohen stated that some of the events are scheduled on short notice, such as the

realtors meeting. The national Fair Housing Day is an annual all day event, usually on the first Friday in April, at the Signature Grand hotel which the Human Rights Section cosponsors with the Housing Opportunities Project for Excellence (H.O.P.E., Inc.).

Public Reading of Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers filed by Ms. Marta Estevez In compliance with Section 112.3143, Florida Statutes, the attached Form 8B was read publicly by Ms. McGovern at this board meeting.

7. **LITIGATION REPORT** No update.

8. **OLD BUSINESS**

A. Gender Neutral Restrooms Recommendation and Signage Samples:

**Motion** by Mr. Rajner to table this item under the condition that it not come back to us until we have the following information from Ms. Barth:

- Explanation on background; why the action is needed; a specific recommendation.
- Goal to be achieved
- Example of proposed new signage and examples from other jurisdictions

Seconded by Mr. Simmons. *Passed Unanimously.*

B. and C. Ad-Hoc Outreach Committee Proposed Meeting Dates / Proposed Presentation About HRB:

Ms. Feiler noted that members will be needed to serve on this committee. An outreach committee meeting will be scheduled.

*Interested members:* Ms. Feiler, Mr. Nepola, Ms. Shaw, Mr. Simmons, Ms. Burt-Stewart, Mr. Rajner.

Ms. Feiler stated that if a board members are interested, presentations will be prepared. Members can do their own presentation since everyone has their own style. If there is a request for a presentation, we have a list of committee members, so someone is always available. Mr. Cohen will provide the basic information to the committee. If you want to actually go out and develop your own presentation and you have not done that already, there will be two lists: Ad Hoc Outreach Committee and Presentation Development Committee. Put your name on the list of your interest. If not enough people sign up, we will have to go to, for example, Toastmasters and get some folks interested. Former Outreach Committee members should advise if they wish to remain on this committee.

Ms. Shaw recommended inclusion of an Action Item section in the board meeting record so members know the item and who is responsible for follow-up.

Ms. Feiler asked if anyone would like to set up a Presentation Development Committee meeting. This committee will meet to provide information to people who have never done a presentation, who don't feel comfortable doing one and may need some help putting it together. Mr. Cohen stated he has a presentation which he tailors to the target audience, for example, a high school class versus a trade group.

Ms. Shaw inquired about the need for a committee to meet and discuss a presentation. She suggested finding an organization and putting together a presentation for them. Ms. Feiler noted that each committee member should be assigned a different group to contact, for example: churches, libraries, schools (high schools, colleges), etc. The outreach plan should consider where we get the most benefit and who are the most important people to reach out to at this point -- maybe it is not the kids, just yet. Ms. Shaw remarked the 18 – 25 year olds who come out of school don't know where to go. Ms. Feiler asked who would like to chair the Ad Hoc Outreach Committee. Mr. Rajner will chair; Ms. Burt-Stewart will co-chair. Mr. Cohen will provide his presentation template by January 31, 2017. The members will have 15 days to prepare a presentation and then schedule a committee meeting. The committee will develop an outreach schedule.

D. Update on Homeless Bill of Rights Presentation:

The director of the A.C.L.U., Miami Office, will be contacted to request a contact name for this

presentation.

## 9. NEW BUSINESS

### A. Training Suggestions: Diversity – Board Members/Hearing Officers

No suggestions from the board members, at this time.

### B. Action Areas for 2017

Conversion Therapy Ban: The HRB will revisit this issue at the April 10, 2017, board meeting.

### C. 2017 Board Meeting Schedule

Members requested to respond to Ms. McGovern's email notice of board meeting in a timely manner.

### D. Florida statute relating to guns in public buildings as applicable to advisory board meetings:

Mr. Katzman advised that guns are permitted in Governmental Center conference rooms.

#### Agenda and Materials/Minutes:

**MOTION** by Mr. Rajner for board minutes not to be posted to the website until approved by the Board. Seconded by Mr. Simmons.

Ms. Feiler stated they should be posted as DRAFT.

**MOTION** by Mr. Rajner that minutes that have not been approved by the Board should not be posted to the website until approved.

Ms. Shaw stated the minutes should be posted and noted as DRAFT for a timely post to the website.

**Amendment** by Ms. Shaw to include "DRAFT" on the motion, and to the agenda posted to the website. Mr. Rajner does not accept the friendly amendment. He prefers the agenda materials be attached when posted. Ms. Feiler requested a vote on the Motion: Vote: Yes – 1; No – 7. *Motion Fails.*

Mr. Milford asked if all agenda materials can be marked as draft. Ms. McGovern responded affirmatively.

