

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GENEVA GRAY :
Complainant :
vs : Docket No. H-2288
CATHERINE A. DUFFY, Individual :
solely in her own name :
Respondent :

CONSENT ORDER AND DECREE

WHEREAS, a Complaint was filed against Catherine A. Duffy, located at 434 Fourth Avenue, Braddock, Pennsylvania (hereinafter called the Respondent) on May 6, 1974, by Geneva Gray, of 542 Talbot Avenue, Braddock, Pennsylvania, alleging that on or about to wit April 26, 1974, the Respondent violated Section 5 (h) (1) and 5 (h) (6) of the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744, as amended (43 P.S. Sec. 951 et seq.), in connection with commercial housing accommodations located at 434 Fourth Avenue, Braddock, Pennsylvania, and

WHEREAS, for the purpose of avoiding further litigation before the Commission, the Respondent does hereby agree to a waiver of his 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 23rd day of February, 1976, the Respondent and the Pennsylvania Human Relations Commission agree to the following:

ORDER AND DECREE

1. The Respondent and her agents and employes 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 or lease or in any way discriminate because of race, color, religious creed, national origin, ancestry, sex, the presence of a guide dog due to the blindness of the user, handicap or disability, in the terms, conditions or privileges of the sale, rental or lease of any and all commercial housing accommodations which the Respondent owns, operates or for which she acts as an agent, manager or broker, or in the furnishing of advantage, privileges, facilities or services in connection therewith.

2. The Respondent and her agents and employes 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, nationality, ancestry, sex, the presence of a guide dog due to the blindness of the user, handicap, and disability, to all responsible persons who come to the Respondent seeking assistance in obtaining housing accommodations.

b. If within one (1) year of the effective date of this Order the Respondent hires employes to act as manager(s), agent(s), or broker(s) in the handling of any property for rent or sale by the Respondent upon hiring the Respondent will immediately issue written instructions citing 2 (a) of this Order to all such employes and direct them to abide by this Order.

c. The Respondent will furnish the Commission with a copy of said instructions within ten (10) days of the effective date of the hire of such employe(s).

d. The Respondent shall from the effective date of this Order post in a conspicuous place in all vacant units for rent or sale a copy of the Pennsylvania Human Relations Commission Fair Housing Poster; the Respondent shall place the poster in the aforementioned manner within twenty-four (24) hours after a unit is available. The poster shall be continually maintained in a conspicuous place until the unit become obligated to a renter or buyer.

e. The Respondent shall for a period of one (1) year from the effective date of the Order maintain a record of availability for sale, rental or lease of any and all commercial housing accommodations or other real property which the Respondent own(s), operates or for which she act(s) as an agent, manager or broker or in any manner furnishes facilities or services in connection therewith. Such record shall contain the date of availability and the terms of sale, rental or lease including but not limited to cost and size of unit.

f. The Respondent shall for a period of one (1) year from the effective date of this Order maintain a registry of all 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 Respondent own(s), operates or for which she act(s) as an agent, manager,

or broker, or in any manner furnish(es) facilities or services in connection therewith.

g. The Respondent shall for a period of one (1) year from the effective date of this Order offer the opportunity to submit a written application to each person seeking to, applying for, inquiring about or requesting information concerning the availability for rent or sale of housing units owned, operated or managed by the Respondent.

h. The Respondent will adopt a uniform Tenant Selection Procedure. Such procedure must include objective and verifiable tenant selection criteria and the use of a written application form. A summary of the procedure and a copy of the application form will be submitted to Commission staff for review/ approval within thirty (30) days of the effective date of this Order.

i. The Respondent will establish and maintain for a period of one (1) year subsequent to the effective date of this Order a chronological file of all applications submitted to Respondent for housing units. Such applications shall indicate whether or not the application was approved or disapproved, the reason for disapproval and the race of the applicant.

j. The Respondent will for a period of one (1) year subsequent to the effective date of this Order notify all rejected applicants of their rejection and the basis for such rejection. Such notice shall be made by U. S. mail and within fifteen (15) working days of the date application was submitted to Respondent. A copy of such notification shall be attached to each rejected application form.

k. The Respondent shall from the effective date of the Order prepare and post in a conspicuous place, a unified listing of all available units for sale, rental or lease of any and all commercial housing accommodations or other real property which the Respondent own(s), operates or for which she act(s) as an agent, manager or broker or in any manner furnish(es) facilities or services in connection therewith. All persons seeking information regarding units shall be referred to this unified list. Any information given by the Respondent, her agents or employes regarding units not on the list shall be construed as a violation of this Order.

l. The Respondent shall from the effective date of this Order include in all advertising for commercial housing accommodations or other real property which the Respondent own(s), operates or for which she act(s) as an agent, manager or broker or in any manner furnishes facilities or services in connection therewith the words "Equal Opportunity Housing." The Respondent may also use the Equal Opportunity Logotype.

m. The Respondent shall for a period of one (1) year subsequent to the effective date of this Order maintain and allow Commission staff to review records pertinent to implementation of this Order upon request and with one (1) week's written notice.

