



**Human Rights Commission
Regular Meeting
May 16, 2024
Hybrid Meeting
City Space, 100 5th Street NE, Charlottesville, VA 22902
6:30pm**

Agenda Packet Attachments

1. Agenda
2. Martha's Rules (for reference)
3. DRAFT 04/04/24 HRC Work Session Meeting Minutes
4. DRAFT 04/18/24 HRC Regular Meeting Minutes
5. OHR Monthly Staff Report
6. Charlottesville Human Rights Ordinance Proposed Revision Presentation
7. DRAFT Charlottesville Human Rights Ordinance
8. HRC Annual Work Plan (for reference)

Attachment 1



**Human Rights Commission
AGENDA
Regular Meeting
Thursday, May 16, 2024
Hybrid Meeting
City Space, 100 5th Street NE, Charlottesville, VA 22902
6:30pm**

Please take Notice that this hybrid meeting of the Human Rights Commission is for the purposes of planning, developing, and drafting management and administration documents for the Human Rights Commission. This hybrid meeting will be a limited public forum to discuss the agenda items presented below and to ensure the continuity of services provided by the Commission. The Commission Chair may limit public comments or discussion points that are unrelated to agenda items or that pertain to topics outside the scope of this Agenda. This will be a hybrid meeting open to the public, and registration information for remote participation is available at www.charlottesville.gov/zoom.

The Commission welcomes comments and questions and commits to listening carefully and thoughtfully to what is presented. A maximum of sixteen public comment time slots are allotted per meeting. Each speaker will have up to three minutes to speak. The Commission requests that members of the public refrain from engaging in personal attacks against Commissioners and staff members and asks that comments and questions focus on matters related to human rights within the City.

1. WELCOME

- a. Call to Order
- b. Roll Call
- c. Mission (recited by all): *Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.*
- d. Notice: For members of the public participating virtually, if you experience technical difficulties, you may call 434-970-3115, and a staff person will assist you.

2. MATTERS BY THE PUBLIC – IN PERSON ATTENDEES ONLY

- a. Public Comment

3. MINUTES

- a. *04-04-2024 HRC Work Session Minutes
- b. *04-18-2024 HRC Regular Meeting Minutes

4. BUSINESS MATTERS

- a. Chair Update
- b. OHR Staff Report

5. WORK SESSION

- a. Review proposed amendments to the Charlottesville Human Rights Ordinance
- b. Planning for first expert panel
- c. Planning for July legislative priorities panel
- d. Annual Work Plan check-in
- e. Confirmation of next Work Session on 06-06-2024
- f. New business

6. MATTERS BY THE PUBLIC – IN PERSON AND VIRTUAL ATTENDEES

- a. Public Comment (webinar attendees use the “raise hand” function, phone attendees use *9)
- b. Commission response to Matters by the Public

7. COMMISSIONER UPDATES

8. NEXT STEPS & ADJOURN

*** ACTION NEEDED**

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 987-1267 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

Attachment 2

Martha's Rules of Order
As adopted by the HRC on February 20, 2020

1. The proposal is presented. Clarifying questions are taken.
 - a. Proposal should always be in writing.
2. Friendly amendments are offered. Discussion is allowed only on the amendments.
 - a. Amendments should be prepared in advance when possible.
3. Speakers in favor of the proposal present their views.
 - a. This is not a time for debate.
 - b. Time limits should be set and enforced.
4. Speakers in opposition to the proposal present their views.
 - a. This is not a time for debate.
 - b. Time limits should be set and enforced.
5. General discussion and/or debate OR small group discussion time on the proposal is allowed.
 - a. Time limit on discussion is set by the group.
 - b. Facilitator helps group identify key issues.
 - c. Motion to table or refer is in order and requires $\frac{3}{4}$ vote.
6. First vote is taken.
 - a. People vote
 - i. In favor of the proposal, or
 - ii. Can live with the proposal, or
 - iii. Opposed to the proposal.
 - b. If a majority of those present votes "in favor" or "can live with," proceed to Step 8.
 - c. If less than a majority of those present votes "in favor" or "can live with," proposal dies.
7. Those voting in opposition are allowed to state their objections and concerns.
 - a. No discussion is allowed, only clarifying questions.
8. The second vote is taken as in Step 6.
 - a. It takes a majority of those present to override objections and pass the proposal.

Attachment 3



**Human Rights Commission
Meeting Minutes
Work Session
April 4, 2024
Hybrid Meeting
Carver Recreation Center, 233 Fourth St NW Charlottesville, VA 23902
6:30 pm**

Click [HERE](#) to access rebroadcasts of past Human Rights Commission meetings on YouTube.

Click [HERE](#) to access an archive of past Human Rights Commission work on the City website.

1. WELCOME

- a. CALL TO ORDER
 - i. Chair, Ernest Chambers, called the meeting to order at 6:40 pm
- b. ROLL CALL
 - i. Ernest Chambers
 - ii. Mary Bauer
 - iii. Kathryn Laughon (arrived 6:47pm)
 - iv. Suzanne Lynn
 - v. Heather Roberson-Gaston
- c. MISSION (recited by all): *Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.*

2. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT
 - i. None
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. None

3. WORK SESSION

- a. HRC Annual Work Plan (full Work Plan text is available to the Commission)
 - i. Housing is the primary focus, and its sub-focuses are homelessness and systemic barriers
 - ii. Secondary focuses include legislative recommendations, ally/Safe Space training program development, and reparations
 - iii. Last time, the HRC talked about its goals and how they align with the Human Rights Ordinance
 - iv. Charlottesville High School graduation is the evening of June 6---can move this work session to Carver Rec instead
 - v. COIA/FOIA training is currently scheduled for April's regular meeting
 - vi. May work session can be used for proposed Ordinance amendment review
 - vii. Expert panels in work sessions in June and July (Chair, Vice Chair, and OHR staff work on identifying panelists in between meetings)
 - viii. Commissioner asks about outreach about asking the public their opinions on reparations
 - 1. Can gauge public interest earlier in the year to determine

whether the Commission should take further steps on the matter

- ix. Ally/Safe Space training
 - 1. OHR Outreach Specialist will do some information gathering about what resources and collaborators are already available
 - 2. Will leave as an open agenda for the moment
- x. June 3: Chair and Director will present CY2024 Annual Report to City Council
- xi. VA Beach HRC recently sent an email about Virginia HRCs gathering in a non-official capacity sometime during the summer
- xii. July work session will not occur due to July 4th; expert panel will instead occur during the regular meeting
- xiii. Ginny's HRC research presentation will occur during the regular meeting in June
- xiv. Ordinance revisions
 - 1. Considering the Commission's role in individual complaints of discrimination---currently, the Commission's role is minimal, but HRC Director is in contact with HUD about what larger roles may be possible
 - 2. Director would like to hold a training for Commissioners for public hearings after Ordinance revisions are accepted by Council
 - a. Could be conducted by Northern Virginia commissions
 - b. Could occur in September
- xv. Commissioner suggests revisiting the work plan in August to plan out the rest of the year in more detail
- xvi. Commissioner suggests forming nominating committee for officer positions earlier in the year; would require amending the Rules & Procedures to reflect the new time frame
 - 1. Can also amend language surrounding annual planning
- xvii. Director suggests that the Commission consider submitting housing-related City recommendations in addition to state-level legislative recommendations
 - 1. Can coincide with the start of budget season in October
- xviii. Work Plan is meant to be flexible and expected to change
- b. OHR Outreach Specialist says she expects outreach events to pick up in the next couple weeks
- c. New business
 - i. None

4. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT
 - i. Speaker asks question about housing [inaudible]
 - 1. Follow-up question inaudible
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. Ernest
 - 1. The University of Virginia attracts more people who can afford to live in the city, which pushes longtime residents out, and their actions often do not benefit marginalized, non-University-affiliated Charlottesville residents
 - ii. Heather

1. Other universities across the US pay their locality some kind of fee
2. University Transit Services buses always have driver shortages, but their pay is low
- iii. Suzanne
 1. UVA takes housing away from other people

5. COMMISSIONER UPDATES

- a. None

6. NEXT STEPS

- a. 04/04/24 regular meeting
 - i. FOIA/COIA/VPRA training
 - ii. Expert panel planning discussion
- b. Between meetings:
 - i. OHR staff, Ernest, and Wolfgang: June expert panel outreach
 - ii. OHR staff: prepare draft Ordinance for review

7. ADJOURN

- a. Meeting adjourned at 7:51 pm

Attachment 4



**Human Rights Commission
Meeting Minutes
Regular Meeting
April 18, 2024
City Space, 100 5th Street NE, Charlottesville, VA 22902
6:30 pm**

Click [HERE](#) to access rebroadcasts of past Human Rights Commission meetings on YouTube.

Click [HERE](#) to access an archive of past Human Rights Commission work on the City website.

1. WELCOME

- a. CALL TO ORDER
 - i. Chair, Ernest Chambers, called the meeting to order at 6:34 pm
- b. ROLL CALL
 - i. Ernest Chambers
 - ii. Wolfgang Keppley
 - iii. Charley Burton
 - iv. Kathryn Laughon
 - v. Suzanne Lynn
 - vi. Heather Roberson-Gaston
- c. MISSION (recited by all): *Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.*

2. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT
 - i. Unidentified virtual participant
 - 1. Comment made with perceived intention to disrupt the meeting
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. Chair and Commissioners recognize that comment is offensive and inappropriate

3. MINUTES

- a. Review of Regular Meeting minutes from 2/15/24
 - i. Vote
 - 1. In favor: 6
 - 2. Opposed: 0
 - 3. Abstained: 0
 - ii. Motion to approve minutes passes
- b. Review of Annual Meeting minutes from 3/9/24
 - i. Vote
 - 1. In favor: 6
 - 2. Opposed: 0
 - 3. Abstained: 0
 - ii. Motion to approve minutes passes

4. BUSINESS MATTERS

- a. Chair update

- i. Expresses gratitude for OHR's Outreach Specialist sending out upcoming events
 - ii. Fridays After 5 are returning; suggests the OHR/HRC could set up a table outside the Office
- b. OHR Staff report
 - i. Outreach Specialist
 - 1. The Office has the permits/permissions needed to table during Fridays After 5
 - a. Would prefer there be a Commissioner present
 - 2. One-on-one meetings are still available
 - 3. Friday, 4/19/24 at 10am: panel discussion on conversations during conflict
 - 4. Sunday, 4/21/24 at 1pm in the Central Library: culminating panel discussion or the Community Read
 - 5. Thursday, 4/25 at 6pm in CitySpace (and Zoom): Fair Housing Know Your Rights presentation and Q&A session
 - a. Commissioners' presence could be valuable to share to the public how to engage with the HRC
 - 6. Reach out to Lily if interested in becoming more involved with planning
 - 7. Chair adds that the Haven is holding a program on 4/24/24 at 7pm: "Housing First: Homelessness & Program Access"
 - ii. Director
 - 1. HRC/OHR must send quarterly reports to Council, so the Director simply sends the monthly report from the agenda as the quarterly report

5. WORK SESSION

- a. COIA/FOIA/VPRA presentation
 - i. Rob Hubbard (Deputy City Attorney of Charlottesville) and Brittaney Nelson (FOIA Officer) present information related to FOIA mandates, FOIA requests, and how they relate to Commissioners' management of their public records
 - ii. Slides will be available for Commissioners
- b. Planning for homelessness expert panel
 - i. Work plan originally said panel would be about "housing, homelessness, and wraparound services"; Director asks if Commission would like to focus on one of those areas
 - ii. Previous panel featured, PACEM, the Haven, LAJC, and Livable Cville
 - 1. For new panel, Director recommends the Commission think about what information it is trying to gather, like compiling state-level and local-level recommendations for Council
 - 2. Commissioner suggests addressing systemic barriers in accessing housing
 - iii. Brainstorming for potential panelists
 - 1. James Freas, Deputy City Manager (previous Director of Neighborhood Development Services) has talked about housing before
 - 2. Matthew Murphy, Housing Navigator from Piedmont Housing Alliance

