

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

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GOVERNOR'S OFFICE

JOHN W. T. JENKINS, :
: :
Complainant : :
: :
vs. : Docket No. H-2440
: :
JOSEPH L. GROSSMAN and : :
ALEX GROSSMAN and : :
SACHS REAL ESTATE CO., INC., : :
HERBERT SACHS, BROKER OF RECORD, : :
: :
Respondents :

CONSENT ORDER AND DECREE

WHEREAS, a complaint was filed against Joseph L. Grossman (owner) and Alex Grossman (owner), mailing address c/o Dollar Savings Bank, 340 4th Avenue, Pittsburgh, Pennsylvania 15222 and Sachs Real Estate Co., Inc., Herbert Sachs, Broker of Record, located at 5847 Forbes Avenue, Pittsburgh, Pennsylvania 15217 (hereinafter called "the Respondents") on February 26, 1975 by John W. T. Jenkins of 9834 Presidential Drive, Allison Park, Pennsylvania 15101, alleging that on or about to wit February 25, 1975, the Respondents violated Sections 5(h)(1),(3) 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 2720 Shady Avenue, and;

WHEREAS, the Respondents have denied the allegation and no hearing has been held and no finding made, and;

WHEREAS, for the purpose of avoiding further litigation before the Commission and without admission of liability or wrong doing, 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 23rd day of May, 1976, the Respondents 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 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) The Respondents shall pay to the Complainant the sum of six hundred dollars (\$600.00) for expenses incurred by the Complainant as a result of being unable to secure accommodations at the Respondents' facility.

(b) A certified check or money order in the sum of six hundred dollars (\$600.00) and payable to the Complainant shall be forwarded along with the signed Consent Order and Decree to the offices of the Pennsylvania Human Relations Commission.

(c) 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 blindness of the owner, or handicap or disability, to all responsible persons who come to the Respondents seeking assistance in obtaining housing accommodations.

(d) The Respondent will immediately issue written instructions citing 2(a) of this Order to all employees and direct them to abide by this Order.

(e) 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.

(f) 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.

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 willful infraction of this Order may cause the Commission to bring action 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 in accordance in Section 9 of the 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

May 23, 1976

Effective date of this Order

Joseph L. Grossman

Joseph L. Grossman

Alex Grossman

Alex Grossman

Herbert Sachs

Herbert Sachs, Owner-Broker of Record
Sachs Real Estate Co., Inc.

Witness } as to above
3 signatures

Witness

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:

Elizabeth M. Scott

Elizabeth M. Scott, Secretary
Pennsylvania Human Relations Commission

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

JOHN W. T. JENKINS :
Complainant :

vs. :

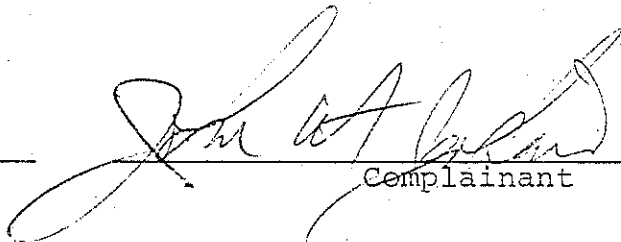
DOCKET NO. H-2440

JOSEPH L. GROSSMAN, ALEX :
GROSSMAN, and SACHS REAL :
ESTATE CO., INC., HERBERT :
SACHS, BROKER of RECORD :
Respondents :

RELEASE

Know all persons by these presents that upon the condition that Respondent(s) shall fully comply with all the terms of adjustment set forth in this Agreement, I do hereby release and forever discharge Respondent(s) from all manner of actions and causes of action and all suits, debts, claims and demands whatsoever based upon the allegations set forth in Appendix A of this Agreement, including the present action, except as described below. This release shall in no way discharge, release or absolve Respondent(s) from liability for any violation of Section 5(d) of the Act (relating to retaliation) which may occur after execution of this Agreement, nor in any way limit my rights to bring suits or actions or file complaints based in whole or in part on any violation of the Act or other applicable law which may occur in the future.

Dated: _____


Complainant

COMMONWEALTH OF PENNSYLVANIA :

SS

COUNTY OF :

On the 30th day of April, 1976, the
Complainant named above, JOHN W. T. JENKINS
personally appeared before me. He/she is known to me or proved
his/her identity as the person who signed this Release. He/she
acknowledged that the Release was freely signed, with full under-
standing of its contents and legal effect, and solely for the
consideration and upon the conditions expressed therein.

Witness my hand and seal the day and year written
above.

Samuel J. Kubrick

Notary Public
My Commission Expires

SAMUEL J. KUBRICK, Notary Public
Pittsburgh, Allegheny County, Pa.
My Commission Expires
September 26, 1977

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

JOHN W. T. JENKINS : Docket No. H-2440
Complainant :
vs. :
JOSEPH L. GROSSMAN and :
ALEX GROSSMAN and SACHA :
REAL ESTATE CO., INC., :
HERBERT SACHS, BROKER :
OF RECORD :
Respondents :

FINAL ORDER AND DECREE

AND NOW, this 23rd day of May, 1976,
upon consideration of the Consent Order and Decree submitted in
the above captioned case it is hereby ORDERED AND DECREED that
said Consent Order and Decree 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. Yaffe
JOSEPH X. YAFFE, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

BY Elizabeth M. Scott
ELIZABETH M. SCOTT, SECRETARY
PENNSYLVANIA HUMAN RELATIONS COMMISSION