

ADOPTED BY THE
MAYOR AND COUNCIL

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ORDINANCE NO. _____

RELATING TO HUMAN RELATIONS AND FAIR HOUSING; PROVIDING DEFINITION OF "SOURCE OF INCOME;" AMENDING TUCSON CODE SECTIONS 17-1, 17-50, AND 17-52 TO PROHIBIT SOURCE OF INCOME DISCRIMINATION; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. Tucson Code § 17-1 is amended to read as follows:

Sec. 17-1. Policy declaration.

It is the policy of the city to eliminate prejudice and discrimination due to race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status, ~~or marital status,~~ or source of income in places of public accommodation, in employment, and in housing.

SECTION 2. Tucson Code § 17-50 is amended to read as follows:

Sec. 17-50. Definitions.

As used in this article:

* * *

(f) Source of income means any lawful source of income or support that provides funds to or on behalf of a renter or buyer of housing and is verifiable as to amount, regularity, receipt, and length of time received or to be received, including, but not limited to, wages, salaries, child support, spousal support, foster care subsidies, rental assistance, security deposit or downpayment assistance, income derived from social security or disability insurance, veterans' benefits, or any other form of governmental assistance, benefit, or subsidy. Source of income includes any requirement of any such program, assistance, benefit, or subsidy.

(g) To rent includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

SECTION 3. Tucson Code § 17-52 is amended to read as follows:

Sec. 17-52. Discrimination in sale or rental of housing.

As made applicable by section 17-51 of this article and except as exempted by sections 17-51(b) and 17-53 of this article, it shall be a violation of this article:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status, ~~or~~ marital status, or source of income.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status, ~~or~~ marital status, or source of income.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status, ~~or~~ marital status, or source of income.

(d) To represent to any person because of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status, ~~or~~ marital status, or source of income that any dwelling is not available for inspection, sale, or rental when such dwelling is, in fact, so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status, ~~or~~ marital status, or source of income.

(f) For any bank, ~~building~~ savings and loan association, insurance company, or other corporation, association, firm, or enterprise whose business consists in whole or in part in the making of commercial or residential real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against such person in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status, ~~or~~ marital status, or source of income of such person or of any person associated with such person in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the housing in relation to which such loan or other financial assistance is to be made or given. Provided, that nothing contained in this section shall impair the scope or effectiveness of the exceptions contained in section 17-51(b) hereof.

(g) To deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting housing, or to discriminate against such person in the terms or conditions of such access, membership, or participation, on account of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status, ~~or~~ marital status, or source of income.

(h) To coerce, intimidate, threaten, or interfere with any person in the exercise and enjoyment of, or on account of his/her having exercised and enjoyed, or on account of his/her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected under this article.

(i) To fail to post notices, to maintain records, or to supply documents and information requested by the ~~EOO~~ OEOP in connection with a matter under investigation.

SECTION 4. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

SECTION 5. WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Tucson that this Ordinance become immediately effective, an emergency is hereby declared to exist, and this Ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, _____.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED BY:

CITY MANAGER

JB:tt