3. George Dillard, Jr., Chair of Albemarle-Charlottesville NAACP Housing Committee
4. Democratic Socialists of America also work on housing
- iv. Potential focus areas
 1. Commissioner attended event about barriers to re-entry in housing
 - a. Home to Hope is a good resource
 2. Commissioner asks about if there is a locality with similar structure that have used innovative solutions to help people struggling with housing
 - a. Another Commissioner adds that he would like to see solutions and success stories in addition to barriers to housing
 - b. Director says Commission could ask the Chairs/staff members of other HRCs in Virginia about what they are doing regarding housing in their communities/what legislative recommendations they have submitted
 - c. Commissioner says there is someone trying to compile a database of rental stock and how much it costs
 - i. The OHR did a big project with Code for Charlottesville in the past to index rental properties, primarily to assist housing navigators
 1. Difficult to upkeep because it requires constant updates
 - ii. Commissioner adds that data could be useful for things other than just rental prices
 - d. Commissioner asks about things with HUC
 - i. Units being too expensive to qualify for vouchers?
 - ii. Not keeping upkeeping units well enough to meet HUD standards?
- v. Director suggests drafting a list of questions to ask panelists, then sending them to the Chair and sending out invitations
 1. Commissioners decide from following list of invitees: Central Virginia Legal Aid Society (CVLAS), Salvation Army, LAJC, PACEM, CRHA, the Haven, Livable Cville, Staff working in housing from Region 10, Public Housing Association of Residents (PHAR), Piedmont Housing Authority (PHA), staff working in housing from UVA, Housing Opportunities Made Equal, Blue Ridge Area Coalition for the Homeless (BRACH), Charlottesville Low-Income Housing Coalition (CLIHC), James Freas, NAACP housing committee, DSA housing committee, organizations/staff working in re-entry space, including Home to Hope, the Fountain Fund, and representatives from other localities/commissions
 - a. Home to Hope is a group of three navigators who help people do what is needed when they re-enter the community, and housing is a big priority for them

- b. The Fountain Fund is primarily a small loan program, though it does do some mentoring and housing navigation
- c. UVA has the President's Council on UVA-Community Partnerships Advisory Committee

2. Final list:

- a. Region 10
- b. NAACP housing committee
- c. DSA housing committee
- d. Home to Hope
- e. PHA
- f. BRACH

3. Outreach Specialist suggests that the HRC can tell invitees that they will accept the first four respondents for the panel, and organizations who cannot attend may send in recommendations in writing

- a. Could also invite them to a different expert panel (July panel's focus is legislative recommendations)
- b. Commissioners discuss eviction focus with DSA and tenant rights

vi. Panel will occur June 6 at Carver Rec

vii. OHR Outreach Specialist will work on reaching out to potential panelist organizations

c. Annual work plan check-in

- i. Actions between meetings include June expert panel outreach and preparing draft Ordinance for review

d. Commission decides to not hold next work session on 5/2/24

- i. Director has been speaking with Erik Steinecker from HUD about Ordinance revisions
- ii. Revisions include housing section amendments to pursue application to a FHAP, structural changes to clarify Commission roles, and changes to the Commission public hearing process
- iii. Will discuss these revisions at the regular meeting on 5/16/24 instead

e. New business

- i. None

6. MATTERS BY THE PUBLIC

a. PUBLIC COMMENT

- i. None

b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

- i. None

7. COMMISSIONER UPDATES

- a. None

8. NEXT STEPS

a. All Commissioners

- i. Attend outreach events

b. Lily & OHR staff/Commissioners

- i. Reach out to the final list of panel invitees to coordinate June 6 panel discussion
- ii. Research organizations/housing topics

- c. Next meeting: regular meeting 5/16/24
 - i. Discuss Ordinance revisions
- 9. **ADJOURN**
 - a. Meeting adjourned at 8:24 pm

Pending HRC Approval

Attachment 5



City of Charlottesville Office of Human Rights Monthly Report: May 2024

Administrative Updates:

- Fair Housing Assistance Program (FHAP) workshare agreement
 - Staff have prepared a rough draft of an amended Human Rights Ordinance based on the feedback provided by HUD.
 - Staff met with representatives from HUD and the City Attorney's Office to review the proposed amendments and gather feedback.
 - Staff will schedule a final review of proposed changes with HUD and City Attorney's Office.
- Fair Employment Practices Agency (FEPA) workshare agreement
 - On hold until the FHAP certification is complete.
 - The FHAP agreement provides substantial opportunities and resources to expand and improve the OHR, whereas the FEPA increases workload with insufficient support to increase staffing or training.

Outreach Updates:

- Community Outreach & Administrative Specialist Lily Gates will be participating in the Connected Communities Learning Cohort for the coming year. This program will connect 15 civic leaders who wish to deepen trust and relationships between demographic groups in communities and provide participants with opportunities for skill-building, case work, and design & implementation strategies.
- The Fair Housing presentation, Groundwater training, and Community Read panel were all successful! Thank you to those who participated.
- The OHR is in the early stages of beginning to plan education and awareness events for July surrounding Disability Pride Month. If any commissioners would like to collaborate on planning, please let Lily know.

Planned Outreach Events: Please let Lily know if you would like to participate in any of these events.

Day	Date	Time	Event	Location	Organizer
Friday	5/17/24	3—6pm	International Day Against Homophobia, Transphobia, and Biphobia Tabling	Downtown Mall	OHR and partners
Friday	5/24/24	4—6pm	Community Connection Tabling	Riverside Ave	Region 10
Thursday	6/13/24	1—3pm	One Stop Shop Tabling	Carver Recreation Center	One Stop Cville
Tuesday	6/18/24	4—6pm	Community Connection Tabling	Madison Ave	Region 10

- Current status
 - Complete data entered through April 2024.
 - Partial data entered for May.
- Updates
 - Values may change in subsequent reports if an error is caught and corrected.

[illegible]

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Total Duration of N&A Other Agency Liaison Contacts	0.41	0.16	0.16	0.41	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.14
Total Duration of N&A Other Contacts	2.07	0.57	0.33	0.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.30
Total Duration of N&A Translation Services Contacts	0.50	0.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.75
Total Duration of N&A Safe Space Contacts	0.75	0.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
Total Incoming & Outgoing Navigation & Advocacy Contacts	31	18	19	13	0	0	0	0	0	0	0	0	81
Total Incoming & Outgoing Navigation & Advocacy Contacts (CC)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Incoming & Outgoing Navigation & Advocacy Contacts (TN)	19	6	7	10	0	0	0	0	0	0	0	0	42
Total Incoming & Outgoing Navigation & Advocacy Contacts (LG)	1	0	0	1	0	0	0	0	0	0	0	0	2
Total Incoming & Outgoing Navigation & Advocacy Contacts (GH)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Incoming & Outgoing Navigation & Advocacy Contacts (SK)	10	12	11	2	0	0	0	0	0	0	0	0	35
Total Incoming & Outgoing Navigation & Advocacy Contacts (TN & SK)	1	0	1	0	0	0	0	0	0	0	0	0	2
Total Incoming & Outgoing Navigation & Advocacy Contacts (TN & CC)	0	0	0	0	0	0	0	0	0	0	0	0	0
Percentage: Navigation & Advocacy out of Total Contacts	19%	10%	19%	3%	0%	0%	0%	0%	0%	0%	0%	0%	8%
Total N&A Application Assistance Contacts	0	0	0	0	0	0	0	0	0	0	0	0	0
Total N&A AG OCR Liaison Contacts	2	4	2	0	0	0	0	0	0	0	0	0	8
Total N&A City Agency Liaison Contacts	10	2	0	1	0	0	0	0	0	0	0	0	13
Total N&A Clerical Support Contacts	0	0	0	0	0	0	0	0	0	0	0	0	0
Total N&A CRHA Liaison Contacts	6	1	3	0	0	0	1	0	0	0	0	0	11
Total N&A Crisis Response Contacts	0	0	0	0	0	0	0	0	0	0	0	0	0
Total N&A DPOR Liaison Contacts	0	0	0	0	0	0	0	0	0	0	0	0	0
Total N&A EEOC Liaison Contacts	0	0	0	0	0	0	0	0	0	0	0	0	0
Total N&A Housing Navigation Contacts	2	2	3	9	0	0	0	0	0	0	0	0	16
Total N&A Legal Aid Liaison Contacts	0	2	6	0	0	0	0	0	0	0	0	0	8
Total N&A Mental Health Navigation Contacts	0	0	3	0	0	0	0	0	0	0	0	0	3
Total N&A Other Agency Liaison Contacts	0	0	3	2	0	0	0	0	0	0	0	0	5
Total N&A Other Contacts	8	5	2	2	0	0	0	0	0	0	0	0	17
Total N&A Translation Services Contacts	1	1	0	0	0	0	0	0	0	0	0	0	2
Total N&A Safe Space Contacts	1	1	0	0	0	0	0	0	0	0	0	0	2
Total Inquiries: P.A. - Employment	4	3	4	1	3	0	0	0	0	0	0	0	15
Total Inquiries: P.A. - Housing	7	0	1	1	2	0	0	0	0	0	0	0	11
Total Inquiries: P.A. - Public Accommodation	5	1	3	1	1	0	0	0	0	0	0	0	11
Total Inquiries: P.A. - Credit	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Inquiries: P.A. - Private Education	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Inquiries: P.A. - Other (Unprotected)	5	10	8	8	1	0	0	0	0	0	0	0	32
Total Complaints: P.A. - Employment	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Complaints: P.A. - Housing	2	0	0	1	0	0	0	0	0	0	0	0	3
Total Complaints: P.A. - Public Accommodation	1	1	0	0	1	0	0	0	0	0	0	0	3
Total Complaints: P.A. - Credit	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Complaints: P.A. - Private Education	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Complaints: P.A. - Other (Unprotected)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Employment Inquiries & Complaints	4	3	4	1	3	0	0	0	0	0	0	0	15
Employment inquiries & complaints in Charlottesville	2	1	2	1	1	0	0	0	0	0	0	0	7
Employment inquiries in Albemarle Co.	2	1	1	0	2	0	0	0	0	0	0	0	6
Employment inquiries in other and unspecified localities	0	1	1	0	0	0	0	0	0	0	0	0	2
Total Housing Inquiries & Complaints	9	0	1	2	2	0	0	0	0	0	0	0	14
Housing inquiries & complaints in Charlottesville	5	0	1	2	1	0	0	0	0	0	0	0	9
Housing inquiries in Albemarle Co.	4	0	0	0	1	0	0	0	0	0	0	0	5
Housing inquiries in other and unspecified localities	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Public Accommodation Inquiries & Complaints	6	2	3	1	2	0	0	0	0	0	0	0	14

