

C O M M O N W E A L T H O F P E N N S Y L V A N I A

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

Tina M. Buffone, :
Complainant :
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vs. : Docket No. H-2390

Frank I. Creasy and :
Getha H. Creasy, :
Respondents :
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: :

CONSENT ORDER AND DECREE

WHEREAS, a complaint was filed against Frank I. Creasy, individually, and Getha H. Creasy, individually, both of 1938 Old Berwick Road; Bloomsburg, Pennsylvania (hereinafter called the "Respondents") on November 12, 1974 by Tina M. Buffone of 201 West First Street, Bloomsburg, Pennsylvania (hereinafter called the "Complainant") alleging that on or about, to wit, September 18, 1974 the Respondents violated Section 5(h) of the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744 as amended (43 P.S. Sec. 951 et seq) (hereinafter called the "Act") in connection with commercial housing accommodations located at 319 Catherine Street, Bloomsburg, Pennsylvania; and

WHEREAS, for the purposes of avoiding further litigation before the Pennsylvania Human Relations Commission (hereinafter called the "Commission"), the Respondents do hereby agree to a waiver of their right to a public hearing under Section 9 of the Pennsylvania Human Relations Act, as amended, and to the entry of the following Consent Order and Decree which shall have the full force and effect of a Commission order following a public hearing:

NOW THEREFORE, this 28th day of March, 1976, the Respondents and the Pennsylvania Human Relations

Commission agree to the following:

ORDER AND DECREE

(1) The Respondents and their agents and employees will fully comply with the Pennsylvania Human Relations Act, as amended, and will henceforth cease and desist from:

(a) Directly or indirectly refusing to sell, rent, lease or in any way discriminate because of race, color, religious creed, national origin, ancestry, sex, handicap or disability or the presence of a guide dog to the blindness of the user, in the terms, conditions or privileges of the sale, rental or lease of any and all commercial housing accommodations which the Respondents own, operate or for which they act as agents, managers or brokers, or in the furnishing of advantages, privileges, facilities or services in connection therewith.

(2) The Respondents and their agents and employees shall take the following affirmative actions which, in the judgment of the Commission, will effectuate the purposes of this chapter:

(a) Offer full, equal and non-discriminatory assistance without regard to race, color, religious creed, national origin, ancestry, sex, handicap or disability or because of the presence of a guide dog due to the blindness of the user, to all responsible persons who come to the Respondents seeking assistance in obtaining housing accommodations.

(b) The Respondents will issue written instructions citing 2(a) of this Order to all employees and/or agents, and direct them to abide by this Order when and if the Respondents engage the services of any employees and/or agents.

(c) The Respondents will furnish the Commission

with a copy of said instructions within ten (10) days after the Respondent acquires the services of any employees and/or agents.

(d) Post the Fair Housing Practices Notice citing the provisions of the Pennsylvania Human Relations Act relating to housing in a conspicuous and well-lighted place in their normal place of business where both present and prospective customers and clients will normally see it and be able to read it.

(e) The Respondents shall for a period of one (1) year from the effective date of the Order send to the Commission copies of notification within 48 hours after they receive notification of the availability for sale, rental or lease of any and all commercial housing accommodations or other real property which the Respondents own, operate or for which they act as agents, managers or brokers or in any manner furnish facilities or services in connection therewith. Such notification shall contain the date of availability, the location and the terms of sale, rental or lease including but not limited to cost and size of unit.

(f) The Respondents shall for a period of one (1) year from the effective date of this Order maintain a registry of the names, addresses and phone numbers of all persons seeking to, applying for, inquiring about or requesting information concerning the availability of units at any and all commercial housing accommodations or other real property which the Respondents own, operate or for which they act as agents, managers or brokers, or in any manner furnish facilities or services in connection therewith.

(g) The Respondents shall from the effective date of this Order include in all advertising for

commercial housing accommodations or other real property which the Respondents own, operate or for which they act as agents, managers or brokers or in any manner furnish facilities or services in connection therewith the words "Equal Opportunity Housing."

The Respondents may also use the Equal Opportunity Logotype.

(3) The Respondents shall within ten (10) days of the effective date of this Order, pay to the Complainant, in the form of a certified check, cashier's check or money order payable to the order of Tina M. Buffone and submitted to the Commission's Harrisburg Regional Office, six hundred dollars (\$600), an amount representing the expenses and mental anguish incurred by the Complainant as a result of the alleged act of discrimination. The status of the relationship between the Complainant and the Respondents shall, from the effective date of this Order, be subject to and defined by Exhibit "A" which is attached hereto and incorporated as an integral part of this Order.