**MOTION** by Ms. Shaw for the DRAFT agenda packet and DRAFT minutes be posted to the website. Seconded by Mr. Milford.

Vote: Yes – 7; No -1 (Mr. Rajner). *Motion Passed.*

Mr. Simmons inquired about the monitoring of state level bills relating to human rights. Mr. Cohen responded, the legislative staff oversees that monitoring. Ms. McGovern included the current 11-29-16 Draft 2017 State Legislative Program in the meeting documents to the board. She will include all published updates to legislative programs.

## 10. PUBLIC INPUT (None)

## 11. ANNOUNCEMENTS/CONCERNS/REQUEST FOR FUTURE AGENDA ITEMS (None)

## 12. ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned at 6:15 PM.

*The next scheduled Board meeting will convene:*

April 10, 2017, Governmental Center Room 301

3 PM, Annual Training

4 PM, Board Meeting



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### Meeting Record

<b>Human Rights Board (HRB) Meeting</b>	<b>Date:</b> November 14, 2016 <b>Call to Order:</b> 4:08 PM
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#### Attendees

Miya Burt-Stewart (via phone)	Marta Estevez	Ellen Feiler
S.F. Makalani-MaHee	Gregory Milford	Jose Morera
Michael Rajner	Phyllis Shaw	Joshua Simmons (via phone)
Ben Sorensen	Maria Barth (via phone)	Justin Nepola
	Barbara Ann McGovern, Board Coordinator	Adam Katzman, Asst. County Atty.

#### Key Decisions

- 11/14/16 Agenda adopted; 9/12/16 Meeting Minutes, as amended, approved.
- Election of New Officers: Chair, Ms. Ellen Feiler; Vice Chair, Mr. Michael Rajner.
- Accept the recommendation to send the proposed changes to Section 16½-35.6 to the County Commission.
- 2017 Board meeting schedule approved.

#### Action Items

	Description	Resource	Status
1.	Provide a written description of the recommendation to the County Commission on single stall gender neutral restrooms, accompanied by clear signage photos, for this item to be included on the January 9, 2017, Board meeting agenda.	Ms. Barth	In progress
2.	Ad hoc outreach committee created. Dates to be provided for an outreach meeting.	Ms. Feiler	In progress
3.	Memorandum to County Commission requesting they remind the community of their human rights protections during this time of protests.	Mr. Rajner	In progress

#### Discussion Points

1. **CALL TO ORDER / PLEDGE OF ALLEGIANCE**
2. **NEW BOARD APPOINTEE:** Justin Nepola, appointed by Vice Mayor Barbara Sharief.
3. **ADOPTION OF AGENDA**
4. **APPROVAL OF "Special" BOARD MEETING MINUTES,** September 12, 2016
5. **ELECTION OF OFFICERS**

Nominations for Board Chair: Mr. Sorensen nominates Ms. Feiler. Ms. Feiler accepts the nomination. With no further nominations,

**MOTION** by Mr. Milford to close the nominations for the position of Chair.  
Seconded by Mr. Morera. *Passed Unanimously.*

Nominations for Board Vice Chair: Mr. Sorensen nominates Mr. Makalani-MaHee. Mr. Makalani-MaHee declines the nomination.

Mr. Makalani-MaHee nominates Mr. Rajner. Mr. Rajner accepts the nomination. With no further nominations,  
**MOTION** by Mr. Makalani-MaHee to close the nominations for the position of Vice Chair.  
Seconded by Mr. Morera. *Passed Unanimously.*

The newly elected Chair, Ms. Feiler, and newly elected Vice Chair, Mr. Rajner, each took their oath of office.

▪ **CHAIR'S REPORT**

Mr. Rajner thanked the Board for the good work during the past two years.

▪ **COMMITTEE ON HOMELESSNESS REPORT (Mr. Sorensen)**

The focus of the meeting was to understand the discrimination taking place, vis-à-vis folks that are experiencing homelessness, and what the Board's role is in addressing it with the County Commission. One item in the forefront of the discussion was having some outside group advocates who are working with this population, regularly, to share their research and understanding of the discriminatory issues facing homeless populations. The committee suggested bringing in a representative of the A.C.L.U. to talk about what they see this population experiencing.

Mr. Cohen noted the City of Hollywood is using a 1940's ordinance regarding public drunkenness to label people, as some businesses might have complained about people being outside their businesses. Police are citing them for public drunkenness. A Hollywood commissioner, interviewed by Bob Norman, stated the city would continue to enforce the ordinance. No challenge, as yet.