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Public accommodation inquiries & complaints in Charlottesville	5	2	1	1	1	0	0	0	0	0	0	0	10
Public accommodation inquiries in Albemarle Co.	1	0	0	0	0	0	0	0	0	0	0	0	1
Public accommodation inquiries in other and unspecified localities	0	0	2	0	0	0	0	0	0	0	0	0	2
Total Credit Inquiries & Complaints	0	0	0	0	0	0	0	0	0	0	0	0	0
Credit inquiries & complaints in Charlottesville	5	2	1	1	1	0	0	0	0	0	0	0	10
Credit inquiries in Albemarle Co.	0	0	0	0	0	0	0	0	0	0	0	0	0
Credit inquiries in other and unspecified localities	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Private Education Inquiries & Complaints	0	0	0	0	0	0	0	0	0	0	0	0	0
Private education inquiries & complaints in Charlottesville	5	2	1	1	1	0	0	0	0	0	0	0	10
Private education inquiries in Albemarle Co.	0	0	0	0	0	0	0	0	0	0	0	0	0
Private education inquiries in other and unspecified localities	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Other (Unprotected) Inquiries & Complaints	5	10	8	8	1	0	0	0	0	0	0	0	32
Other (Unprotected) inquiries & complaints in Charlottesville	1	2	4	2	0	0	0	0	0	0	0	0	9
Other (Unprotected) inquiries in Albemarle Co.	0	0	0	0	0	0	0	0	0	0	0	0	0
Other (Unprotected) inquiries in other and unspecified localities	4	8	4	6	1	0	0	0	0	0	0	0	23
Total I&C: P.C. - Age	2	0	0	0	0	0	0	0	0	0	0	0	2
Total I&C: P.C. - Elderliness (Housing)	1	0	0	0	0	0	0	0	0	0	0	0	1
Total I&C: P.C. - Disability	6	1	3	2	3	0	0	0	0	0	0	0	15
Total I&C: P.C. - Marital Status	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - National Origin	4	2	0	0	0	0	0	0	0	0	0	0	6
Total I&C: P.C. - Pregnancy	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Childbirth or Related Medical Conditions	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Familial Status (Housing)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Race	1	1	0	1	0	0	0	0	0	0	0	0	3
Total I&C: P.C. - Color	1	0	1	1	0	0	0	0	0	0	0	0	3
Total I&C: P.C. - Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Sex	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Gender Identity	1	0	0	1	0	0	0	0	0	0	0	0	2
Total I&C: P.C. - Sexual Orientation	0	2	0	0	0	0	0	0	0	0	0	0	2
Total I&C: P.C. - Source of Funds (Housing)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Veteran Status	1	0	0	0	0	0	0	0	0	0	0	0	1
Total I&C: P.C. - Not specified	10	9	12	7	4	0	0	0	0	0	0	0	42
Total I&C: P.C. - Other (Unprotected)	2	1	0	0	0	0	0	0	0	0	0	0	3
Total Contacts resulting in Referrals	4	1	4	1	3	0	0	0	0	0	0	0	13
Referrals to AG OCR	3	0	4	0	3	0	0	0	0	0	0	0	10
Referrals to AIM	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to APS	0	1	0	0	0	0	0	0	0	0	0	0	1
Referrals to CPD	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to CPS	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to CRHA	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to CRL	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to CVLAS	1	0	0	1	0	0	0	0	0	0	0	0	2
Referrals to DARS	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to DBHDS	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to DHS	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to DJC	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to DLC	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to DOJ	0	0	0	0	0	0	0	0	0	0	0	0	0
Referrals to DPOR	0	0	0	0	0	0	0	0	0	0	0	0	0

[illegible]

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Total Housing Complaints: P.C. - Pregnancy	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Childbirth or R.M.C.	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Race	1	0	0	0	0	0	0	0	0	0	0	0	1
Total Housing Complaints: P.C. - Color	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Sex	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Source of Funds	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Veteran Status	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Not specified	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Housing Complaints: P.C. - Other (Unprotected)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Age	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Marital Status	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - National Origin	1	1	0	0	0	0	0	0	0	0	0	0	2
Total Pub. Accom. Comp.: P.C. - Pregnancy	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Childbirth or R.M.C.	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Race	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Color	1	0	0	0	0	0	0	0	0	0	0	0	1
Total Pub. Accom. Comp.: P.C. - Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Sex	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Gender Identity	1	0	0	0	0	0	0	0	0	0	0	0	1
Total Pub. Accom. Comp.: P.C. - Sexual Orientation	0	1	0	0	0	0	0	0	0	0	0	0	1
Total Pub. Accom. Comp.: P.C. - Veteran Status	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Not specified	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Pub. Accom. Comp.: P.C. - Other (Unprotected)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Open Inquiries	7	3	4	8	3	0	0	0	0	0	0	0	25
Total Closed Inquiries	14	11	12	3	4	0	0	0	0	0	0	0	44
Total Open Complaints	3	1	0	1	1	0	0	0	0	0	0	0	6
Total Closed Complaints	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: Conciliation	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: Court Action	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: Informal Resolution	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: No Response	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: Non-jurisdictional	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: Private Counsel	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: Referred Case	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: Settlement	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Complaint Closure: Withdrawal	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Inquiry Closure: Informal Resolution	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Inquiry Closure: Navigation Only	12	8	10	1	4	0	0	0	0	0	0	0	35
Reason for Inquiry Closure: No Response	2	3	2	1	0	0	0	0	0	0	0	0	8
Reason for Inquiry Closure: Referral	0	0	0	0	0	0	0	0	0	0	0	0	0
Reason for Inquiry Closure: Complaint Filed	0	0	0	1	0	0	0	0	0	0	0	0	1
Primary Service: Case Administration	5	10	13	29	37	0	0	0	0	0	0	0	94
Primary Service: Conciliation Activity	0	0	0	0	0	0	0	0	0	0	0	0	0
Primary Service: Informal Dialogue	0	0	13	0	0	0	0	0	0	0	0	0	13
Primary Service: Information	43	14	8	44	1	0	0	0	0	0	0	0	110

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Primary Service: Intake Activity	85	131	30	324	74	0	0	0	0	0	0	0	644
Primary Service: Investigation Activity	2	5	1	0	0	0	0	0	0	0	0	0	8
Primary Service: Mediation Activity	1	0	16	6	1	0	0	0	0	0	0	0	24
Primary Service: Navigation & Advocacy	31	18	19	13	0	0	0	0	0	0	0	0	81

Reporting:

Report	Status
CY2023 HRC & OHR Annual Report	Completed. Posted on Human Rights webpage. Requires corrections to minor data errors – will be corrected and reposted. To be presented to Council on June 3, 2024.
CY2024 First Quarter Report to Council	Completed and submitted to Council on April 17, 2024.
CY2024 Second Quarter Report to Council	To be submitted to Council in July 2024.
CY2024 Third Quarter Report to Council	To be submitted to Council in October 2024.

Active Complaints:

Case #	Protected Activity	Protected Class(es)	Status
2020-2	Housing	Race	Investigation completed and determination in progress.
2021-4	Employment	Sex	Awaiting response to offer of mediation.
2021-5	Employment	Sexual Orientation, Race	Investigation in progress.
2022-6	Housing	Color, Race	Pending administrative closure.
2023-2	Employment	Religion, National Origin	Fact gathering in progress.
2023-7	Public Accommodation	Sex	Investigation in progress.
2024-2	Housing	Age, Disability	Mediation in progress.
2024-3	Public Accommodation	National Origin, Sexual Orientation	Mediation in progress.
2024-3R	Public Accommodation	Retaliation	Pending authorization.
2024-4	Housing	Disability	Awaiting response to offer of mediation.
2024-5	Public Accommodation	Disability, Gender Identity	Awaiting response to offer of mediation.

Outreach Data Summary: Some more recent events may be pending entry.

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
<i>Open office days in the month</i>	22	20	20	22	22	19	22	22	20	23	18	20	250
<i>Total service provision events</i>	3	6	2	4	2	0	0	0	0	0	0	0	17
<i>Total education & awareness events</i>	2	1	0	5	0	0	0	0	0	0	0	0	8
<i>Total collaboration & leadership events</i>	12	12	16	20	8	0	0	0	0	0	0	0	68
<i>Total outreach activities</i>	17	19	18	29	10	0	0	0	0	0	0	0	93
<i>Total unique primary collaborators</i>	<i>No monthly count only total count</i>												36
<i>Total collaborative activities</i>	16	17	17	27	10	0	0	0	0	0	0	0	87
<i>Total attendees at service provision events</i>	79	146	5	48	15	0	0	0	0	0	0	0	293
<i>Total attendees at education & awareness events</i>	104	0	0	152	0	0	0	0	0	0	0	0	256
<i>Total newsletter opens</i>	357	380	369	335	0	0	0	0	0	0	0	0	1441

HRC Work Summary:

Date	Sec. 2-433 Role	Roles (Sec. 433)	Duties & Responsibilities	Primary Action	Summary & Analysis
1/5/2024	e	Sec. 2-433. (e) Legislative Program	Sec. 2-435 Systemic issues	Public Discussion	The Commission invited Delegate Callsen, City Councilor Snook, and the City Attorney to share updates regarding Council's legislative priorities and the process for bill sponsorship for the recommendations presented by the Commission.
1/18/2024	b	Sec. 2-433. (b) Awareness and Guidance	Sec. 2-434 Community dialogue and engagement.	Public Discussion	The Commission partnered with the City ADA Coordinator and Precision Infrastructure Management for a public presentation about updates to the City's ADA Transition Plan.
5/6/2024	b	Sec. 2-433. (b) Awareness and Guidance	Sec. 2-434 Community dialogue and engagement.	Other Action	A commissioner met with community partners and OHR staff to coordinate efforts to organize local LGBTQ+ Ally trainings.
5/10/2024	b	Sec. 2-433. (b) Awareness and Guidance	Sec. 2-434 Community dialogue and engagement.	Community Event	A commissioner conducted service provision outreach in conjunction with OHR staff.

