

Introduced September 23rd, 1980 by
Councilman Washington, Co-sponsored by
Councilmen Singletary/Caruso; seconded by
Councilman Martin

Item No. 80-9-205

ORDINANCE NO. 1300

An Ordinance providing for fair housing in the City of Slidell, prohibiting discrimination in the sale or rental of housing, the financing of housing, and the provisions of brokerage services; providing for exceptions and exemptions, and providing penalties for violations.

BE IT ORDAINED by the City Council of the City of Slidell, Louisiana, in legal session convened, that:

SECTION 1. POLICY.

It is the policy of the City of Slidell to provide, within constitutional limitations, for fair housing throughout the City of Slidell.

SECTION 2. DEFINITIONS.

As used in this title:

(a) "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.

(b) "Family" includes a single individual.

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

(d) "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.

(e) "Discriminatory housing practice" means an act that is unlawful under section 4, 5, or 6.

SECTION 3. APPLICATION OF PROHIBITIONS.

(a) Subject to the provisions of subsection (b) and section 7, the prohibitions against discrimination in the sale or rental of housing set forth in section 4 shall apply to all dwellings except as exempted by subsection (b).

(b) Nothing in section 4 (other than subsection (c)) shall apply to:

(1) any single family house sold or rented by an owner: Provided that such private individual owner does not own more than three (3) such single-family houses at any one time; provided further that in the case of the sale of

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2 any such single-family house by a private individual owner not residing in such
3 house at the time of such sale or who was not the most recent resident of such
4 house prior to such sale, the exemption granted by this subsection shall apply
5 only with respect to one such sale within any twenty-four (24) month period;
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7 Provided further that such bona fide private individual owner does not own any
8 interest in, nor is there owned or reserved on his behalf, under any express or
9 voluntary agreement, title to or any right to all or a portion of the proceeds
10 from the sale of rental of, more than three (3) such single-family houses at any
11 one time; provided further that the sale or rental of any such single-family house
12 shall be excepted from the application of this title only if such house is sold or
13 rented (A) without the use in any manner of the sales or rental facilities or the
14 sales or rental services of any real estate broker, agent, or salesman, or of such
15 facilities or services of any person in the business of selling or renting dwellings,
16 or of any employee or agent of any such broker, agent, salesman, or person and
17 (B) without the publication, posting or mailing, after notice of any advertisement
18 or written notice in violation of section 4 (c) of this title; but nothing in this
19 provision shall prohibit the use of attorneys, escrow agents, abstracters, title
20 companies, and other such professional assistance necessary to perfect or transfer
21 the title, or

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23 (2) rooms or units in dwellings containing living quarters occupied
24 or intended to be occupied by no more than four (4) families living independently
25 of each other, if the owner actually maintains and occupies one of such living
26 quarters as his residence.

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28 (c) For the purpose of subsection (b), a person shall be deemed to be
29 in the business of selling or renting dwellings if:

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31 (1) he has, within the preceding twelve (12) months, participated
32 as principal in three (3) or more transactions involving the sale or rental of any
33 dwelling or any interest therein, or

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35 (2) he has, within the preceding twelve (12) months, participated
36 as agent, other than in the sale of his own personal residence in providing sales
37 or rental facilities or sales or rental services in two or more transactions
38 involving the sale or rental of any dwelling or any interest therein, or

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40 (3) he is the owner of any dwelling designed or intended for
41 occupancy by, or occupied by, five or more families.

