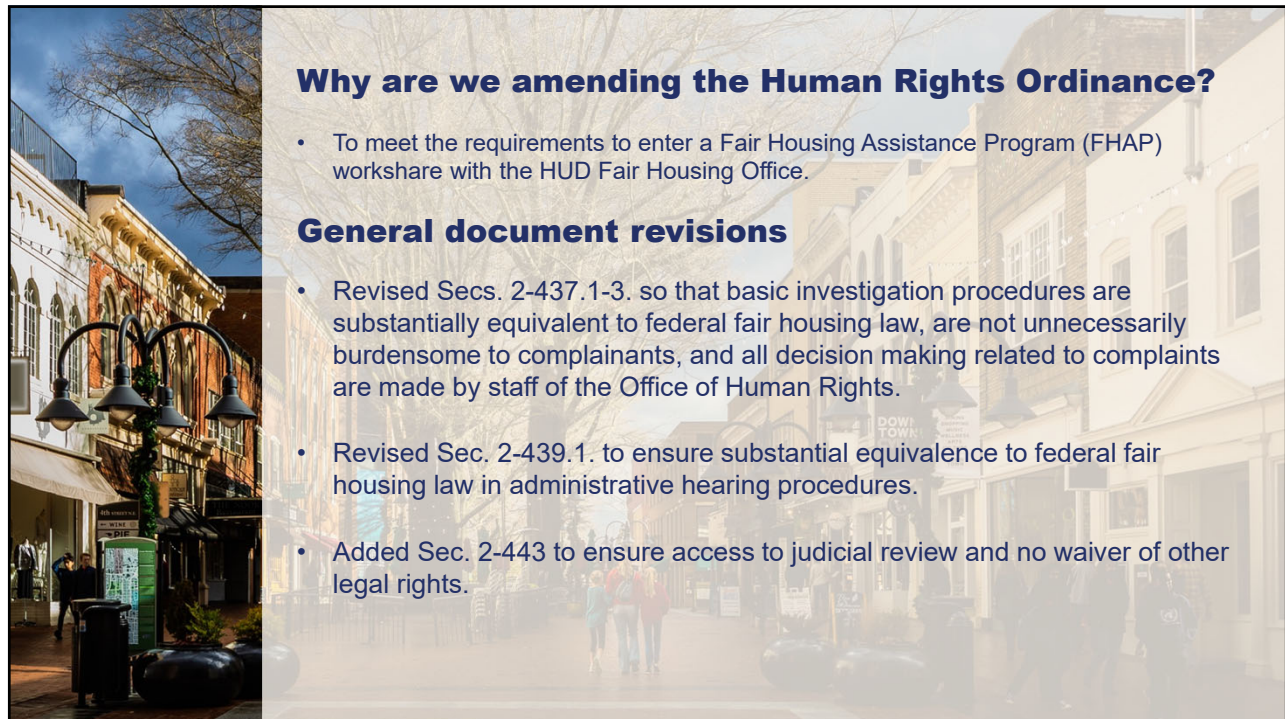


Proposed Amendments to the Charlottesville Human Rights Ordinance

Presented by Todd Niemeier
Director, Human Rights Commission

City Council Regular Meeting January 6, 2024

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Why are we amending the Human Rights Ordinance?

- To meet the requirements to enter a Fair Housing Assistance Program (FHAP) workshare with the HUD Fair Housing Office.

General document revisions

- Revised Secs. 2-437.1-3. so that basic investigation procedures are substantially equivalent to federal fair housing law, are not unnecessarily burdensome to complainants, and all decision making related to complaints are made by staff of the Office of Human Rights.
- Revised Sec. 2-439.1. to ensure substantial equivalence to federal fair housing law in administrative hearing procedures.
- Added Sec. 2-443 to ensure access to judicial review and no waiver of other legal rights.