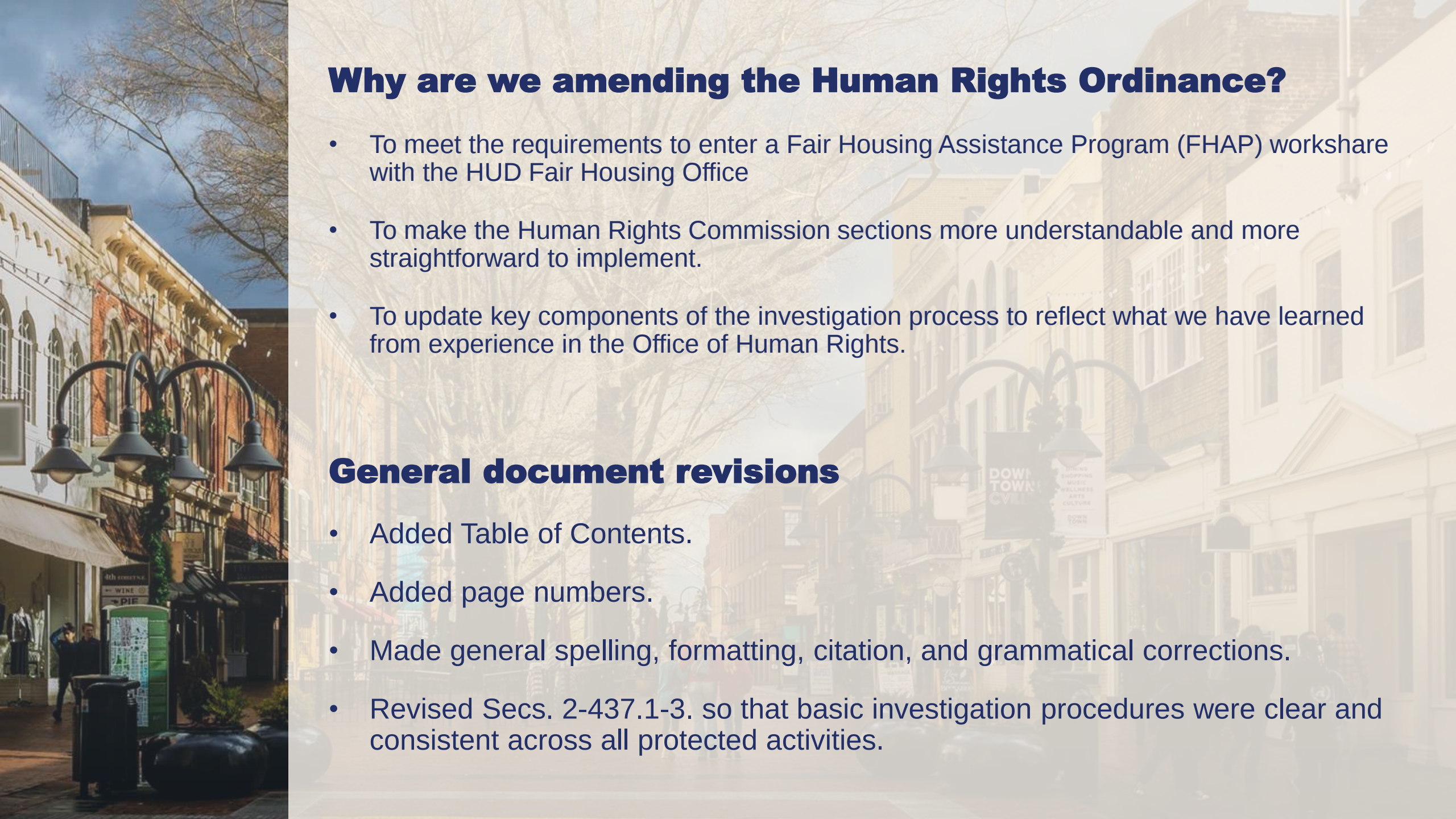
Attachment 6



Proposed Amendments to the Charlottesville Human Rights Ordinance

**Presented by Todd Niemeier, Director, Human
Rights Commission**

HRC Regular Meeting May 16, 2024

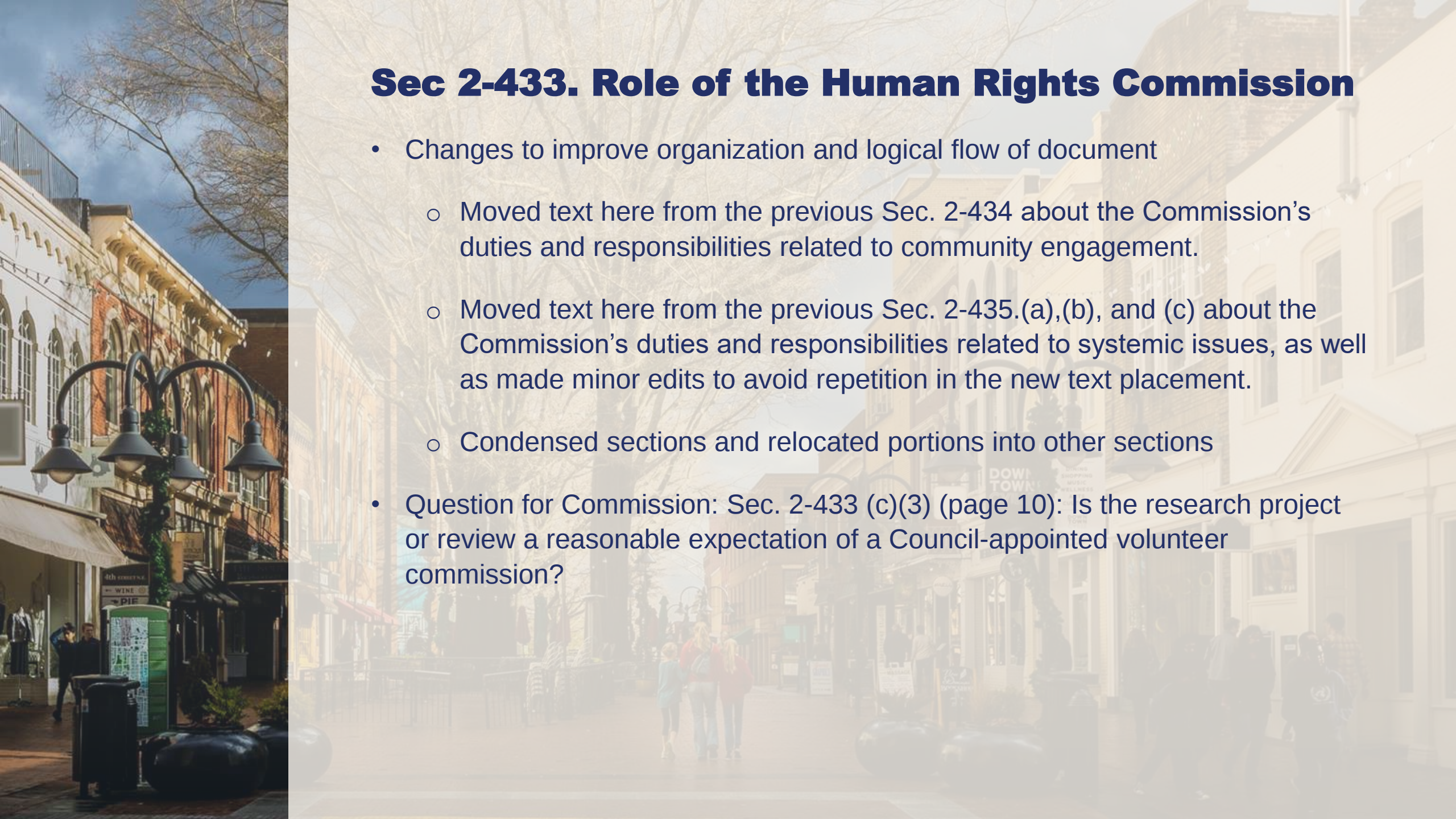


Why are we amending the Human Rights Ordinance?

- To meet the requirements to enter a Fair Housing Assistance Program (FHAP) workshare with the HUD Fair Housing Office
- To make the Human Rights Commission sections more understandable and more straightforward to implement.
- To update key components of the investigation process to reflect what we have learned from experience in the Office of Human Rights.

General document revisions

- Added Table of Contents.
- Added page numbers.
- Made general spelling, formatting, citation, and grammatical corrections.
- Revised Secs. 2-437.1-3. so that basic investigation procedures were clear and consistent across all protected activities.



Sec 2-433. Role of the Human Rights Commission

- Changes to improve organization and logical flow of document
 - Moved text here from the previous Sec. 2-434 about the Commission's duties and responsibilities related to community engagement.
 - Moved text here from the previous Sec. 2-435.(a),(b), and (c) about the Commission's duties and responsibilities related to systemic issues, as well as made minor edits to avoid repetition in the new text placement.
 - Condensed sections and relocated portions into other sections
- Question for Commission: Sec. 2-433 (c)(3) (page 10): Is the research project or review a reasonable expectation of a Council-appointed volunteer commission?



Sec. 2-434. Office of Human Rights

- Separated this section from the "Role" section to mirror Sec. 2-432. for the Commission
- Added clause that the Director may hire additional staff, as approved by the City Manager, to fulfill the duties within the ordinance.

Sec. 2-435. Role of the Office of Human Rights

- Created a "Role" section to mirror the Sec. 2-433. for the Commission.
- Slight revisions to the community outreach roles to mirror other language in the Commission sections defining the scope of issues to include human rights, discrimination, and/or equity.



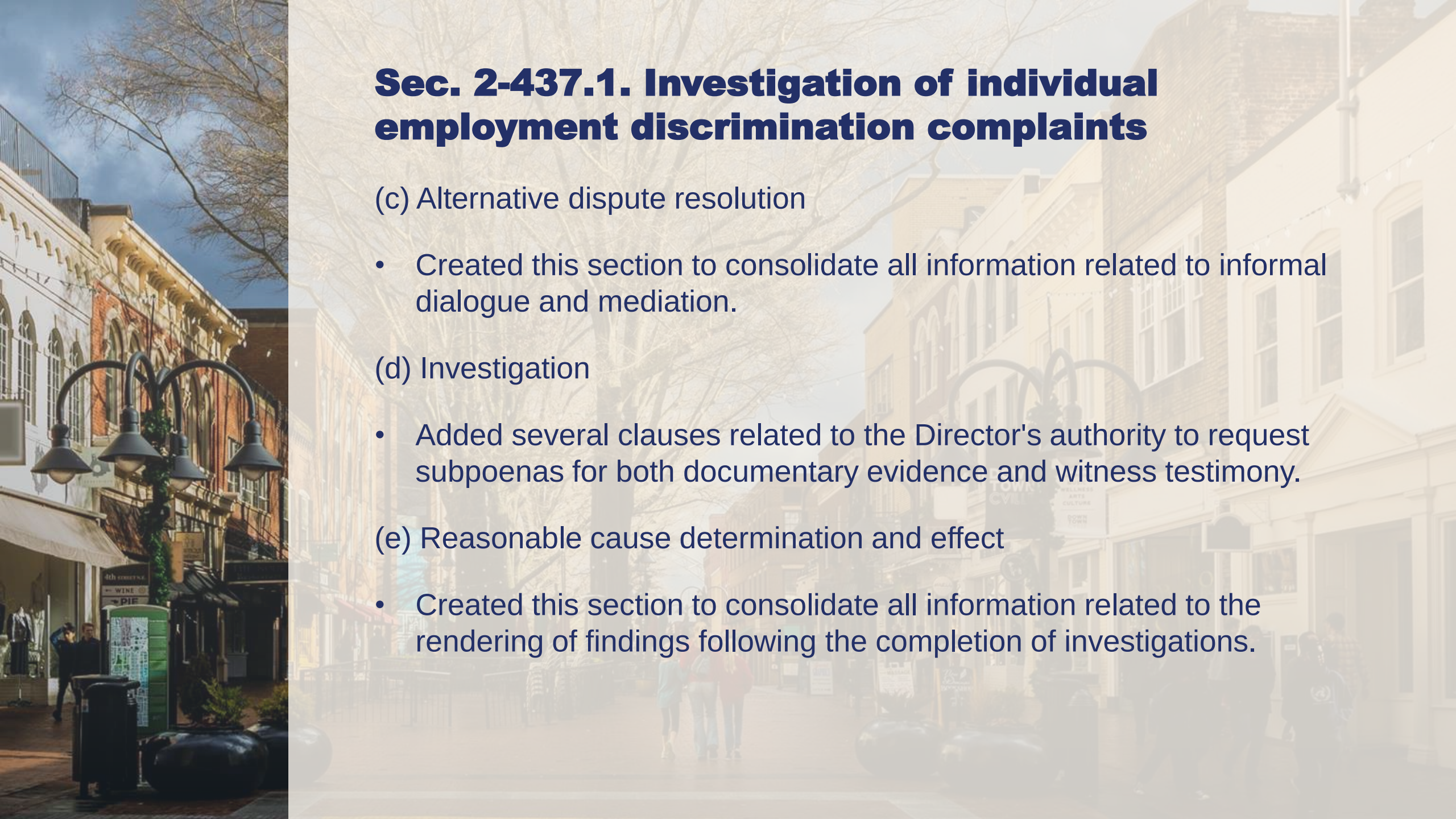
Sec. 2-437.1. Investigation of individual employment discrimination complaints

(a) Complaints and answers

- Updated the intake and complaint filing process to reflect standard practices and practical application in the Office of Human Rights.
- Added a clause to address situations in which a current or former Commissioner is a party to an inquiry of discrimination.

(b) Further action

- Added a clause clarifying that it is the aggrieved individual's responsibility to provide current and updated contact information to the Office.
- Consolidated and updated procedures regarding non-responsiveness of complainants and respondents.