Mr. Rajner asked if Mr. Cohen and Mr. Katzman could research local ordinances in different cities that relate to homelessness or restrictions around the homeless. Mr. Sorensen stated the ordinance from the 1940's makes it a second degree misdemeanor for a business to serve alcohol to an alleged alcoholic, after that person's family members provide notification. Mr. Cohen noted this law deals with public drunkenness and now the police are using it against the homeless.

**MOTION** by Mr. Sorensen to have the Human Rights Section and the Office of the County Attorney research local ordinances relating to restrictions on the homeless.  
Seconded by Mr. Makalani-MaHee.

Ms. Estevez remarked that this is overly broad as this ordinance dates back to 1946. She noted that the law on the books, although not intended to target homeless people because of their status as "homeless," is only applying to them, at this point. Also, having to show ID and having a home address is used to treat them differently.

**MOTION WITHDRAWN** by Mr. Sorensen.

Mr. Sorensen inquired as to status of having subject matter experts speak to the Board. Mr. Rajner advised that as soon as he hears from the A.C.L.U. attorney, he will notify Mr. Sorensen and Ms. McGovern on the attorney's availability to provide a presentation at the January 9, 2017, Board meeting.

**8. HUMAN RIGHTS SECTION UPDATE**

The section has closed a number of cases, with settlements totaling One Hundred Thousand Dollars (\$100,000) in the last year. The section just successfully conciliated a *cause* case for a 78 year old complainant requiring a reasonable accommodation for her disability.

- **Recommendation to Board of County Commissioners relating to penalties for non-compliance with Section 16½-35.6 Required Notices in Connection with Application to Purchase or Rent a Dwelling.**

Mr. Cohen referenced the proposed changes to Human Rights Act which address the failure to notify individuals when they apply to purchase or rent a dwelling and they are rejected by an association or homeowners group. The individuals requested more information on the rejection decision so they could take corrective measures. The proposed changes would provide hearing officers for potential violations. The fines: First offense - \$250; Second offense and each subsequent offense - \$500.

What type of diversity training or understanding of diversity is in the contract for the hiring of hearing officers?

The hearing officers are independent contractors. It would be difficult for the county to put additional requirements or burdens on them. If we insist on diversity training for the hearing officers, then it would have to be done with all contractors who do business with the county. Issues for consideration: who is chosen to conduct training; how do we choose the trainer; and how do we pay for the training. Mr. Rajner remarked that the county could certainly require the hearing officers to have taken continuing education (CEU) within the last three to five years that involves diversity.

**MOTION** by Mr. Simmons to accept the recommendation to send the proposed changes to Section 16½-35.6 to the County Commission. Seconded by Mr. Makalani-MaHee.

Vote: Yes - 11; Abstention – 1 (Ms. Estevez)

*Note:* Attached is a copy of *Form 8B, Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers*, completed and signed by Ms. Marta Estevez, Human Rights Board Member, relative to her abstention from a vote on the Board's recommendation to the Board of County Commissioners relating to penalties for non-compliance with Broward County Human Rights Act, Section 16½-35.6 – Required Notices in Connection with Application to Purchase or Rent a Dwelling.

Currently, the Human Rights Section has less than ten (10) cases for non-compliance with required notice.

▪ **Follow-up on research relating to single stall restrooms as “gender neutral” restrooms in Broward County buildings.**

Mr. Cohen advised that the Governmental Center East has unisex bathrooms throughout the building. He stated the School Board may have some concerns as they have male restrooms and female restrooms. Mr. Rajner remarked that the single stall restroom would have a placard with the symbols for handicapped, male, female, family, and call it a gender neutral restroom. Ms. Barth stated the Governmental Center restroom is named as “Family Restroom.” One of the reasons for doing this was to have our restrooms named Gender Neutral Restroom,” not Family Restroom. Consider adding a family symbol so parents know a changing table is available.

Ms. Barth noted that a representative from South Florida Gay Men, would like to speak to the Board on this topic. Mr. Rajner stated he could have attended this Board meeting.

Ms. Barth stated that New York law requires every building to have at least one single stall gender neutral restroom. The Board discussed that such a county change would have to be incorporated into the building code. So, first implement this in Broward County buildings and then look to follow suit with New York.

Ms. Barth will provide Ms. McGovern with a written description of what the Board will be asking of the County Commission, accompanied by clear signage photos, for this item to be included on the January 9, 2017, Board meeting agenda.

(5:10 pm, Mr. Sorensen exits the meeting)

**9. Litigation Report (Mr. Katzman)**

- **Research imposing a penalty against an organization denying domestic partner visitation in**

**hospitals.**

Mr. Katzman found no ordinances that tie a penalty to not complying with that piece of the Domestic Partnership ordinance. An individual could enforce this in court; or file suit against the place of discrimination, depending on what the factors are.

