

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

PATRICIA MAGUIRE :
vs. : DOCKET NO. H-2301
AUGUST NEILSON :
: :
:

CONSENT ORDER AND DECREE

WHEREAS, a complaint was filed against August Neilson individually, located at 311 Narberth Avenue, Narberth, Pennsylvania (hereinafter called the Respondent) on 22nd July 1974, by Patricia Maguire of 12 Snowden Road, Bala Cynwyd, Pennsylvania, alleging that on or about to wit July 6, 1974 the Respondent violated Section 5(h)(1) of the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744, as amended, (43 P.S. §951 et seq.) in connection with commercial housing accommodation located at 311 Narberth Avenue, Narberth, Pennsylvania and:

WHEREAS, the Respondent has denied the allegation and no hearing has been held and no finding made, and

WHEREAS, for the purposes 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 his agents and employees will fully comply with the Pennsylvania Human Relations Act, as amended and henceforth will not:
 - a. Directly or indirectly refuse to sell, rent, 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, or 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 he acts as an agent, manager or broker, or in the furnishing of advantages, privileges, facilities or services in connection therewith.
 2. The Respondent and his agents and employees shall take the following affirmative actions which, in the judgment of the Commission, will effectuate the purposes of the Pennsylvania Human Relations Act, supra:
 - a. Offer full, equal and non-discriminatory assistance without regard to race, color, religious creed, national origin, ancestry, sex, the presence of a guide dog due to the blindness of the user, or handicap or disability, to all responsible persons who come to the Respondent seeking assistance in obtaining housing accommodations.
 - b. The Respondent will immediately issue written instructions citing 2(a) of this Order to all employees 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 this Order and Decree.
- 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 Respondent 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 he receives notification of the availability for sale, rental or lease of any and all commercial housing accommodations or other real property which the Respondent owns, operates or for which he acts as an agent, manager or broker or in any manner furnishes facilities or services in connection therewith. Such notification 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 from the effective date of this Order include in all advertising for commercial housing accommodations or other real property which the Respondent owns, operates or for which he acts 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.
3. It is understood by both parties to this Order that any infraction of this Order by an employee 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 but shall be confined in its operation to the 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, as specified in 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.

BY THE RESPONDENT:

February 23rd, 1976

Effective Date of this Order

AUGUST NEILSON

Individual - Solely in his own name

August Neilson

BY THE COMMISSION:

Homer C. Floyd

Homer C. Floyd, Executive Director
Pennsylvania Human Relations Commission

Joseph X. Yaffe

Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations Commission

ATTEST:

Robert Johnson Smith

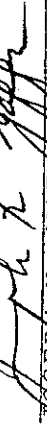
Robert Johnson Smith, Secretary
Pennsylvania Human Relations Commission

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
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Patricia Maguire :
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vs. :
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August Neilson :
: :

FINAL ORDER AND DECREE

23rd February 76
AND NOW, this day of
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. YAFEY, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

BY 
DR. ROBERT JOHNSON SMITH, SECRETARY
PENNSYLVANIA HUMAN RELATIONS COMMISSION