Sec. 2-437.1. Investigation of individual employment discrimination complaints

(c) Alternative dispute resolution

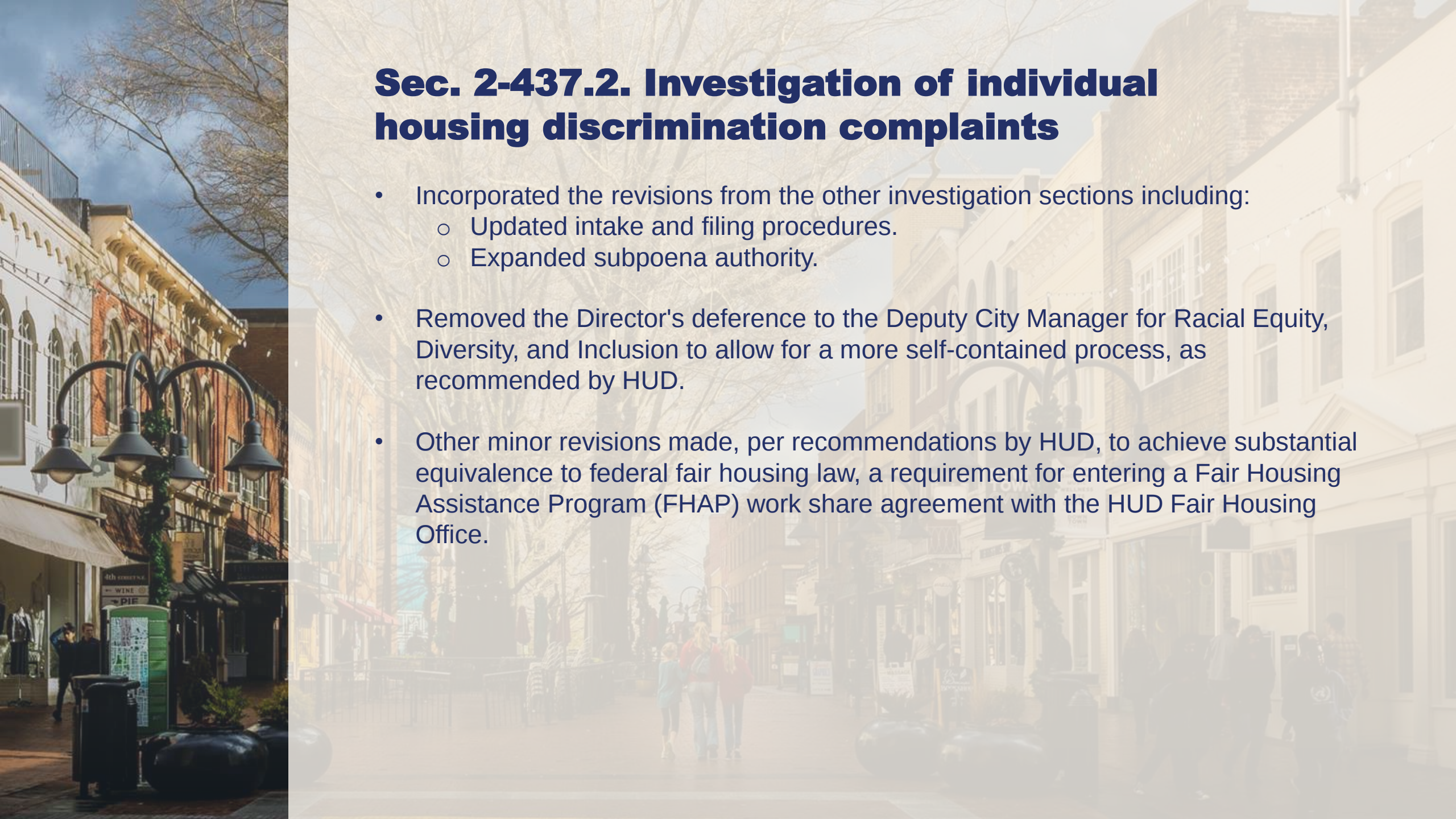
- Created this section to consolidate all information related to informal dialogue and mediation.

(d) Investigation

- Added several clauses related to the Director's authority to request subpoenas for both documentary evidence and witness testimony.

(e) Reasonable cause determination and effect

- Created this section to consolidate all information related to the rendering of findings following the completion of investigations.



Sec. 2-437.2. Investigation of individual housing discrimination complaints

- Incorporated the revisions from the other investigation sections including:
 - Updated intake and filing procedures.
 - Expanded subpoena authority.
- Removed the Director's deference to the Deputy City Manager for Racial Equity, Diversity, and Inclusion to allow for a more self-contained process, as recommended by HUD.
- Other minor revisions made, per recommendations by HUD, to achieve substantial equivalence to federal fair housing law, a requirement for entering a Fair Housing Assistance Program (FHAP) work share agreement with the HUD Fair Housing Office.



Sec. 2-437.3. Investigation of individual public accommodation, credit, and private education discrimination complaints

- This section mirrors the language in the employment discrimination investigation section (Sec. 2-437.1.)
- All changes made to Sec. 2-437.1. are also replicated here.



Sec. 2-438. Interference, coercion, intimidation, or retaliation prohibited.

- Added a clause to create a mechanism for filing a retaliation complaint.
- Added a clause to clarify that retaliation complaints will be subject to the process associated with the protected activity identified in the original complaint.



Sec. 2-439.1. Enforcement authority – The role of the Commission regarding individual complaints of discrimination.

Authority	Current Ordinance	Appeal & Hearing Focused	Appeal & Record Focused
Appeals: no reasonable cause	Yes	Yes	Yes
Appeals: reasonable cause	No	Yes	Yes
Hearings on findings of reasonable cause	Yes	Yes	Maybe
New evidence and cross examination	Yes	Yes	No
Recommendations for further action	Yes	Yes	Yes

Questions?



Attachment 7

Green = preexisting text for suggested movement to this location from another.

~~Green~~ = preexisting text suggested for removal from this location.

Blue = suggested new text.

~~Red~~ = preexisting text suggested for removal

Orange = suggested grammatical change

Yellow highlighted = text about which there are questions

Pink highlighted = section references to verify

**AN
ORDINANCE
AMENDING AND REENACTING CHAPTER 2 (ADMINISTRATION) OF THE
CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED,
ARTICLE XV (HUMAN RIGHTS) TO UPDATE THE ORDINANCE TO
EXPAND THE COMMISSION’S DUTIES AS AUTHORIZED BY THE
VIRGINIA HUMAN RIGHTS ACT (VIRGINIA CODE TITLE 2.2, CHAPTER
39), THE VIRGINIA FAIR HOUSING LAW (VIRGINIA CODE TITLE 36,
CHAPTER 5.1), and VIRGINIA CODE, TITLE 15.2, CHAPTER 9, §15.2-965,
AS AMENDED.**

WHEREAS, by recorded vote, the Human Rights Commission initiated certain amendments to the text of the City’s Human Rights Ordinance, Sections 2-430; 2-431; 2-431.1; 2-431.2; 2-431.3; 2-432; 2-433; 2-433; 2-435; 2-436; Sec. 2-437.1; 2-437.2; 2-437.3; 2-438; 2-439.1; 2-439.2; and 2-440 (“Proposed Text Amendments”); and

WHEREAS, a public meeting was held to discuss and receive comments on the Proposed Text Amendments on June 18, August 20, and September 17, 2020 and the proposed amendments were presented to, discussed and approved at the October 15, 2020 public meeting of the Human Rights Commission for recommendation to Charlottesville City Council; and

WHEREAS, after consideration of the Human Rights Commission recommendations and other factors within the City, this Council is of the opinion that that the Proposed Text Amendment has been designed to comply with the Virginia Human Rights Act (Virginia Code Title 2.2, Chapter 39), the Virginia Fair Housing Law (Virginia code Title 36, Chapter 5.1), and Virginia Code, Title 15.2, Chapter 9, §15.2-965 of the Code of Virginia (1950), as amended, and this Council hereby finds and determines that: (i) the public necessity, convenience, and general welfare require the Proposed Text Amendment, and (ii) the Proposed Text Amendment is consistent with the Council’s vision of the City as a leader in social justice; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that: Sections 2-430; 2-431; 2-431.1; 2-431.2; 2-431.3; 2-432; 2-433; 2-433; 2-435; 2-436; Sec. 2-437.1; 2-437.2; 2-437.3; 2-438; 2-439.1; 2-439.2; and 2-440 of the Code of the City of Charlottesville (1990), as amended, is hereby amended and reenacted as follows:

Article XV. Human Rights

<u>Sec. 2-430.1.</u>	<u>Short title.</u>
<u>Sec. 2-430.2.</u>	<u>Definitions.</u>
<u>Sec. 2-431.</u>	<u>Unlawful discrimination prohibited.</u>
<u>Sec. 2-431.1.</u>	<u>Unlawful employment discrimination prohibited.</u>
<u>Sec. 2-431.2.</u>	<u>Unlawful housing discrimination prohibited.</u>
<u>Sec. 2-431.3.</u>	<u>Unlawful public accommodation, credit, and private education discrimination prohibited.</u>
<u>Sec. 2-432.</u>	<u>Human Rights Commission.</u>
<u>Sec. 2-433.</u>	<u>Role of the Human Rights Commission.</u>
<u>Sec. 2-434.</u>	<u>Office of Human Rights.</u>
<u>Sec. 2-435.</u>	<u>Role of the Office of Human Rights.</u>
<u>Sec. 2-436.</u>	<u>Reserved.</u>
<u>Sec. 2-437.1.</u>	<u>Investigation of individual employment discrimination complaints and issuance of findings.</u>
<u>Sec. 2-437.2.</u> <u>issuance</u>	<u>Investigation of individual housing discrimination complaints and</u>
	<u>of findings.</u>
<u>Sec. 2-437.3.</u>	<u>Investigation of individual public accommodation, credit, or private education discrimination complaints and issuance of findings.</u>
<u>Sec. 2-438.</u>	<u>Interference, coercion, intimidation, or retaliation prohibited.</u>
<u>Sec. 2-439.1.</u>	<u>Enforcement authority – The role of the Commission regarding individual complaints of employment, public accommodation, credit, or private education discrimination.</u>
<u>Sec. 2-439.2.</u>	<u>Enforcement authority – The role of the Commission regarding Court enforcement of individual complaints of employment, public accommodation, credit, or private education discrimination.</u>
<u>Sec. 2-440.</u>	<u>Confidentiality.</u>
<u>Sec. 2-441.</u>	<u>Severability.</u>
<u>Sec. 2-442.</u>	<u>Reserved.</u>
<u>Sec. 2-443.</u>	<u>Reserved.</u>

Sec. 2-430.1. Short title.

This Article shall be known and referred to as the Charlottesville Human Rights Ordinance.

Sec. 2-430.2. Definitions.

- (a) Terms used in this ordinance to describe prohibited discrimination in employment shall have the meanings as ascribed to them under Virginia Human Rights Act. Va. Code §§ 2.2-3900- 3909., Va. Code § 15.2-965 as it relates to “Gender identity” “Military status” “Religion” and “Sexual orientation, and [42 U.S.C. §§ 1981-2000h-6](#). ~~U.S. Code §§ 1981-2000h-6~~, as amended.
- (b) Terms used in this ordinance to describe prohibited discrimination in housing shall have the meanings as ascribed to them under the Virginia Human Rights Act, Va. Code §§ 2.2-3900- 3909., Va. Code § 15.2-965 as it relates to “Gender identity” “Military status” “Religion” “Sexual orientation”, Virginia Fair Housing Law, Va. Code § 36-96.1:1., and 42 USCS § 3602, as amended.
- (c) Terms used in this ordinance to describe prohibited discrimination in public accommodations, credit, and private education shall have the meanings as ascribed to them under the Virginia Human Rights Act., Va. Code §§ 2.2-3900-3909. and Va. Code § 15.2-965. as it relates to “Gender identity” “Military status” “Religion” and “Sexual orientation, and for public accommodation under 42 USCS § 2000a., as amended.

Sec. 2-431. Unlawful discrimination prohibited generally.