**10. OLD BUSINESS (None)**

**11. NEW BUSINESS**

▪ **Adoption of 2017 HRB Meeting Schedule**

**MOTION** by Mr. Milford to adopt the 2017 Board meeting schedule, changing the final meeting date to Monday, October 16, 2017. Seconded by Ms. Feiler. *Passed Unanimously.*

Mr. Milford inquired about additional Board meetings in order to allot for additional absences and avoid removal from the Board based on attendance. The County Commission will review and vote on this recommendation sometime in February 2017.

Ms. Feiler inquired about the time for meetings: 4 – 6 PM. She noted that some people may have a problem with this meeting time. Board consensus to retain the 4 – 6 PM meeting time.

▪ **Discussion on Human Rights Board outreach presentation (Ms. Feiler)**

Ms. Feiler met with Mr. Cohen who provided her with materials about the Human Rights Board. Ms. Feiler will develop a brief presentation. She noted that any Board member may utilize the materials should they be at a meeting and want to do a presentation on the Human Rights Board.

Ms. Feiler will provide dates for a meeting on outreach for interested board members to attend. Mr. Rajner created an ad hoc outreach committee.

**12. PUBLIC INPUT (N/A)**

**13. ANNOUNCEMENTS / CONCERNS / REQUEST FOR FUTURE AGENDA ITEMS**

Mr. Morera announced that this was his last meeting, as he will resign as a member and stated it was a privilege to serve on the HRB.

Mr. Simmons noted that state legislation commences March 2017.

Mr. Makalani-MaHee noted November is Transgender Awareness Month.

Mr. Rajner noted the importance of responding to the Board meeting email to ensure quorum.

**MOTION** by Ms. Feiler to send a memorandum to the County Commission requesting them to remind the community of their human rights protections during this time of protests and rallies. Seconded by Mr. Simmons. *Passed Unanimously.*

**14. ADJOURNMENT**

With no further business to come before the Board, the meeting was adjourned at 5:47 PM.

**The next board meeting is scheduled for:  
Monday, January 9, 2017, 4 PM, Governmental Center, Room 301**

*If a Board member or other party would like more detailed information about the contents of these summarized minutes, a compact disk will be available by contacting the Human Rights Section, 954-357-7800.*

## Seattle's Source of Income Protection Ordinance



**Seattle**  
Office for Civil Rights

### Opening doors to opportunity.

For over 25 years it has been illegal to discriminate against a person who uses a Section 8 voucher to pay for rental housing. On **September 19<sup>th</sup>**, 2016, new legislation will go into effect that expands fair housing protections based on their source of income to all renters and creates new requirements for landlords.

### THE SOURCE OF INCOME PROTECTION ORDINANCE:

- **Prohibits discrimination against renters who use subsidies or alternative sources of income**, such as Social Security or child support to pay for their housing costs. The following actions cannot be taken against a renter based on the renter's use of a subsidy or alternative source of income:
  - ✓ Denying an application for housing
  - ✓ Refusing to show a unit to a prospective tenant
  - ✓ Expelling or evicting a tenant
  - ✓ Applying different terms and conditions
  - ✓ Harassing or retaliating against a tenant
  - ✓ Using preferences or limitations in advertising
- **Sets new requirements when a tenant uses a subsidy to pay for housing costs.**

Requires landlords to:

- ✓ Cooperate with a potential or current occupant in completing and submitting required information and documentation for the renter to be eligible for or to receive rental assistance from Section 8 or another subsidy program.
- ✓ Accept a written pledge of payment within 5 days from a Section 8 or other subsidy program, when individuals and families are working to settle their bills and stay in their home. The pledge must be received by the owner prior to the issuance of a "pay or vacate" notice served under RCW 59.12.030(3) or (4) or 59.04.040 or prior to the end of the time period allowed for compliance in the notice served.

- **Sets new requirements when a landlord uses income to rent ratios.**

If a landlord is using an income screening requirement, such as an income to rent ratio:

- ✓ Any payment from a Section 8 or other subsidy program that reduces the amount of rent for which the tenant is responsible must be subtracted from the total monthly rent.
- ✓ All sources of income must be included as a part of the tenant's total income except when the unit is subject to income and/or rent restrictions as part of a housing regulatory or subsidy agreement.
- **Prohibits preferred employer programs** that give move-in discounts or other favorable terms or conditions to potential or current occupants who work for specific employers.

