

## 2012 Board Rulings

*Montelongo v. Azarpira*, CCHR No. 09-H-23 (Feb. 15, 2012)

Housing, Disability Discrimination

After an earlier liability ruling finding refusal to rent based on disability, the Board ordered payment of \$2,500 in emotional distress damages, \$3,000 in punitive damages, and \$7,500 to compensate for time off work to find other housing. The Board imposed a fine of \$500 and ordered payment of \$7,386.25 for attorney fees and costs.

*Johnson v. Hyde Park Corp. d/b/a Hyde Park Citgo*, CCHR No. 08-P-95/96 (Feb. 15, 2012)

Public Accommodation, Race Discrimination

No race discrimination was found where Pakistani employees refused to allow an African-American couple to purchase gasoline using \$100 bills found suspect when tested with a marking pen designed to identify counterfeit currency, as the testing procedure was applied to all customers regardless of race. References to “your friends” or “your brother” did not show direct evidence or racial animus in the context, including the employees’ limited English proficiency.

*Tarpein v. Polk Street Company d/b/a Polk Street Pub et al.*, CCHR No. 09-E-23 (Apr. 18, 2012)

Employment, Sex Discrimination (Pregnancy)

After an earlier ruling in favor of a bartender-manager finding pregnancy-related sex discrimination and ordering relief, the Board ordered payment of the Complainant’s attorney fees of \$26,439.30 and costs of \$752.38.

*McGhee v. MADO Management LP*, CCHR No. 11-H-10 (Apr. 18, 2012)

Housing, Race Discrimination

The Board found no racially discriminatory refusal to rent where the evidence showed an advertised apartment had been rented before Complainant contacted the owner in response to the ad and no other units were available at that location.

*Sleper v. Maduff & Maduff LLC*, CCHR No. 06-E-90 (May 16, 2012)

Employment, Sex Discrimination (Pregnancy)

A law firm found was found liable for pregnancy-related sex discrimination based on circumstantial evidence that it discharged an associate attorney because of her pregnancy and pregnancy-related leave. Relief included \$2,500 in emotional distress damages, \$9,466.45 in back pay, and a \$500 fine. Attorney fees are pending.

*Pierce & Parker v. New Jerusalem Christian Development Corp.*, CCHR No. 07-H-12/13 (May 16, 2012)

Housing, Source of Income Discrimination

After previously finding source of income discrimination and ordering relief against a publicly-supported housing developer that refused to complete sales to two Complainants because their purchases would be partly supported through another public program which required an additional inspection, the Board ordered payment of the Complainants’ attorney fees of \$56,484.50 and costs of \$366.60.

*Manzanares v. Lalo’s Restaurant.*, CCHR No. 10-P-18 (May 16, 2012)

Public Accommodation, Gender Identity Discrimination

A transgender Complainant proved a *prima facie* case of gender identity discrimination where she sought to enter a restaurant-club with companions, but after her transgender status was discovered was subjected to unwarranted scrutiny and harassment. The Board ordered payment of \$3,500 in emotional distress damages and \$2,500 in punitive damages, imposed a \$500 fine, and ordered the restaurant to promulgate an anti-discrimination policy and train its staff about it.

*Gilbert and Gray v. 7355 South Shore Condominium Assn. et al.*, CCHR No. 01-H-18/27 (June 20, 2012)

Housing, Sexual Orientation Discrimination

After previously finding sexual orientation discrimination and ordering relief where a condominium association president harassed a lesbian unit owner and blocked the sale of a unit to a lesbian purchaser, the Board ordered payment of Complainants’ attorney fees of \$61,535.66 and costs of \$6,653.39.

*Hudson v. G-A Restaurant LLC d/b/a Manor Chicago*, CCHR No. 10-P-112 (July 18, 2012)

Public Accommodation, Race Discrimination

The Board ruled that a nightclub’s refusal to admit an African-American and his party was not based on race, where evidence showed he did not have a properly-made reservation, the club was booked to capacity, and his party was invited to wait in line pursuant to the policy for those without reservations. Use of the term “you people” by door staff was found not race-based in the context presented.

*Jones v. Minah Inc. d/b/a Sunshine Shell Gas Station*, CCHR No.; 11-P-75 (Sept 19, 2012)

Public Accommodation, Race Discrimination

The Board found no race discrimination where the Complainant's version of an incident at a gas station, including use of a racial slur, was not credible and was directly contradicted by credible testimony of a third party witness.

*Gardner v. Ojo et al.*, CCHR No. 10-H-50 (Dec. 19, 2012)

Housing, Source of Income Discrimination

A Section 8 Housing Choice Voucher holder failed to prove that a condominium unit owner and her listing agent prevented the voucher holder from applying to rent the unit based on source of income. No direct evidence of discriminatory intent was presented and the circumstantial evidence was insufficient to show intent to exclude voucher holders. The credibility of conflicting testimony about communications between the listing agent and the voucher holder's agent was resolved in favor of the listing agent.

*Jones v. Lagniappe – A Creole Cajun Joynt, LLC, et al.*, CCHR No. 10-E-40 (Dec. 19, 2012)

Employment, Sex Discrimination (Sexual Harassment)

The Board ruled that a restaurant owner-manager sexually harassed and constructively discharged an employee through unwelcome sexual advances which included kissing her and appearing with clothing unfastened. The individual and corporate owners were ordered to pay fines of \$500 each, to establish a sexual harassment policy, and to pay emotional distress damages of \$2,000, punitive damages of \$4,000, and back pay of \$13,550. Attorney fees are pending.

#### SUMMARY:

12 Board rulings issued

- 3 rulings finding that a violation occurred
- 4 follow-up rulings determining the amount of attorney fees
- 5 rulings in favor of respondents finding no ordinance violation

Of the 12 rulings

- 3 in employment cases
- 5 in housing cases (2 finding no violation)
- 4 in public accommodation cases (3 finding no violation)