Pursuant to Va. Code Ann. § 2.2-3900. and § 15.2-965., it is the policy of the City of Charlottesville to:

- a) Safeguard all individuals within the City from unlawful discrimination in employment, housing, public accommodation, private education, and credit.
- b) Preserve the public safety, health, and general welfare for the City of Charlottesville;
- c) Further the interests, rights, and privileges of individuals within the City; and
- d) Protect citizens of the City against unfounded charges of unlawful discrimination.

Sec. 2-431.1. Unlawful employment discrimination prohibited.

It shall be unlawful and a violation of this ordinance for any person, partnership, corporation or other entity to engage in discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, status as a veteran, or disability. The prohibited actions in this section shall include and have the meanings ascribed to them in Virginia Human Rights Act, Va. Code §§ 2.2-3900-3909., Va. Code § 15.2-965 and [42 U.S.C. §§ 1981-2000h-6](#). ~~U.S. Code §§ 1981-2000h-6~~, as amended.

Sec. 2-431.2. Unlawful housing discrimination prohibited.

It shall be unlawful and a violation of this article for any person, partnership, corporation or other entity:

- (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, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, status as a veteran, or disability.
- (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, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, status as a veteran, or disability.
- (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 race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, status as a veteran, or disability, or an intention to make any such preference, limitation, or discrimination.
- (d) To represent to any person because of race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, status as a veteran, or disability, 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, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, status as a veteran, or disability.
- (f) Furthermore, it shall be unlawful and a violation of this article for any person, partnership, corporation or other entity:
 - (1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a disability of the following:
 - (A) that buyer or renter;
 - (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - (C) any person associated with that buyer or renter.
 - (2) 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 with such dwelling, because of a disability of:
 - (A) that person; or
 - (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - (C) any person associated with that person.
 - (3) For purposes of this subsection, discrimination includes:
 - (A) a refusal to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a

rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

- (B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or
 - (C) in connection with the design and construction of covered multifamily dwellings for a failure to design and construct those dwellings in such a manner that:
 - (i) the public use and common use portions of such dwellings are readily accessible to and usable by people with disabilities;
 - (ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by people with disabilities requiring the use of wheelchairs; and
 - (iii) all premises within such dwellings contain the following features of adaptive design:
 - (I) an accessible route into and through the dwelling;
 - (II) light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
 - (III) reinforcements in bathroom walls to allow later installation of grab bars; and
 - (IV) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.
- (4) Compliance with the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as “ANSI A117.1”) suffices to satisfy the requirements of Sec. 2-431.2.(3).(C).(iii).
- (A) As used in this subsection, the term “covered multifamily dwellings” means: buildings consisting of 4 or more units if such buildings have one or more elevators; and
 - (B) ground floor units in other buildings consisting of 4 or more units.
- (5) Nothing in this ordinance shall be construed to invalidate or limit any state or federal law or City ordinance that requires dwellings to be designed and constructed in a manner that affords people with disabilities greater access than is required by this subchapter.
- (6) Nothing in this ordinance requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.
- (7) In general, it shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or

conditions of such a transaction, because of race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, status as a veteran, or disability.

(8) As used in this section, the term “residential real estate-related transaction” means any of the following:

- (A) The making or purchasing of loans or providing other financial assistance:
 - (i) for purchasing, constructing, improving, repairing, or maintaining a dwelling; or
 - (ii) secured by residential real estate.

(B) The selling, brokering, or appraising of residential real property.

(9) Nothing in this section prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, status as a veteran, or disability.

(g) It shall be unlawful 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 dwellings, or to discriminate against an individual in the terms or conditions of such access, membership, or participation, on account of race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, status as a veteran, or disability.

Sec. 2-431.3. Unlawful public accommodation, credit, and private education discrimination prohibited.

It shall be unlawful and a violation of this article for any person, partnership, corporation or other entity to engage in discrimination in public accommodations, credit, and private education on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity status as a veteran, or disability. The prohibited actions in this section shall include and have the meanings ascribed to them in Virginia Human Rights Act, Va. Code §§ 2.2-3900-3909., Va. Code § 15.2-965 as it relates to “Gender identity” “Military status” “Religion” “Sexual orientation”, and [42 U.S.C. §§ 1981-2000h-6](#). ~~U.S. Code §§ 1981-2000h-6~~, as amended.

Sec. 2-432. Human Rights Commission.

(a) There is hereby created in the City of Charlottesville a Human Rights Commission, the members of which shall be appointed by the City Council. Effective March 1, 2022, the appointed membership of the Commission shall consist of nine (9) members. The Commission membership shall be broadly representative of the City’s demographic composition, with consideration of racial, gender (including gender identity, transgender status, and sexual orientation), religious, ethnic, disabled, socio-economic, geographic neighborhood and age groups; with priority given to City residents, and to applicants with significant and demonstrable ties to the City. At least two members will have professional expertise in employment or housing discrimination, have personal experience with employment or housing discrimination, or identify as a member of a group that experiences discrimination. Of the members first appointed, at least three shall

be appointed for terms of three years, at least three shall be appointed for terms of two years, and at least three shall be appointed for terms of one year. Thereafter members shall be appointed for terms of three years each. Any vacancy shall be filled by the City Council for the unexpired portion of a term. Following notice to the member, any member of the Commission may be removed for good cause by a majority vote of City Council.

- (b) The Commission shall elect from its members a chair, a vice-chair, and such other officers as the Commission may deem appropriate.
- (c) Members of the Commission shall serve without compensation, but funds may be appropriated in the City's annual budget for reasonable and necessary expenses to be incurred by Commission in the conduct of its prescribed functions.
- (d) All meetings of the Commission shall be advertised in advance and in the manner required by law and shall be open to the public except for meetings lawfully closed pursuant to the Virginia Freedom of Information Act. The Commission may adopt bylaws and procedures to govern the conduct of its meetings; provided, however, that at the beginning and at the end of each of its public meetings the Commission will receive public comment in accordance with City Council's adopted "Rules for Public Participation."
- (e) The Commission may, in its discretion, delegate any of its duties or responsibilities hereunder to a panel of not less than three Commissioners.
- (f) There shall be a full-time Director of the Commission, who shall be appointed by the City Manager with the advice and consent of the Commission and who shall serve full time in that capacity. A candidate proposed for appointment as the Director must demonstrate significant prior professional experience performing one or more of the activities or roles described in the code of the City of Charlottesville, Chapter 2, Article XV. The Director ~~will~~ shall be responsible for and report to the Commission on the day-to-day operational conduct of the Human Rights Commission. The Director shall report directly to the Deputy City Manager for Social Equity ~~Racial Equity, Diversity, and Inclusion~~ for administrative and fiscal matters. The City Manager shall delegate to the Director the authority to employ such additional staff as authorized and funded by the City Council, ~~in order for~~ to allow the Commission to fulfill effectively its obligations under this Ordinance. In the absence of a Director, the City Manager shall transfer the Director's duties to qualified professional staff within the City to ensure the continuity of services provided by the Human Rights Commission and Office of Human Rights.
- (g) The City Council shall establish policies and procedures for the performance by the Commission of the roles, duties and responsibilities set forth within this article ("operating procedures"). All City departments, boards and commissions shall cooperate with and assist the Commission, including the provision of information in response to reasonable requests from the Commission.
- (h) Legal counsel shall be provided to the Commission and its staff through the Office of the City Attorney. The City Council hereby authorizes retention of outside counsel where deemed appropriate upon recommendation of the City Attorney.
- (i) The Commission shall make quarterly reports to the City Council concerning the

operation of the Commission and the status of the Commission's performance of the duties, responsibilities and roles set forth within this article. One of the required quarterly reports shall be an annual report. The schedule for submission of these reports, and the required contents of the reports, shall be as specified within the Commission's operating procedures.

Sec. 2-433. Role of the Human Rights Commission.

The role of the Human Rights Commission, with support from the Office of Human Rights, is to act as a strong advocate for justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights. The Commission will:

- (a) Assist individuals who believe they are the victim of an act of unlawful discrimination within the jurisdiction of the City;
- (b) Collaborate with the public and private sectors ~~to provide for the purpose of providing~~ awareness, education and guidance on methods to prevent and eliminate discrimination citywide;
 - (1) The Commission ~~will~~ shall serve as a forum for the discussion of human rights issues and be responsible for conducting ongoing efforts to engage community members in an open, honest, and creative dialogue regarding issues of equity and opportunity, including but not limited to issues considered by the City's Dialogue on Race initiative.
 - (2) The Commission ~~will~~ shall conduct or engage in educational and informational programs for the promotion of mutual understanding, reconciliation, and respect between all classes of individuals protected by this ordinance and the larger Charlottesville community.
- (c) Identify and review systemic issues, policies, and practices, of the City of Charlottesville and its boards, ~~and~~ commissions, and other public agencies within the City and advise those bodies on issues related to human rights;
 - (1) ~~The Commission will be responsible for identifying and reviewing~~ Such policies, practices, and systems may include those of an institutional nature that:
 - (i) May be unlawful discriminatory practices; or,
 - (ii) May not constitute unlawful discriminatory practices but nevertheless produce disparities that adversely impact individuals in accordance with the protected classes identified within this ordinance.
 - (2) Any review undertaken pursuant to this section may be initiated at the request of any other public or private entity, or by the Commission on its own initiative.
 - (3) The Commission may conduct its own research and review of existing studies and literature, collaborate with other research organizations, organize public focus groups, and hold such hearings as may be necessary to identify policies, practices and systems as referenced in (a), above. For each such identified policy, practice or system, the goal of the Commission will be to formulate

recommendations and to propose to City Council concrete, actionable reforms that will eliminate discriminatory practices or the adverse effects of lawful other practices. On and after July 1, 2021, the Commission will conduct at least one such research project or review every two years. The Commission will report the status of its ongoing project(s) or review(s) to City Council within its quarterly and annual reports.

- (d) Seek a Fair Employment Practices Agency (FEPA) workshare agreement with the Equal Employment Opportunity Commission (EEOC) and a Fair Housing Assistance Program (FHAP) workshare agreement with the Department of Housing and Urban Development (HUD) to conduct investigations of employment and housing discrimination on their behalf and enter into such agreement(s) subject to approval of City Council upon a finding that the agreement(s) would be in the best interest of the City;
- (e) Make recommendations regarding the City's annual legislative program, with an emphasis on enabling legislation that may be needed to implement programs and policies that will address discrimination; and
- (f) Prepare policy or procedure recommendations to City Council which the Commission believes are necessary for the performance of the roles, duties, and responsibilities assigned to the Commission within this article, and for modifications of operating procedures approved by City Council.

~~Sec. 2-434. Duties and responsibilities—Community dialogue and engagement.~~

- ~~(a) The Commission will serve as a forum for the discussion of human rights issues, and be responsible for conducting ongoing efforts to engage community members in an open, honest and creative dialogue regarding issues of equity and opportunity, including but not limited to issues considered by the City's Dialogue on Race initiative.~~
- ~~(b) The Commission will conduct or engage in educational and informational programs for the promotion of mutual understanding, reconciliation, and respect between all classes of individuals protected by this ordinance and the larger Charlottesville community.~~

~~Sec. 2-435. Duties and responsibilities—Systemic issues.~~

- ~~(a) The Commission will be responsible for identifying and reviewing policies, practices, and systems of an institutional nature that:
 - ~~(1) May be unlawful discriminatory practices; or,~~
 - ~~(2) May not constitute unlawful discriminatory practices but nevertheless produce disparities that adversely impact individuals in accordance with the protected classes identified within this ordinance.~~~~
- ~~(b) Any review undertaken pursuant to this section may be initiated at the request of any other public or private entity, or by the Commission on its own initiative.~~
- ~~(c) The Commission may conduct its own research and review of existing studies and literature, collaborate with other research organizations, organize public focus groups and hold such hearings as may be necessary to identify policies, practices and systems as referenced in (a), above. For each such identified policy, practice or system, the goal of~~

~~the Commission will be to formulate recommendations and to propose to City Council concrete, actionable reforms that will eliminate discriminatory practices or the adverse effects of lawful other practices. On and after July 1, 2021, the Commission will conduct at least one such research project or review every two years. The Commission will report the status of its ongoing project(s) or review(s) to City Council within its quarterly and annual reports.~~

- ~~(d) Where the Commission, in accordance with subsection (a) herein identifies systemic, discriminatory housing practices, the Commission may upon majority vote of its members, request the Director of the Commission to file a complaint of discrimination in situations where there is no named complainant but factual evidence exists to support a prima facie case of a systemic, discriminatory housing practice. The Director shall follow the complaint and investigation procedures for fair housing complaints under City Code Sec. 2-437.2.~~

Sec. 2-434. Office of Human Rights.