- **Sets a new "First-in-time" rule.** (*"First-in-time" goes into effect January 1, 2017*)

Requires landlords to:

- ✓ Provide notice in writing, or by posting in the leasing office or building, and if existing, on the website advertising rental of the unit, in addition to the information required by the Fair Tenant Screening Act (RCW 59.18.257(1)) of:
  - The criteria the landlord will use to screen prospective occupants and the minimum threshold the occupant must meet
  - All information and documentation the tenant must provide to be screened per the landlord's criteria
  - Information explaining how to request additional time to complete an application to either ensure meaningful access to the application or a reasonable accommodation and how fulfilling the request impacts the application receipt date
- ✓ Note the date and time of when the owner receives a completed rental application, whether submitted through the mail, electronically, or in person.
- ✓ Screen completed rental applications in chronological order to determine whether the applicant meets all the screening criteria necessary for approval.
- ✓ Offer tenancy to the first applicant who meets all the screening criteria necessary for approval.
- ✓ Those who require additional time to submit a complete rental application because of the need to ensure meaningful access to the application (for example, in situations where a person needs to get the application translated into another language) or for a reasonable accommodation (for example, requesting the application in a different format by a person with a disability), may make the request and the date of the request will serve as the date and time of receipt when the landlord is determining applications received in chronological order.
- ✓ Landlords will not need to offer tenancy to the first prospective occupant meeting all the screening criteria if the owner is obligated to set aside the available unit to serve specific vulnerable populations or voluntarily agrees to set aside the available unit to serve specific vulnerable populations.

#### **OUR SERVICES**

- Investigation of complaints.
- Outreach to the public.
- Technical assistance for landlords and property managers.
- Resources and referrals.

**Accommodations for people with disabilities and language interpretation provided upon request.**

**To learn more contact the Seattle Office for Civil Rights**

**(206) 684-4500**

**[seattle.gov/civilrights](http://seattle.gov/civilrights)**

**810 Third Ave, Suite 750, Seattle, WA 98104**

**Hours: 8 am – 5 pm (Mon-Fri)**

CHICAGO COMMISSION ON HUMAN RELATIONS ORDINANCE

(as amended, 7/8/98)

**CHICAGO FAIR HOUSING ORDINANCE**

5-8-010 City Policy Generally.

It is hereby declared the policy of the city of Chicago to assure full and equal opportunity to all residents of the city to obtain fair and adequate housing for themselves and their families in the city of Chicago without discrimination against them because of their race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income.

5-8-020 Discrimination Prohibited.

It is further declared to be the policy of the city of Chicago that no owner, lessee, sublessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent or lease any housing accommodation, within the city of Chicago, or any agent of any of these, should refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations because of his race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income of such person or persons or discriminate against any person because of his race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income in the terms, conditions, or privileges or the sale, rental or lease of any housing accommodation or in the furnishing of facilities or services in connection therewith.

5-8-030 Unfair Housing Practices.

It shall be an unfair housing practice and unlawful for any owner, lessee, sublessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease or sublease any housing accommodation, within the city of Chicago, or any agent of any of these, or any real estate broker licensed as such:

A. To make any distinction, discrimination or restriction against any person in the price, terms, conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any real estate used for residential purposes in the city of Chicago or in the furnishing of any facilities or services in connection therewith, predicated upon the race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income of the prospective or actual buyer or tenant thereof.

B. To publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, sign or other writing of any kind relating to the sale, rental or leasing of any residential real property within the city of Chicago which will indicate or express any limitation or discrimination in the sale, rental or leasing of such residential real estate, predicated upon the race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income of any prospective buyer, lessee or renter of such property.

C. To refuse to sell, lease or rent, any real estate for residential purposes within the city of Chicago because of the race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation,

marital status, parental status, military discharge status or source of income of the proposed buyer or renter.

D. To discriminate or to participate in discrimination in connection with borrowing or lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any residential housing unit or housing accommodation in the city of Chicago because of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income.

E. To solicit for sale, lease or listing for sale or lease, residential real estate within the city of Chicago on the ground of loss of value due to the present or prospective entry into any neighborhood of any person or persons of any particular race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income.

F. To distribute or cause to be distributed, written material or statements designed to induce any owner of residential real estate in the city of Chicago to sell or lease his property because of any present or prospective change in the race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income of persons in the neighborhood.

G. To deliberately and knowingly refuse examination of any listing of residential real estate within the city of Chicago to any person because of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status or source of income.

H. To construct, place, maintain or install a "For Sale" sign or "Sold" sign of any shape, size or form on premises located in Residential Districts, zoned R1 through R8 under Title 17 of this code. For purposes of this subsection, the "signs" above mentioned are hereby defined to mean any structure, and all parts composing the same, together with the frame, background or supports therefor which are used for advertising or display purposes, or any statuary sculpture, molding or casting used for advertising or display purposes, or any flags, bunting or material used for display or advertising purposes, including, but not limited to, placards, cards, structures or areas carrying the following or similar words: "For Sale," "Sold," "Open House," "New House," "Home Inspection," "Visitors Invited," "Installed by," or "Built by."