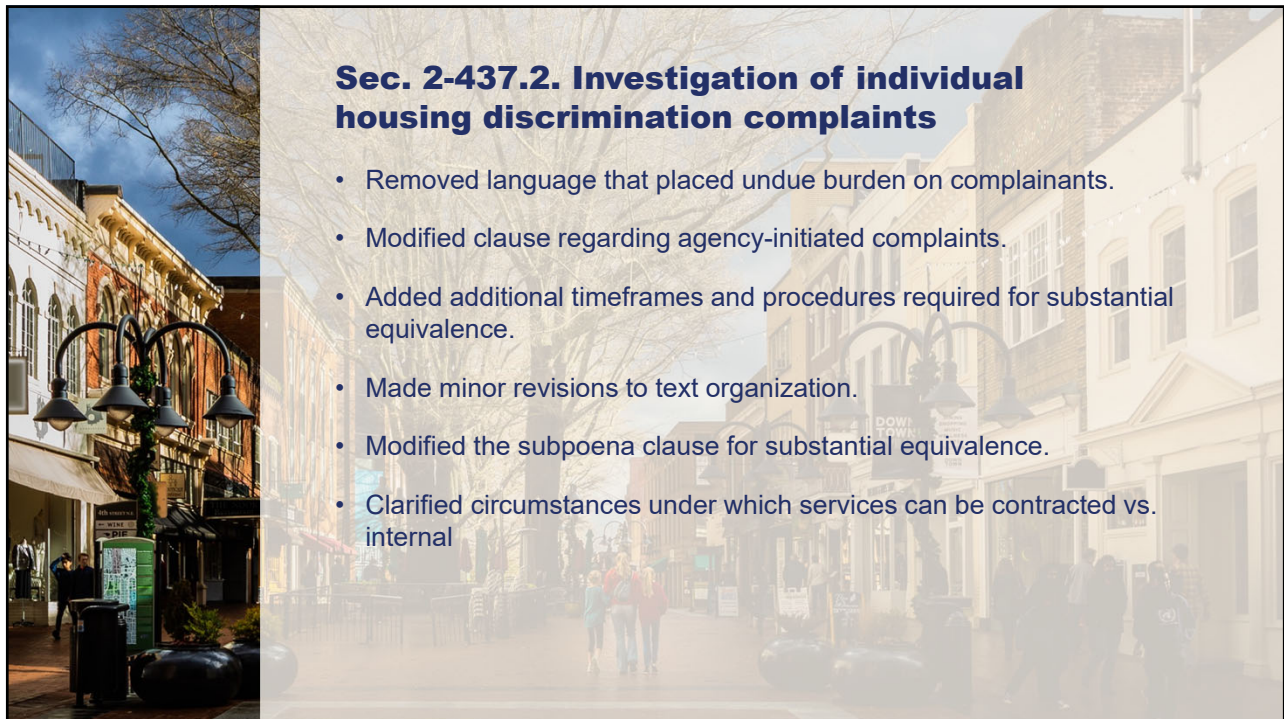
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Sec. 2-437.1. Investigation of individual employment discrimination complaints

- Removed language that placed undue burden on complainants.
- Made minor revisions to text organization.
- Modified the subpoena clause to match Sec. 2-437.2.

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Sec. 2-437.2. Investigation of individual housing discrimination complaints

- Removed language that placed undue burden on complainants.
- Modified clause regarding agency-initiated complaints.
- Added additional timeframes and procedures required for substantial equivalence.
- Made minor revisions to text organization.
- Modified the subpoena clause for substantial equivalence.
- Clarified circumstances under which services can be contracted vs. internal

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Sec. 2-437.3. Investigation of individual public accommodation, credit, and private education discrimination complaints

- Removed language that placed undue burden on complainants.
- Made minor revisions to text organization.
- Modified the subpoena clause to match Sec. 2-437.2.

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Sec. 2-439.1. Enforcement authority – The role of the Commission regarding individual complaints of discrimination.

- Added “administrative” as a descriptor for hearings by the Commission.
- Clarified that a public hearing shall proceed for findings of reasonable cause in housing cases when neither party elects judicial determination.
- Amended subpoena clauses for substantial equivalence.

Sec. 2-443. No waiver of other legal rights.

- Clarified that the ordinance does not preclude anyone from pursuing judicial review of an unlawful discriminatory practice.

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