- (a) There is hereby created in the City of Charlottesville an Office of Human Rights, which is a division of the City Manager's Office.
- (b) The Director of the Human Rights Commission will be responsible for, and report to the Commission on, the day-to-day operational conduct of the Office of Human Rights.
- (c) The Director may hire additional staff, as approved by the City Manager and funded by City Council, to fulfill the roles designated within this ordinance. Such staff shall report to the Director.
- ~~(d) The role of the Office of Human Rights is to:
 - (1) Provide administrative support to the Human Rights Commission;
 - (2) ~~Receive, attempt to conciliate or investigate and issue findings on individual complaints of discrimination within the jurisdiction of the City of Charlottesville;~~
 - ~~(A) Provide referrals to appropriate services for inquiries that do not involve a jurisdictional complaint of discrimination.~~
 - (3) Conduct community outreach related to human rights. Such outreach may include:
 - ~~(A) Providing information to the public regarding the services provided by the Office of Human Rights and the Human Rights Commission;~~
 - ~~(B) Hosting or participating in educational events for the purpose of raising public awareness around human rights issues;~~
 - ~~(C) Facilitating, leading, or participating in collaborative meetings and events with community partners for the purpose of addressing human rights issues.~~~~

Sec. 2-435. Role of the Office of Human Rights.

The role of the Office of Human Rights is to:

- (a) Provide administrative support to the Human Rights Commission;

- (b) Receive, attempt to conciliate or investigate, and issue findings on individual complaints of discrimination within the jurisdiction of the City of Charlottesville;
- (1) Provide referrals to appropriate services for inquiries that do not involve a jurisdictional complaint of discrimination.
- (c) Conduct community outreach related to human rights. Such outreach may include:
 - (1) Providing information to the public regarding the services provided by the Office of Human Rights and the Human Rights Commission;
 - (2) Hosting or participating in educational events for the purpose of raising public awareness around ~~human rights~~ issues of human rights, discrimination, and/or equity;
 - (3) Facilitating, leading, or participating in collaborative meetings and events with community partners for the purpose of addressing ~~human rights~~ issues of human rights, discrimination, and/or equity.

Sec. 2-436. Reserved.

Sec. 2-437.1. ~~Duties and responsibilities~~ — Investigation of individual employment discrimination complaints and issuance of findings.

(a) Complaints and answers

- (1) The Director shall develop and implement a central intake ~~mechanism~~ procedure to be used by the Office of Human Rights for receiving and processing individual inquiries ~~complaints~~ that allege an unlawful, discriminatory employment practice within the jurisdiction of the City.
- (2) Upon the receipt of such inquiry, the ~~The~~ Director or other designated professional staff shall conduct an initial assessment to determine if the inquiry ~~complaint~~ is jurisdictional and presents a prima facie case of discrimination. The ~~inquiry complaint~~ may be dismissed by the Director without further action if it fails to adequately allege a violation of this ordinance, is non-jurisdictional, or is otherwise deficient on its face.
- (3) ~~Upon the filing of such a discriminatory complaint:~~ If the inquiry ~~complaint~~ is not dismissed, and the Director shall authorize the aggrieved individual to file a formal complaint of discrimination with the Office of Human Rights.
- (4) Upon receiving authorization from the Director to file, aAny person claiming to be aggrieved by an unlawful discriminatory employment practice may file a complaint in writing with the Office of Human Rights not more than 180 calendar days following the alleged discriminatory act. The complaint shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged unlawful discrimination.
- (5) For complaints alleging an unlawful discriminatory employment practice within the jurisdiction of the City, defined herein as within the corporate limits of the City and as authorized by state and federal statutes, the Director or other designated professional staff are authorized to undertake further action as detailed in Sec. 2- 437.1.(b).

- (6) For ~~complaints~~ inquiries alleging an unlawful discriminatory employment practice that falls outside the jurisdiction of the City, the Director or other designated professional staff will refer the complaint to the appropriate state or federal agency.
- (7) If the City of Charlottesville is the named respondent in ~~a complaint~~ an inquiry of employment discrimination received by Office of Human Rights, the Director shall refer the complaint to the appropriate state or federal agency.
- (8) If a current or former City of Charlottesville Human Rights Commissioner is a party to an inquiry of employment discrimination received by the Office of Human Rights, and the case is jurisdictional and presents a prima facie case of discrimination, the Director may authorize the filing of a complaint and attempt resolve it through alternative dispute resolution, and/or refer the inquiry to the appropriate state or federal agency.
- (9) Upon the filing of a formal complaint of discrimination, if the complainant wishes to pursue further action, and further action is authorized by the Director, the Director shall serve a copy notice of the complaint on each respondent named therein. Said copy notice shall be served in a timely manner and specify the allegation, citing the evidence that supports further action, advising the complainant of the time limits and choice of forums under this ordinance, and indicating the action to be taken.
 - ~~(A) The Director or other designated professional staff shall conduct an initial assessment to determine if the complaint is jurisdictional and presents a prima facie case of discrimination. The complaint may be dismissed by the Director without further action if it fails to adequately allege a violation of this ordinance, is non-jurisdictional, or is otherwise deficient on its face.~~
 - ~~(B) If the complaint is not dismissed, and the complainant wishes to pursue further action, the Director shall serve a copy on each respondent named therein. Said copy shall be served in a timely manner and specify the allegation, citing the evidence that supports further action, and indicating the action to be taken.~~

(b) ~~Informal dialogue, mediation, and investigation~~ Further action

- (1) Further action for employment discrimination complaints, as authorized by this ordinance, may include informal dialogue mediation, and formal investigation of the complaint, as deemed appropriate by the Director.
- (2) If the Director determines that further action on a complaint is appropriate, during the period beginning with the filing of such complaint and ending with the rendering of a determination or a dismissal by the Director, the Director shall, to the extent feasible, engage in informal dialogue or mediation with respect to such complaint.
- (3) It shall be the responsibility of the aggrieved individual to provide current and updated contact information to the Office of Human Rights from the date of filing through the completion of any further action.

- (4) If, during the process of informal dialogue, mediation or investigation, the complainant does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, ~~the Investigator shall notify the Director. T~~ the Director shall serve written notice on the complainant that the case will be administratively closed if the complainant does not respond within thirty (30) ~~ten (10)~~ calendar days of the date receipt of ~~the~~ written notice is issued.
- (5) The complainant may, following the administrative closure of the case, re-file the complaint at a future date, provided that the complaint is filed within one hundred and eighty (180) calendar days of the alleged discriminatory event detailed in the original complaint.
- (6) If, during the process of informal dialogue, mediation or investigation, the respondent does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, ~~the investigator shall notify the Director. T~~ the Director ~~shall~~ may serve written notice on the respondent that the investigation ~~shall~~ may proceed without the requested information and that a determination on the case shall be rendered upon completion of the investigation.

(c) Alternative dispute resolution

- (1) The Director shall propose an initial meeting between the parties for the purpose of exploring a ~~alternative dispute~~ resolution of the complaint through ~~voluntary mediation or other informal means~~ voluntary informal dialogue or mediation.
 - (A) For the purposes of this section, informal dialogue shall refer to a voluntary meeting between the complainant and respondent to explore resolution that does not result in a written settlement agreement.
 - (B) For the purposes of this section, mediation shall refer to a facilitated dialogue resulting in a written settlement agreement between the respondent and complainant.
- (2) Nothing herein shall be interpreted as requiring any party to participate in informal dialogue, mediation, or any other resolution efforts.
- (3) Materials used and communications made during informal dialogue or mediation concerning a complaint of unlawful discrimination shall be confidential and shall not be disclosed to the public by the Director, the Commission, or Office of Human Rights staff unless disclosure is authorized in writing by all parties to the dispute.
- (4) If informal dialogue is concluded, the complaint ~~will~~ shall be considered resolved upon the complainant's written or verbal withdrawal of the complaint.
- (5) If the mediation is concluded to the satisfaction of both parties, the complaint ~~will~~ shall be considered resolved upon the parties' execution of a written settlement agreement. Unless all parties agree otherwise, the execution of a written agreement is solely for the purpose of settling a disputed claim and does

not constitute an admission by any party that the law or this ordinance has been violated. No further action on the initial complaint ~~will~~ shall be taken by the Commission or the Office of Human Rights staff once the agreement is executed.

- (6) If informal dialogue or mediation is not successful, and the complainant wishes to pursue further action, the Director or designee may conduct a formal investigation.
- (7) If further investigation is not warranted, the Director may dismiss the complaint as not constituting a violation and promptly serve written notice of the dismissal on the complainant and respondent.

(d) Investigation

- (1) If the Director determines that a formal investigation into the complaint is warranted, the Director shall assign an Investigator to make an investigation of the alleged discriminatory practice for the purpose of rendering a written determination as to whether there is reasonable cause to believe a violation of this ordinance occurred, and the facts supporting such determination.
- (2) The Investigator shall complete such investigation within one hundred and eighty (180) calendar days after the filing of the complaint unless it is impracticable to do so. If the Investigator is unable to complete the investigation within one hundred and eighty (180) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.
- (3) ~~If, during the process of informal dialogue, mediation or investigation, the complainant does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Investigator shall notify the Director. The Director shall serve written notice on the complainant that the case will be administratively closed if the complainant does not respond within ten (10) calendar days of the receipt of the written notice.~~
- (4) ~~The complainant may, following the administrative closure of the case, re-file the complaint at a future date, provided that the complaint is filed within one hundred and eighty (180) calendar days of the alleged discriminatory event detailed in the original complaint.~~
- (5) ~~If, during the process of informal dialogue, mediation or investigation, the respondent does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the investigator shall notify the Director. The Director shall serve written notice on the respondent that the investigation shall proceed without the requested information and that a determination on the case shall be rendered upon completion of the investigation.~~
- (6) Statements received by the Investigator from the complainant, respondents, and witnesses as part of a formal investigation shall be under oath or affirmation and may be reasonably and fairly amended at any time.

- (7) ~~Upon the conclusion of the formal investigation, the Investigator shall prepare an investigative report for submission to the Director.~~
- (8) When conducting an investigation of a complaint filed under this ordinance, the Investigator shall have the right to interview any person who may have any information which may further its investigation and to request production of any records or documents for inspection and copying in the possession of any person which may further the investigation. Such persons shall be interviewed under oath. The Director or its designated subordinates shall have the authority to collect, inspect and copy records under this ordinance.
- (9) If during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information, documents, other tangible evidence or refuses to appear as a witness for the gathering of evidence necessary to determine whether a violation of this ordinance has occurred, the Director, after a good faith effort to obtain such evidence or attendance of witnesses, may request the City Attorney to petition a court of appropriate jurisdiction for a subpoena against any such person refusing to produce such evidence or refusing to appear as a witness, and such court may, upon good cause shown, cause the subpoena to be issued.
- (A) For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.
- (B) Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.
- (C) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.
- (D) Any witness subpoena issued under this Section shall include a statement that any statements made will be under oath and that the respondent or other witness is entitled to be represented by an attorney.
- (E) Any person failing to comply with a subpoena issued under this Section shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may petition the court to quash the subpoena.
- (10) ~~Upon the conclusion of the formal investigation, the Investigator shall prepare an investigative report for submission to the Director.~~

(e) Reasonable cause determination and effect

- (1) Upon completion of a formal investigation and submission of the investigative report, the Director shall render a written determination of whether there is reasonable cause to believe a violation of this ordinance has been committed and the facts supporting such determination. The written determination shall

promptly be served on the parties.

