



- 28           (2)    To evict a person from or to refuse to negotiate with a person for the sale,  
29                    purchase, rental, assignment or other transfer of the title, leasehold or other  
30                    interest in any housing facility because of such person's protected status or  
31                    characteristic;
- 32           (3)    To refuse to receive or transmit a bona fide offer to sell, purchase, rent or lease  
33                    any housing facility from or to a person because of such person's protected status  
34                    or characteristic;
- 35           (4)    To discriminate against any person in the terms, conditions or privileges of the  
36                    sale, purchase, rental, assignment or other transfer of any housing facility, or in  
37                    the furnishing of facilities or services in connection therewith, because of a  
38                    protected status or characteristic;
- 39           (5)    To represent to any person that any housing facility is not available for inspection,  
40                    sale, purchase, rental or lease, assignment or other transfer when in fact it is so  
41                    available, or to refuse to permit a person to inspect any housing facility, because  
42                    of such person's protected status or characteristic when such a dwelling is in fact  
43                    available to persons who are financially qualified;
- 44           (6)    To make, as part of a process or pattern of discouraging the purchase, sale, rental,  
45                    occupancy or other use of any housing facility in a particular block, area or  
46                    neighborhood of the city, any representation to a person known to be a  
47                    prospective purchaser, seller or renter that such a block, area or neighborhood  
48                    may undergo, is undergoing or has undergone a change in composition with  
49                    respect to a protected status or characteristic;

50

51 (7) To induce, or attempt to induce, a person to transfer any interest in a housing  
52 facility by representations regarding the existing or potential proximity of real  
53 property owned, used or occupied by a person of a particular protected status or  
54 characteristic;

55 (8) To promote, induce or influence, or attempt to promote, induce or influence, by  
56 the use of postal cards, letters, circulars, telephone calls, visitation or any other  
57 means, directly or indirectly, a person to sell, list for sale, remove from listing,  
58 rent, assign, transfer or otherwise, any housing facility by referring, as a part of  
59 the pattern or process of inciting neighborhood unrest, community tension or fear  
60 of change in composition in a block, street, neighborhood or area of the city by  
61 creating or playing upon fear, by representing that the presence or anticipated  
62 presence in that area of persons of any particular protected status or characteristic  
63 will or may result in the lowering of property values in the area, the increase in  
64 criminal or anti-social behavior in the area, or a decline in the quality of the  
65 schools serving the area;

66 (9) To engage in, or hire or conspire with others to engage in, acts or activities of any  
67 nature, the purpose of which is to harass, degrade, embarrass or cause economic  
68 loss to a person who has provided or offered to provide housing facilities or  
69 services to any person, regardless of protected status or characteristic;

70

71 (10) To engage in, or hire or conspire with others to engage in, acts or activities of any  
72 nature, the purpose of which is to harass, degrade, embarrass or cause economic  
73 loss to a person who has purchased or leased, or contracted to purchase or lease,  
74 any housing facility or service because of such person's protected status or  
75 characteristic;

76 (11) To require or request that any tenant, prospective tenant, occupant, prospective  
77 occupant, or guest of the residential rental property disclose or make any  
78 statement, representation, or certification concerning his or her citizenship status;  
79 or

80 (12) To disclose to any person or entity information regarding or relating to citizenship  
81 status of any tenant, prospective tenant, occupant, or prospective occupant of the  
82 residential rental property for the purpose of harassing or intimidating a tenant,  
83 prospective tenant, occupant, or prospective occupant, retaliating against a tenant  
84 or occupant for the exercise of his or her rights, influencing a tenant or occupant  
85 to vacate a dwelling, or recovering possession of the dwelling.

86 (b) This section does not prohibit an owner or any other person engaging in a real estate  
87 transaction, or a real estate broker, from doing either of the following:

88 (1) Complying with any legal obligation under state or federal law, including, but not  
89 limited to, any legal obligation(s) under any state or federal government  
90 program(s) that provide for rent limitations or rental assistance to a qualified  
91 tenant, or a subpoena, warrant, or other order issued by a court.

92 (2) Requesting information or documentation necessary to determine or verify the  
93 financial or background qualifications of a prospective tenant, or to determine or  
94 verify the identity of a prospective tenant or prospective occupant.