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2 SECTION 4. DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING.
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4 As made applicable by section 3 and except as exempted by sections 3(b)
5 and 7, it shall be unlawful:
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8 (a) To refuse to sell or rent after the making of a bona fide offer,
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10 or to refuse to negotiate for the sale of rental of, or otherwise make unavailable
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12 or deny, a dwelling to any person because of race, color, religion, or national origin.
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14 (b) To discriminate against any person in the terms, conditions, or
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16 privileges of sale or rental of a dwelling, or in the provision of services or
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18 facilities in connection therewith, because of race, color, religion, or national
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20 origin.
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22 (c) To make, print, or publish, or cause to be made, printed, or published
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24 any notice, statement, or advertisement, with respect to the sale or rental of a
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26 dwelling that indicates any preference, limitation, or discrimination based on
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28 race, color, religion, or national origin, or an intention to make any such preference,
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30 limitation, or discrimination.
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32 (d) To represent to any person because of race, color, religion, or
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34 national origin that any dwelling is not available for inspection, sale, or rental
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36 when such dwelling is in fact so available.
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38 (e) For profit, to induce or attempt to induce any person to sell or rent
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40 any dwelling by representations regarding the entry or prospective entry into the
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42 neighborhood of a person or persons of a particular race, color, religion, or
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44 national origin.
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46 SECTION 5. DISCRIMINATION IN THE FINANCING OF HOUSING.
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48 It shall be unlawful for any bank, building and loan association, insurance
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50 company or other corporation, association, firm, or enterprise whose business con-
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52 sists in whole or in part in the making of commercial real estate loans, to deny a
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54 loan or other financial assistance to a person applying therefor for the purpose
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56 of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to
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58 discriminate against him in the fixing of the amount, interest rate, duration, or
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60 other terms or conditions of such loan or other financial assistance, because of
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62 the race, color, religion, or national origin of such person or of any person asso-
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64 ciated with him in connection with such loan or other financial assistance or the
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66 purposes of such loan or other financial assistance, or of the present or pro-
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68 spective owners, leases, tenants, or occupants of the dwelling or dwellings in

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2 relation to which such loan or other financial assistance is to be made or given;
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4 provided that nothing contained in this section shall impair the scope or effective-
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6 ness of the exception contained in section 3(b).
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8 SECTION 6. DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES.
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10 It shall be unlawful to deny any person access to or membership or
11 participation in any multiple-listing service, real estate brokers' organization
12 or other service, organization, or facility relating to the business of selling
13 or renting dwellings, or to discriminate against him in the terms or conditions
14 of such access, membership, or participation, on account of race, color, religion,
15 or national origin.
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21 SECTION 7. EXEMPTION.
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23 Nothing in this title shall prohibit a religious organization, association,
24 or society, or any nonprofit institution or organization operated, supervised or
25 controlled by or in conjunction with a religious organization, association, or
26 society, from limiting the sale, rental or occupancy of dwellings which it owns
27 or operates for other than a commercial purpose to persons of the same religion,
28 or from giving preference to such persons, unless membership in such religion is
29 restricted on account of race, color, or national origin. Nor shall anything in
30 this title prohibit a private club not in fact open to the public, which as an
31 incident to its primary purpose or purposes provides lodgings which it owns or
32 operates for other than a commercial purpose, from limiting the rental or occupancy
33 of such lodgings to its members or from giving preference to its members.
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45 SECTION 8. INTERFERENCE, COERCION, OR INTIMIDATION.
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47 It shall be unlawful to coerce, intimidate, threaten, or interfere with
48 any person in the exercise or enjoyment of, or on account of his having exercised
49 or enjoyed, or on account of his having aided or encouraged any other person in
50 the exercise or enjoyment of, any right granted or protected by section 3, 4, 5,
51 or 6.
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58 SECTION 9. SEPARABILITY OF PROVISIONS.
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60 If any provision of this ordinance or the application thereto to any
61 person or circumstances is held invalid, the remainder of the ordinance and
62 the application of the provision to other persons not similarly situated or to
63 other circumstances shall not be affected thereby.
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SECTION 10. PENALTY.

Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed Two Hundred and No/100ths (\$200.00) Dollars or imprisonment not to exceed thirty (30) days, or both.

ADOPTED this 14th day of October, 1980.

DELIVERED 10-16-80
2:00 P^m to the Mayor

RECEIVED 10-21-80
9:45 A^m from the Mayor

John Swenson
John Swenson CMC
Clerk of the Council

Alvin D. Singletary
Alvin D. Singletary
Councilman-at-Large
President of the Council

M. W. Hart
M. W. Hart
Mayor

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