

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

~~CITY~~

~~TOWN~~

Village

of Victory

COPY

Local Law No. 3 of the year 20<sup>03</sup>

A local law entitled "Village of Victory Fair Housing Law"  
(Insert Title)

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

~~COUNTY~~

~~CITY~~

~~TOWN~~

Village

of Victory as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

# VILLAGE OF VICTORY FAIR HOUSING LAW

## Fair Housing Law

A Law prohibiting discrimination on the basis of race, color, religion, sex, handicap, familial status or national origin in the sale, rental, financing, or provision of brokerage services for housing within the Village of Victory.

### Article I: Purposes and Enactment

#### Section 1.1 Purpose and Enactment

For the purpose of providing and ensuring fair housing opportunities for all within the Village of Victory, the Village Board of the Village of Victory in the County of Saratoga, State of New York, under the authority of the General Municipal Home Rule and Village Laws, hereby ordains, enacts and publishes this Law.

### Article II: Definitions

#### Section 2.0 Definitions

2.1 General - For the purpose of this Law, certain words or phrases herein shall be interpreted as follows, except where the context clearly indicates the contrary: words used in the singular include the plural, words used in the present tense include the future tense, the word "person" includes a corporation as well as an individual, and the word "shall" is always mandatory.

2.2 Specific Words or Phrases - For the purpose of this Law, certain terms or words herein shall be interpreted as follows:

"Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

"Person" includes one or more individuals, corporations, limited liability companies, limited partnerships, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

"Family" includes a single individual.

"Rent" or "Rental" includes the lease, sublease, letting and granting for a consideration the right to occupy premises not owned by the occupant.

"Discriminatory Housing Practice" means an act that is unlawful under Articles III, IV or V of this Law.

“Village” means the Village of Victory, a municipal corporation located in Saratoga County, New York.

### Article III: Discrimination in the Sale or Rental of Housing

#### Section 3.0 Discrimination in the Sale or Rental of Housing

Except as exempted by Article VI, it shall be unlawful within the Village of Victory.

- (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, sex, handicap, familial status, or national origin.
- (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, sex, handicap, familial status, or national origin.
- (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, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.
- (d) To represent to any Person because of race, color, religion, sex, handicap, familial status, or national origin 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, sex, handicap, familial status, or national origin.

### Article IV: Discrimination in the Financing of Housing

#### Section 4.0 Discrimination in the Financing of Housing

It shall be unlawful within the Village of Victory for any bank, building and loan association, insurance company, or other corporation, association, firm, or enterprise whose business consists in whole or in part of the making of commercial 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 him 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, sex, handicap, familial status, or national origin of such Person, or any person associated with him 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 Dwelling or Dwellings in relation to which such loan or other financial assistance is to be made or given; provided, however, that nothing contained in this section shall impair the scope or effectiveness of the exception contained in Article VI.

## Article V: Discrimination in the Provision of Brokerage Services

### Section 5.0 Discrimination in the Provision of Brokerage Services

It shall be unlawful within the Village of Victory to deny any Person access to or membership or participation in any multiple-listing service, real estate broker's organization, or other service, organization, or facility relating to the business of selling or Renting Dwellings: or to discriminate against him in the terms or conditions of such access, membership, or participation on account of race, color, religion, sex, handicap, familial status, or national origin.

## Article VI: Exemptions

### Section 6.0 Exemptions

6.1 Sales/Rentals by Owners - Nothing in Article III (other than Subsection c) shall apply to:

- (1) any single family house sold or Rented by an owner; who does not own more than three such single-family houses at any one time; provided, that: (a) in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale, or who was not the recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one cash sale within any twenty-four month period; (b) such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf under any express or voluntary agreement, title to any right to all or a portion of the proceeds from the sale or rental or more than three such single-family houses at one time; and (c) the sale or rental of any such single-family house shall be excepted from the application of this Law only if such house is sold or rented (A) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person, and (B) without the publication, posting, or mailing, after notice, of any advertisement or written notice in violation of Article III of this Law; but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as may be necessary to perfect or transfer the title, or
- (2) rooms or units in Dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters at his residence.

For the purpose of this exemption, a person shall be deemed to be in the business of selling or renting Dwellings if - -

- (1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any Dwelling or any interest therein, or
- (2) he has, within the preceeding twelve months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or sales or rental services