#### 5-8-040 Definitions.

Wherever used in this chapter, the terms "age," "religion," "disability," "sexual orientation," "marital status," "parental status," "military discharge status," and "source of income" shall have the same meanings as described in Chapter 2-160 of this code.

#### 5-8-050 Exemptions.

No provision of this chapter shall be construed to prohibit any of the following:

(a) Restricting rental or sale of a housing accommodation to a person of a certain age group (1) when such housing accommodation is authorized, approved, financed or subsidized in whole or in part for the benefit of that age group by a unit of state, local or federal government; or (2) when the duly recorded initial declaration of a condominium or community association limits such housing

accommodations to persons above the age of 50; provided, that a person or the immediate family of a person owning or renting a unit in such housing accommodation prior to the recording of the initial declaration shall not be deemed to be in violation of the age restriction as long as the person or the person's immediate family continue to own or reside in the housing accommodation.

(b) A religious organization, association or society, or any not-for-profit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society, from limiting the sale, rental or occupancy of a dwelling which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin.

(c) Restricting the rental of rooms in a housing accommodation to persons of one sex.

#### 5-8-060 Applicability.

Any owner, lessee, sublessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent or lease any housing accommodation within the city of Chicago who shall exercise any function of selling, renting, leasing or subleasing any housing accommodation within the city of Chicago shall be deemed subject to all applicable provisions hereof. Any real estate broker who shall exercise any function of a real estate broker within the city of Chicago shall be subject to all applicable provisions hereof.

#### 5-8-070 Complaint Procedure.

Any person aggrieved in any manner by any violation of this chapter may file a written complaint with the Commission on Human Relations. The complaint shall include the name and address of the complainant and of every person against whom the complaint is made, and shall set out the facts giving rise to the complaint. No person shall refuse or fail to comply with any subpoena, order or decision issued in the course of or as a result of an investigation of a complaint.

#### 5-8-120 Severability.

If any section, subdivision, paragraph, sentence or clause of this ordinance is for any reason to be invalid or unconstitutional, such decision shall not affect any remaining portion, section or part thereof.

#### 5-8-130 Violation--Penalty.

Any owner, lessee, sublessee, assignee, managing agent, or other person, firm, corporation, or real estate broker, who shall violate or fail to comply with any of the provisions of this ordinance, as determined by this Commission, shall be punished by a fine in any sum not exceeding \$500.00. Nothing herein contained shall be construed so as to preclude any aggrieved person from pursuing such other and further legal and equitable relief to which he may be entitled.

#### 5-8-140 Notice of Conviction.

The Corporation Counsel shall file with the Department of Professional Regulation of the state of Illinois a notice of the conviction of any licensed real estate broker or salesperson found guilty of violating this chapter.



## SECTION 8 VOUCHERS AND SOURCE OF INCOME DISCRIMINATION

Chicago's **Fair Housing Ordinance** prohibits discrimination against people who use a Section 8 Housing Choice Voucher as a **source of income** to support the rental or purchase of a housing unit in the City of Chicago. For example, it is a violation of the Fair Housing Ordinance to—

- Refuse to rent or sell to an otherwise qualified person because that person would use a Section 8 voucher to support the rent or purchase price.
- Refuse to cooperate with minor administrative requirements of the Section 8 voucher program, such as completing routine paperwork and allowing inspection of the property.
- Make any written communication expressing a limitation in the sale or rental of a housing unit based on source of income, such as “No Section 8,” “Not Section 8 approved,” or “Not set up for Section 8.”
- Engage in differential treatment in the price, terms, conditions, or privileges of tenancy based on use of a Section 8 voucher or any other source of income.

**Violations of the Fair Housing Ordinance are punishable by—**

- Fines up to \$500 per incident, paid to the City.
- Damages and attorney fees, paid to the complaining party.
- An injunction ordering specific actions to eliminate discriminatory practices.

The Fair Housing Ordinance applies to all housing units in Chicago, regardless of building size or owner occupancy.

A property owner or agent may apply reasonable tenant selection criteria and tenancy rules. However, rules and practices must treat all prospective and actual tenants equally, and may not disparately impact voucher holders without proof of business necessity. There is no requirement to hold a rental unit for a voucher holder if another qualified applicant is ready to rent.

A person who claims source of income discrimination or other prohibited discrimination in the sale or rental of housing in the City of Chicago may file a complaint at the Commission on Human Relations. The Commission may also initiate a complaint. The Commission investigates and rules on each complaint through a neutral process which gives complainants and respondents the opportunity to present evidence and legal arguments to support their position.