(4) It is understood by both parties to this Order that any infraction of this Order by an employee of the Respondents constitutes an infraction by the Respondents of record.

(5) It is understood by both parties to this Order that any wilful infraction of this Order may result in a fine or imprisonment or both as specified in Section 11, Penalties, of the Act.

(6) It is understood by both parties to this Order that any subsequent violation of Section 5 of the Pennsylvania Human Relations Act, as amended or other comparable statutes within the State of Pennsylvania shall entitle the Pennsylvania Human Relations Commission to demand enforcement of item 4 above.

(7) If any clause, sentence, paragraph or part of this Consent Order and Decree or the application thereof to any

person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Order nor the application of such clause, sentence, paragraph or part thereof and to the person or circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the Commission's intent that this Order would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage.

(7) It is further agreed and understood by both parties to this Order that its execution and content may be publicized at the discretion of the Commission.

(8) The Commission and the Respondents enter into this agreement with the intent to be legally bound thereby and acknowledge that this agreement shall not be final and binding until executed by the Respondents and approved by the Commission and executed by the Chairperson of the Commission, and thereafter shall be binding upon and inure to the benefit of the parties hereto, their and each of their respective heirs, legal representatives, successors and assigns.

Effective date of this Order: March 28, 1976

BY THE RESPONDENTS:

Frank I. Creasy
Frank I. Creasy, Individually March 11, 1976
Date

Getha H. Creasy
Getha H. Creasy, Individually March 11, 1976
Date

BY THE COMMISSION:

Romer C. Floyd
Romer C. Floyd, Executive Director
Pennsylvania Human Relations Commission

Joseph A. Yaffe
Joseph A. Yaffe, Chairperson
Pennsylvania Human Relations Commission

ATTEST:

Elizabeth M. Scott
Elizabeth M. Scott, Secretary
Pennsylvania Human Relations Commission

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GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

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vs.

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Frank I. Creasy and
Getha H. Creasy,
Respondents

GENERAL RELEASE

KNOW ALL PERSONS BY THESE PRESENTS, that I, Tina M. Buffone, for and in consideration of the sum of six hundred dollars (\$600), and upon the condition that the Respondents fully comply with all of the terms and conditions set forth in the Consent Order and Decree herein (of which it is a part thereof), do hereby remise, release and forever discharge Frank I. Creasy and Getha H. Creasy, their successors and assigns, of and from all manner of actions and causes of actions, suits, claims and demands whatsoever in law or equity that I now have or ever had, or which my heirs, executors, administrators, successors or assigns now or shall have, arising from or relating to matters or circumstances for or by any reason of any cause, manner or thing whatsoever alleged in my complaint filed with the Pennsylvania Human Relations Commission captioned and docketed as above.

this 11th day of March, 1976.

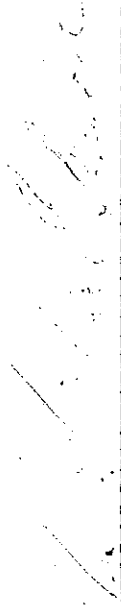
IN WITNESS WHEREOF, I have executed the foregoing


Tina M. Buffone

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF Dauphin) SS

On the 11th day of March, 1976, before me, the subscriber, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared the above named Tina M. Buffone, known to me to be the person whose name is subscribed to the foregoing release to be a free act and deed.

WITNESS my hand and notarial seal the day and year aforesaid.


Notary Public

NOTARY PUBLIC
Exhibit "A" My Commission Expires October 2, 1978
Harrisburg, Pa. Dauphin County

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

Tina M. Buffone, : Docket No. H-2390
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Getha H. Greasy, : Respondents
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FINAL ORDER AND DECREE

AND NOW, this 28th day of March, 1976, upon consideration of the Conciliation Agreement submitted in the above captioned case it is hereby ORDERED AND DECREED that said Conciliation Agreement be entered into the official record of the Pennsylvania Human Relations Commission as a Final Order, to be given the same force and effect as if entered after a public hearing.

BY Joseph X. Yafvet
JOSEPH X. YAFVET, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

BY Elizabeth M. Scott
Elizabeth M. Scott, Secretary
PENNSYLVANIA HUMAN RELATIONS COMMISSION