3. It is understood by both parties to this Order that any infraction of this Order by an employe of the Respondent constitutes an infraction by the Respondent of record.

4. 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.

5. 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.

6. 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 to other persons 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 as specified in Section 9 of the Pennsylvania Human Relations Act.


8. The Commission and the Respondent 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 Respondent (its duly authorized officer) 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.

February 23, 1976

Effective Date of this Order

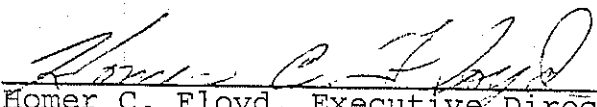
BY THE RESPONDENT



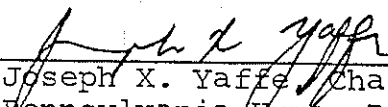
CATHERINE A. DUFFY - Individual
solely in her own name

ATTEST:

BY THE COMMISSION

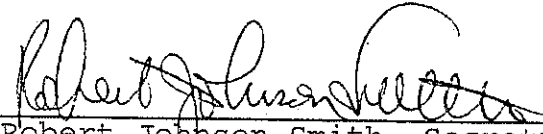


Homer C. Floyd, Executive Director
Pennsylvania Human Relations Commission



Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations Commission

ATTEST:



Robert Johnson Smith, Secretary
Pennsylvania Human Relations Commission

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GENEVA GRAY
Complainant

vs

CATHERINE A. DUFFY - Individual
Solely in her own Name
Respondent

Docket No. H-2288

GENERAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, that I Geneva Gray, for and in consideration of the Respondent's compliance with all of the terms and conditions set forth in the Conciliation Agreement herein of which this is a part thereof do hereby remise, release and forever discharge Catherine A. Duffy, individual solely in her own name, its successors and assigns of and from all and in all manner of actions and causes of actions, suits, debts, claims and demands whatsoever in law or equity arising from the transaction which is the subject matter of the Complaint filed with the Pennsylvania Human Relations Commission captioned and docketed as above, including any arising from any violations of the Pennsylvania Human Relations Act, Tit., 43, Pa. Stat. Ann. §§ 951 et seq., which I have ever had, now have, or which I or my heirs, executors, administrators, successors or assigns, or any of them, hereafter can, shall or may have.

25 IN WITNESS WHEREOF, I have executed the foregoing this day of November, 1975.

Geneva Gray
Complainant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF ALLEGHENY SS:

On the 25 day of NOVEMBER, 1975, before me, the subscriber, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared the above named GENEVA GRAY, 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.

Meyer Schwartz
Notary Public

MEYER SCHWARTZ, Notary Public
Braddock, Allegheny Co., Pa.
My Commission Expires
August 26, 1976

Exhibit "C"

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
PENNSYLVANIA HUMAN RELATIONS COMMISSION

Geneva Gray, Complainant

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Docket No. H-2288

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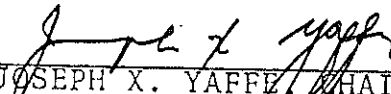
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Catherine A. Duffy, Individual
solely in her own name,
Respondent

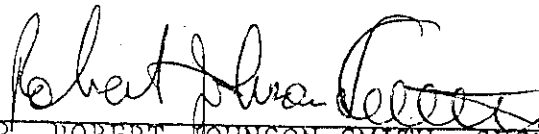
FINAL ORDER AND DECREE

AND NOW, this 23rd day of February, 1976,
upon consideration of the Conciliation Agreement submitted
in the above captioned case it is hereby ORDERED AND DECREED
that said Conciliation Agreement is 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. YAFFE, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

BY


DR. ROBERT JOHNSON SMITH, SECRETARY
PENNSYLVANIA HUMAN RELATIONS COMMISSION