## **SELECTED PROVISIONS OF THE FAIR HOUSING ORDINANCE**

### **Source of Income Discrimination**

**Section 5-8-030, Chicago Municipal Code**

#### **Unfair housing practices**

It shall be an unfair housing practice and unlawful for any owner, lessee, sublessee, assignee, managing agent, condominium association board of managers, governing body of a cooperative, or other person, firm or corporation having the right to sell, rent, lease, sublease, or establish rules or policies for any housing accommodation, within the City of Chicago, or any agent of any of these, or any real estate broker licensed as such:

- A. To make any distinction, discrimination or restriction against any person in the price, terms, conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any real estate used for residential purposes in the City of Chicago or in the furnishing of any facilities or services in connection therewith, predicated on...source of income of the prospective or actual buyer or tenant thereof.
- B. To publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, sign or other writing of any kind relating to the sale, rental or leasing of any residential real property within the City of Chicago which will indicate or express any limitation or discrimination in the sale, rental or leasing of such residential real estate, predicated upon the...source of income of any prospective buyer, lessee or renter of such property.
- C. To refuse to sell, lease or rent any real estate for residential purposes within the City of Chicago because of the...source of income of the proposed buyer or renter.
- ....
- G. To deliberately and knowingly refuse examination of any listing of residential real estate within the City of Chicago to any person because of...source of income.

**Section 5-8-060**

#### **Applicability [of the Fair Housing Ordinance]**

Any owner, lessee, sublessee, assignee, managing agent, or condominium association board of managers, governing body of a cooperative, or other person, firm, or corporation having the right to sell, rent, lease, or establish rules and policies for any housing accommodation within the City of Chicago who shall exercise any function of selling, renting, leasing, subleasing, or establishing rules or policies for any housing accommodation within the City of Chicago shall be deemed subject to all applicable provisions hereof. Any real estate broker who shall exercise any function of a real estate broker within the City of Chicago shall be subject to all applicable provisions hereof.

Dear New Yorker,

Several communities in New York State have enacted "source of income" laws to protect the rights of New Yorkers who pay for housing using income from social security, public assistance, or housing vouchers such as Section 8. If you live in one of these communities and believe that a landlord is discriminating against you based on your lawful source of income, you may have some recourse.



My office is committed to ensuring that all our residents receive fair treatment when applying or paying for housing. If you have any questions or concerns, please do not hesitate to contact our Civil Rights Bureau.

Sincerely,

A handwritten signature in black ink that reads "Eric T. Schneiderman". The signature is fluid and cursive.

Eric T. Schneiderman

### Filing a Complaint

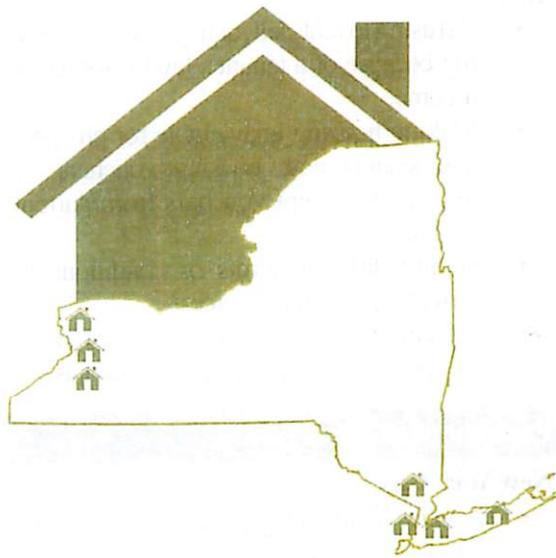
Office of the NYS Attorney General investigates and prosecutes discriminatory policies, and patterns or practices of discrimination.

Civil Rights Bureau 212-416-8250  
[www.ag.ny.gov](http://www.ag.ny.gov)  
[civil.rights@ag.ny.gov](mailto:civil.rights@ag.ny.gov)

NYS Division of Human Rights handles individual complaints of discrimination.  
1-888-392-3644  
[www.dhr.ny.gov](http://www.dhr.ny.gov)

## Local Fair Housing Protections:

### SOURCE OF INCOME DISCRIMINATION



New York State Attorney General  
The State Capitol  
Albany, New York 12224  
800-771-7755  
Civil Rights Bureau 212-416-8250  
[www.ag.ny.gov](http://www.ag.ny.gov)

## Source of Income

Source of income discrimination is often directed at those whose lawful livelihoods come from sources other than a paycheck, including social security or any form of federal, state or local public assistance, or child support. Several cities and counties in New York State have passed laws prohibiting discrimination in housing based upon a person's legal and verifiable income. In these localities, a housing provider may **NOT** refuse to accept any lawful source of income, including housing vouchers or any form of government assistance.