95 (c) Except as provided in section 8-94:

96 (1) It is unlawful to discriminate in the sale or rental of, or to otherwise make  
97 unavailable or deny, a dwelling to any buyer or renter because of a disability of:

98 a. That buyer or renter;

99 b. A person residing in or intending to reside in that dwelling after it is sold,  
100 rented or made available; or

101 c. Any person associated with the buyer or renter.

102 (2) It is unlawful to discriminate against any person in the terms, conditions or  
103 privileges of sale or rental of a dwelling or in the provision of services or facilities:  
104 in connection with such dwelling, because of a disability of:

105 a. That buyer or renter;

106 b. A person residing in or intending to reside in that dwelling after it is sold,  
107 rented or made available; or

108 c. Any person associated with the buyer or renter.

109 (3) For purposes of subsections (1) and (2), discrimination includes:

110 a. A refusal to permit, at the expense of the disabled person, reasonable  
111 modifications of existing premises occupied or to be occupied by such  
112 person if such modifications may be necessary to afford such person full  
113 enjoyment of the premises, except that, in the case of rental, the landlord  
114 may, where it is reasonable to do so, condition permission for a

115 modification on the renter agreeing to restore the interior of the premises  
116 to the condition that existed before the modification, reasonable wear and  
117 tear excepted.

118 b. A refusal to make reasonable accommodations in rules, policies, practices  
119 or services when such accommodations may be necessary to afford such  
120 person equal opportunity to use and enjoy a dwelling.

121 c. Covered multifamily dwellings as defined herein which are intended for  
122 first occupancy after the effective date of the ordinance from which this  
123 section is derived [November 2, 1992] shall be designed and constructed  
124 to have at least one building entrance on an accessible route unless it is  
125 impractical to do so because of the terrain or unusual characteristics of the  
126 site. Such buildings shall also be designed and constructed in such a  
127 manner that:

128 1. The public use and common use portions of such dwellings are readily  
129 accessible to and usable by disabled persons.

130 2. All doors designed to allow passage into and within all premises  
131 within such dwellings are sufficiently wide to allow passage by a  
132 person in a wheelchair.

133 3. All premises within such dwelling contain the following features of  
134 adaptive design:

135 (a) An accessible route into and through the dwelling.

136 (b) Light switches, electrical outlets, thermostats and other  
137 environmental controls in accessible locations.

138 (c) Reinforcements in bathroom walls to allow later installation of  
139 grab bars.

140 (d) Usable kitchens and bathrooms such that a person in a wheelchair  
141 can maneuver about the space.

142 (4) Compliance with the appropriate requirements of the American National  
143 Standards Institute for buildings and facilities providing accessibility and usability  
144 for physically disabled people, commonly cited as ANSI A117.1 1986, suffices to  
145 satisfy the requirements of subparagraph (3).

146 (d) Lawful Source of Income. With respect to the Housing Choice Voucher Program or  
147 “Section 8,” a landlord or any agent of a landlord may only consider the portion of the rent that  
148 the voucher holder is required to pay out-of-pocket (as determined by the local housing authority  
149 issuing the voucher) in any rent-to-income financial qualification calculation.

150 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of  
151 this ordinance shall become and be made a part of the Code of Ordinances of the City of  
152 Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be renumbered  
153 or re-lettered in order to accomplish such intentions.

154 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
155 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
156 finding shall not affect the other provisions or applications of the ordinance which can be given  
157 effect without the invalid or unconstitutional provisions or application, and to this end the  
158 provisions of this ordinance are declared severable.

159 **Section 4.** All ordinances or parts of ordinances, in conflict herewith are to the extent of  
160 such conflict hereby repealed.

161 **Section 5.** This ordinance shall become effective immediately upon adoption.

162 **PASSED AND ADOPTED THIS 6<sup>th</sup> DAY OF January, 2022.**

163



LAUREN POE, MAYOR

164

165

166

167 ATTEST:

Approved as to form and legality

168

169

170



~~MICHELE D. GAINEY~~  
~~CLERK OF THE COMMISSION~~

*Marie Kessler, Deputy Clerk*



DANIEL M. NEE  
CITY ATTORNEY

171

172

173

174

175 This ordinance passed on first reading this 2nd day of December, 2021.

176

177 This ordinance passed on second reading this 6th day of January, 2022.