

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

P E N N S Y L V A N I A H U M A N R E L A T I O N S C O M M I S S I O N

G O V E R N O R ' S O F F I C E

Shirley Pettus and Reginald :
Pettus, :

Complainants :

vs. :

Docket No. H-1713

Estate of Sarah Shocker :

Esther Kanig, Individually :

Esther Kanig, Executrix, :

Respondent :

C O N S E N T O R D E R A N D D E C R E E

WHEREAS, a Complaint was filed against Estate of Sarah Shocker, Esther Kanig, Individually, Esther Kanig, Executrix, (hereinafter called the Respondent) on April 29th, 1973, by Shirley Pettus and Reginald Pettus (hereinafter called the Complainants), alleging that on or about to wit April 27, 1972, 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. Sec. 951 et seq) in connection with commercial housing accommodation located at 1509 Myrtle Street, Scranton, Pennsylvania.

WHEREAS, for the purposes of avoiding further litigation before the Commission, the Respondent does hereby agree to a waiver of the 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, the Respondent and the Pennsylvania Human Relations Commission agree to the following:

ORDER AND DECREE

1). The Respondent, the Respondent's 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 or the presence of a guide dog due 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 Respondent now or in the future will own, operate, or for which she acts as an agent, manager or broker, or in the furnishing of advantages, privileges, facilities or services in connection therewith.

2). Respondent shall pay two hundred fifty dollars (\$250) as damages for mental anguish to the Complainants.

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 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.

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 (or Respondent's duly authorized officer) and approved by the Commission and executed by the Chairperson of the Commission, and thereafter shall be binding upon the 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 January 25, 1976.

BY THE RESPONDENT:

ATTEST:

X Ester Karing

BY THE PENNSYLVANIA HUMAN RELATIONS COMMISSION:

Joseph X. Yaffe
Joseph X. Yaffe, Chairperson

ATTEST:

Robert Johnson Smith
Dr. Robert Johnson Smith, Secretary

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

Shirley Pettus and Reginald Pettus, : Docket No. H-1713
Complainants :
vs. :
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Esther Kanig, Individually :
Esther Kanig, Executrix, :
Respondent :

GENERAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, that we, Shirley Pettus and Reginald Pettus, for and in consideration of the sum of \$ 250.00 and upon the condition that Respondent will comply 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 Estate of Sarah Shocker, 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.

IN WITNESS WHEREOF, I have executed the foregoing this 24th day of November, 19 75.

Shirley Pettus Co
Complainant Reginald Pettus
Complainant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Lackawanna SS:

On the 24th day of November, 1975, before me, the subscriber, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared the above named Reginald Pettus, 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.

Therese A. Briskley
Notary Public
Scranton, Lackawanna Co., Pa.
My Commission Expires Aug. 29, 1977.

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GOVERNOR'S OFFICE

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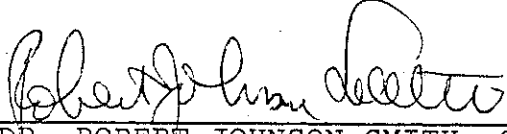
FINAL ORDER AND DECREE

AND NOW, this 25th day of January, 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.

BY


JOSEPH X. YAFFE, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

ATTEST


DR. ROBERT JOHNSON SMITH, SECRETARY
PENNSYLVANIA HUMAN RELATIONS COMMISSION