Some examples of illegal discrimination include:

- Refusing to rent, sell, or negotiate for housing because of a tenant's lawful source of income;
- Making housing unavailable for prospective tenants with housing vouchers, or refusing to accept vouchers from current tenants;
- Setting different terms or conditions or providing unequal services;
- Advertisements that express limitations as to the source of income of potential tenants.

## Protections in Local Laws

### New York City

- Applies to all buildings, except those with 5 or fewer units.
- Applies to all housing agents, including real estate brokers.

### Buffalo

- Applies to all buildings, except owner-occupied buildings with 3 or fewer units, or in shared spaces.

### Westchester

- Applies to all buildings, except cooperative apartments, condominiums, any housing accommodations already exempted from

the Fair Housing Law, and any building with 6 or fewer units.

- Applies to all housing agents, including real estate brokers.

### West Seneca

- Applies to all buildings, with no exceptions.

### Nassau County

- Applies to all buildings, except owner-occupied buildings with 2 or fewer units.
- Applies to all housing agents, including real estate brokers.

### Suffolk County

- Applies to all buildings, except those with 2 or fewer units, unless the landlord owns three or more units in Suffolk County.

### Hamburg

- Applies to all buildings, except owner-occupied buildings with 2 or fewer units.

## Potential Remedies and Landlord Penalties

If housing providers are found to have discriminated on the basis of source of income, they may be required to:

- Change rental policies and practices to require acceptance of housing vouchers;
- Make rental units available to prospective tenants who have been rejected based on source of income; and
- Pay money damages, attorney fees, and/or civil fines and penalties.

If you have questions or believe you have been a victim of source of income discrimination. Contact the Office of the Attorney General, Civil Rights Bureau, or the NYS Division of Human Rights. You can find contact information on the back of this brochure.

**HUMAN RIGHTS BOARD**

**Human Rights Section  
Discrimination Charge/Complaint Questionnaire  
"How Did You Hear of Our Office"**

<b>COMPLAINANT'S REFERENCE</b>	<b>RESPONSES</b>
Assigned from HUD	17
EEOC	2
Attorney Referral	14
Human Rights Section Website	7
Internet	5
Google	2
Ryan White Foundation	1
Realtor	1
H.O.P.E., Inc.	3
Court House	1
State Representative George Moraitis	1
Friend	1
No Response Provided	4
	<b>TOTAL: 59</b>

3/16/17

March 28, 2017

From: Adam Katzman

The proposed changes (underline and strikethrough) to the domestic partnership act are as follows:

**Chapter 16½-158. Visitation to licensed facilities.**

...

(c) A domestic partner of a patient or resident shall have the same rights as would a spouse or other family member with respect to visitation, ~~and~~ With respect to ~~and~~ the making of health care decisions for the patient or resident, a domestic partner shall be authorized to make any such decision to the extent that a patient or resident has specifically granted his or her partner the authority to act as his or her health care proxy on the declaration of domestic partnership and has not executed a subsequent valid power of attorney for health care or health care surrogate designation providing otherwise.

There are various edits to the Human Rights Act that are being reviewed, in addition to the penalty for failure to provide a reason for the lack of acknowledgement or denial of an application. The Assistant County Attorney should have the revisions done shortly.

Broward County  
Report a Complaint

## Discrimination



### County Residents

Intergovernmental Affairs and Professional Standards  
Human Rights Section  
**954-357-7800**

#### Employment, Housing and Public Accommodations

Investigates complaints of discrimination in employment, housing, and public accommodations for individuals in Broward County that violate local and federal statutes. [More...](#)

- [File employment complaint](#) (PDF)
- [File housing complaint](#) (PDF)
- [File public accommodations complaint](#) (PDF)

#### Wage Recovery

Allows employees to file wage violation complaints and receive an administrative hearing. [More...](#)

- [Notice to Employees: Wage Recovery](#) (PDF)
- [Wage Recovery Complaint Form](#) (PDF)

### County Employees

Intergovernmental Affairs and Professional Standards  
Professional Standards Section  
**954-357-6500**

Violation of Broward County Policies: Equal Employment Opportunity, ADA and UFBA

Investigates complaints of alleged discrimination filed by Broward County government employees or applicants on the basis of:

- Race
- Color
- Religion
- Sex
- National origin
- Age
- Disability
- Retaliation
- Sexual orientation
- Gender Identity or expression
- Marital status
- Political affiliation

■ [File a complaint](#)

Required Plug-ins:   
[Adobe® Reader®](#)