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Title: AN ORDINANCE relating to housing discrimination, to ensure that Title 12 of the King County Code is substantially equivalent to the federal Fair Housing Act; amending Ordinance 5280, Section 3(A), as amended, and K.C.C. 12.20.040 and Ordinance 5280, Section 10, as amended, and K.C.C. 12.20.130.

Sponsors: Larry Phillips, Larry Gossett, Reagan Dunn, Julia Patterson

Indexes: Discrimination, Fair Housing, Housing

Code sections: 12.20.020 -, 12.20.040 -

Attachments: 1. 16149.pdf, 2. 2008-0191 Attachment to Transmittal Letter--Attachment 1.pdf, 3. 2008-0191 Attachment to Transmittal Letter--Attachment 2.pdf, 4. 2008-0191 Revised Staff Report - Housing Discrimination.doc, 5. 2008-0191 Staff Report - Housing Discrimination (6-10).doc, 6. 2008-0191 Transmittal Letter.doc

Date	Ver.	Action By	Action	Result
6/23/2008	2	Metropolitan King County Council	Hearing Held	
6/23/2008	2	Metropolitan King County Council	Passed	Pass
6/10/2008	1	Growth Management and Natural Resources Committee		
6/10/2008	2	Growth Management and Natural Resources Committee		
5/5/2008	1	Metropolitan King County Council	Introduced and Referred	

Clerk 06/18/2008

AN ORDINANCE relating to housing discrimination, to ensure that Title 12 of the King County Code is substantially equivalent to the federal Fair Housing Act; amending Ordinance 5280, Section 3(A), as amended, and K.C.C. 12.20.040 and Ordinance 5280, Section 10, as amended, and K.C.C. 12.20.130.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 5280, Section 3(A), as amended, and K.C.C. 12.20.040 are hereby amended to

read as follows:

A. It is a discriminatory practice and unlawful for any person, whether acting for himself or herself or another, because of race, color, religion, national origin, ancestry, age, gender, marital status, parental status, participation in the Section 8 program, sexual orientation, disability or use of a service or assistive animal by an individual with a disability:

1. To refuse to engage in a real estate transaction with a person or to otherwise make unavailable or deny a dwelling to any person;
2. To discriminate against a person in the terms, conditions or privileges of a real estate transaction, including financial terms and conditions such as the setting of rents or damage deposits, or in the furnishing of facilities or services in connection with any real estate transaction; however, rents and damage deposits may be adjusted to recognize the number of persons utilizing the property except insofar as such adjustment might discriminate based on race, color, religion, national origin, ancestry, age, gender, marital status, parental status, participation in the Section 8 program, sexual orientation, disability or use of a service or assistive animal by an individual with a disability;
3. To refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;
4. To refuse to negotiate for a real estate transaction with a person;
5. To represent to a person that real property is not available for inspection, sale, rental or lease when in fact it is so available, to fail to bring a property listing to the person's attention or to refuse to permit the person to inspect real property;
6. To make, print, circulate, publish, post or mail or cause to be made, printed, circulated, published, posted or mailed a statement, notice, advertisement or sign, pertaining to a real estate transaction or a real estate related transaction that indicates, directly or indirectly, an intent to make a limitation, preference or discrimination with respect to the transaction;
7. To use a form of application or to make a record of inquiry regarding a real estate transaction or a

real estate related transaction that indicates, directly or indirectly, an intent to make a limitation, preference or discrimination with respect to the transaction;

8. To offer, solicit, accept, use or retain a listing of real property with the understanding that a person might be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection with the transaction;

9. To expel a person from occupancy of real property;

10. To discriminate against in the course of negotiating or executing a real estate transaction whether by mortgage, deed of trust, contract or other instrument imposing a lien or other security in real property or in negotiating or executing any item or service related thereto including issuance of title insurance, mortgage insurance, loan guarantee or other aspect of the transaction; or

11. To deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against any person in the terms or conditions of such access, membership or participation.

B. It is a discriminatory practice and unlawful for any person, whether acting for himself or herself or for another, to coerce, intimidate, threaten or interfere with any other person in the exercise or enjoyment of, on account of the other person having exercised or enjoyed, or on account of the other person having aided or encouraged any person in the exercise or enjoyment of, any right granted or protected by this chapter.

C. It is a discriminatory practice and unlawful for any person, whether acting for himself or herself or for another, to discriminate against in the sale or rental of, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a disability of any one or more of:

1. That buyer or renter;

2. A person residing in or intending to reside in that dwelling after it is so sold, rented or made available; or

3. Any person associated with that buyer or renter.

D. It is a discriminatory practice and unlawful for any person, whether acting for himself or herself or another, 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 with a dwelling, because of a disability of any one or more of:

1. That person (~~(buyer or renter)~~);

2. A person residing in or intending to reside in that dwelling after it is so sold, rented or made available; or

3. Any person associated with that person (~~(buyer or renter)~~).

E. For the purposes of this chapter, discriminatory practices based either on disability or use of a service or assistive animal by an individual with a disability are unlawful and include:

1. Refusal to permit, at the expense of an individual with a disability, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications might be necessary to afford the person full enjoyment of the premises. However, for a rental, the landlord may, if it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior (~~(and exterior)~~) of the premises to the condition that existed before the modification, reasonable wear and tear excepted;

2. Refusal to make reasonable accommodations in rules, policies, practices or services, if the accommodations might be necessary to afford an individual or individuals with disabilities equal opportunity to use and enjoy a dwelling; or

3. Failure to design, construct and alter dwellings in conformance with 42 U.S.C. 3604 as it exists on the effective date of this section, the Washington State Barrier Free Regulations (chapter 51-50WAC, pursuant to chapters 19.27 and 70.92 RCW), other regulations adopted under 42 U.S.C. 3610