- (2) If the Director determines that there is reasonable cause to believe that a violation of this ordinance has been committed, the Director shall immediately endeavor to eliminate any alleged unlawful discriminatory practice through informal dialogue or mediation.
- (3) If the complaint cannot be resolved through informal dialogue or mediation, the Director shall proceed with the preparation of materials for consideration by the Commission for the purpose of holding a vote on whether to conduct a public hearing on the complaint.
- (4) Such materials shall include a copy of the written determination with the names and identifying information of the complainant, respondent, respondent's agents, and any witnesses redacted.
- (5) Upon request by the Commission, the Director shall provide a copy of the full investigative report with the names and identifying information of the complainant, respondent, respondent's agents, and any witnesses redacted.
- (6) If the Director determines that there is insufficient reasonable cause to believe a violation of this ordinance has been committed, the Director shall dismiss the complaint and advise the complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of the notice of dismissal, the complainant files with the Commission a request for a review of the determination of the Director.

(f) Contracted services

- (1) In order to fulfill the requirements of this section, the City Manager or their designee is authorized to contract on behalf of the City with any objective, neutral third party qualified to assess allegations of discrimination under this section, for the purpose of receiving complaints, conducting investigations, rendering written determinations of whether there is reasonable cause to believe a violation of this ordinance has occurred, conducting informal dialogues or mediations of complaints and advising the Director of the Commission of the results of any investigation, informal dialogue or mediation of complaints.

Sec. 2-437.2. ~~Duties and responsibilities~~ Investigation of individual housing discrimination complaints and issuance of findings.

(a) Complaints and Answers

- (1) The Director shall develop and implement a central intake procedure to be used by the Office of Human Rights for receiving and processing individual inquiries that allege an unlawful, discriminatory housing practice within the jurisdiction of the City.
- (2) Upon the receipt of such inquiry, the Director or other designated professional staff shall conduct an initial assessment to determine if the inquiry is jurisdictional and presents a prima facie case of discrimination. The inquiry may be dismissed

- by the Director without further action if it fails to adequately allege a violation of this ordinance, is non-jurisdictional, or is otherwise deficient on its face.
- (3) If the inquiry is not dismissed, the Director shall authorize the aggrieved individual to file a formal complaint of discrimination with the Office of Human Rights.
 - (4) Upon receiving authorization from the Director to file, any person claiming to be aggrieved by an unlawful discriminatory housing practice may file a complaint in writing with the Office of Human Rights not more than one year (365 calendar days) following the alleged discriminatory act. The complaint shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged unlawful discrimination.
 - (5) ~~An aggrieved person may, not later than one year (365 calendar days) after an alleged discriminatory housing practice has occurred, file a written complaint with the Office of Human Rights alleging such discriminatory housing practice.~~
 - (6) ~~Such complaints shall be in writing and shall contain such information and be in such form as the Director requires.~~
 - (7) Upon a majority vote of its members, the Human Rights Commission in accordance with City Code Sec. 2-437.2 subsection (a) may request the Director of the Commission to file a complaint of an identified systemic, discriminatory housing practice despite there being no named complainant, but factual evidence exists to support a prima facie case of practice to have occurred. The Director shall follow the complaint and investigation procedures for fair housing complaints under this section.
 - (8) The Director may also investigate housing practices to determine whether a complaint should be brought under this section.
 - (9) If the City of Charlottesville is the named respondent in a complaint of housing discrimination received by Office of Human Rights, the Director shall refer the complaint to the appropriate state or federal agency.
 - (10) If a current or former City of Charlottesville Human Rights Commissioner is a party to an inquiry of housing discrimination received by the Office of Human Rights, and the case is jurisdictional and presents a prima facie case of discrimination, the Director may authorize the filing of a complaint and attempt resolve it through alternative dispute resolution, and/or refer the inquiry to the appropriate state or federal agency.
 - (11) Upon the filing of such a complaint,
 - (A) If the complaint is not dismissed, the complainant wishes to pursue further action, and further action is authorized by the Director, the Director shall serve notice upon the aggrieved person acknowledging such filing and advising the aggrieved person of the time limits and choice of forums provided under this ordinance.÷
 - (B) ~~†~~The Director shall, not later than ten (10) calendar days after such filing or the identification of an additional respondent under section 2-

437.2.(a)(10), serve on the respondent a notice identifying the alleged discriminatory housing practice and advising such respondent of the procedural rights and obligations of respondents under this ordinance, together with a copy of the original complaint.

- (C) Each respondent may file, not later than ten (10) calendar days after receipt of notice from the Director, an answer to such complaint.
- (D) ~~The Director shall make an investigation of the alleged discriminatory housing practice and complete such investigation within one hundred (100) calendar days after the filing of the complaint, unless it is impracticable to do so.~~
- (12) ~~If the Director is unable to complete the investigation within one hundred (100) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.~~
- (13) Complaints and answers shall be under oath or affirmation and may be reasonably and fairly amended at any time.
- (14) A person who is not named as a respondent in a complaint, but who is identified as a respondent in the course of investigation, may be joined as an additional or substitute respondent upon written notice, ~~under Sec. 2-437.2(a)(7)(C),~~ to such person, from the Director. Such notice, in addition to meeting the requirements of Sec. 2-437.2(a)(4) shall explain the basis for the Director's belief that the person to whom the notice is addressed is properly joined as a respondent.
- (15) ~~Such notice, in addition to meeting the requirements of Sec. 2-437.2(a)(4) shall explain the basis for the Director's belief that the person to whom the notice is addressed is properly joined as a respondent.~~

(b) Further action

- (1) Further action for housing discrimination complaints, as authorized by this ordinance, may include informal dialogue, mediation, conciliation, and formal investigation of the complaint, as deemed appropriate by the Director.
- (2) It shall be the responsibility of the aggrieved individual to provide current and updated contact information to the Office of Human Rights from the date of filing through the completion of any further action.
- (3) If, during the process of informal dialogue, mediation, conciliation, or investigation, the complainant does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Director shall serve written notice on the complainant that the case will be administratively closed if the complainant does not respond within thirty (30) calendar days of the date the written notice is issued.
- (4) The complainant may, following the administrative closure of the case, re-file the complaint at a future date, provided that the complaint is filed within three hundred sixty-five (365) calendar days of the alleged discriminatory event detailed in the original complaint.

- (5) If, during the process of informal dialogue, mediation, conciliation, or investigation, the respondent does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Director may serve written notice on the respondent that the investigation may proceed without the requested information and that a determination on the case shall be rendered upon completion of the investigation.
- (c) ~~Investigation, mediation, or conciliation~~ Alternative dispute resolution
- (1) If the Director determines that further action on a complaint is appropriate,
~~D~~during the period beginning with the filing of such complaint and ending with the filing of a charge or a dismissal by the Director, the Director shall, to the extent feasible, engage in informal dialogue, mediation, or conciliation with respect to such complaint.
- (A) For the purposes of this section, informal dialogue shall refer to a voluntary meeting between the complainant and respondent to explore resolution that does not result in a written settlement agreement.
- (B) For the purposes of this section, mediation shall refer to a facilitated dialogue resulting in a written settlement agreement between the respondent and complainant.
- (C) For the purposes of the section, conciliation shall refer to a facilitated dialogue resulting in a written settlement agreement between the respondent, complainant, and the City, and such agreement shall be subject to approval by the Director.
- (2) The Director shall propose an initial meeting between the parties for the purpose of exploring a resolution of the complaint through voluntary informal dialogue, mediation, or conciliation.
- (3) Nothing herein shall be interpreted as requiring any party to participate in informal dialogue, mediation, conciliation or any other resolution efforts.
- (4) Materials used and communications made during informal dialogue, mediation, or conciliation concerning a complaint of unlawful discrimination shall be confidential and shall not be disclosed to the public by the Director, the Commission, or Office of Human Rights staff unless disclosure is authorized in writing by all parties to the dispute.

- (5) If informal dialogue is concluded to the satisfaction of the complainant, the complaint will be considered resolved upon the complainant's written or verbal withdrawal of the complaint.
- (6) If the mediation or conciliation is concluded to the satisfaction of both parties, the complaint will be considered resolved upon the parties' execution of a written settlement agreement. Unless all parties agree otherwise, the execution of a written agreement is solely for the purpose of settling a disputed claim and does not constitute an admission by any party that the law or this ordinance has been violated. No further action on the initial complaint will be taken by the Commission or the Office of Human Rights staff once the agreement is executed.
- (7) If informal dialogue, mediation, or conciliation is not successful, and the complainant wishes to pursue further action, the Director or designee may conduct a formal investigation.
- (8) If further investigation is not warranted, the Director may dismiss the complaint as not constituting a violation and promptly serve written notice of the dismissal on the complainant and respondent.
- (9) Concurrent with the investigation or after release of the investigative report, a conciliation agreement arising out of such complaint shall be an agreement between the respondent, the complainant, and the City of Charlottesville, and shall be subject to approval by ~~the Deputy City Manager for Racial Equity, Diversity and Inclusion and~~ the Director.
 - (A) Each conciliation agreement shall be made public unless the parties otherwise agree, and the Director determines that disclosure is not required to further the purposes of this Ordinance.
 - (B) Notwithstanding the foregoing requirements for mutual agreement to publication of a conciliation agreement, the City of Charlottesville may provide a copy of the conciliation agreement as otherwise required by operation of law.

(d) Failure to comply with conciliation agreement

- (1) Whenever the Director has reasonable cause to believe that a respondent has breached a conciliation agreement, the Director shall refer the matter to the ~~Deputy City Manager for Racial Equity, Diversity, and Inclusion (REDI), who shall determine further action on behalf of the City. A determination that there is a breach of the conciliation agreement by the Deputy City Manager shall be referred to the~~ City Attorney's Office for enforcement. The City Attorney is authorized by City Council to take such action as is necessary to enforce the agreement including the hiring of an Attorney to enforce the rights granted under this ordinance in a Court of competent jurisdiction at the City's sole expense.

(e) Investigation

- (1) If the Director determines that a formal investigation into the complaint is warranted, ~~the~~ The Director shall assign an Investigator to ~~shall~~ make an investigation of the alleged discriminatory housing practice and complete such investigation within one hundred (100) calendar days after the filing of the complaint, unless it is impracticable to do

so.

- (2) If the ~~Director~~ Investigator is unable to complete the investigation within one hundred (100) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.
- (3) Statements received by the Investigator from the complainant, respondents, and witnesses as part of a formal investigation shall be under oath or affirmation and may be reasonably and fairly amended at any time.
- (4) When conducting an investigation of a complaint filed under this ordinance, the ~~Director~~ Investigator shall have the right to interview any person who may have any information which may further its investigation and to request production of any records or documents for inspection and copying in the possession of any person which may further the investigation. Such persons ~~may~~ shall be interviewed under oath. The Director or its designated subordinates shall have the authority to collect, inspect and copy records under this ordinance.
- (5) If during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information, documents, other tangible evidence or refuses to appear as a witness for the gathering of evidence necessary to determine whether a violation of this ordinance has occurred, the Director, after a good faith effort to obtain such evidence or attendance of witnesses, may request the City Attorney to petition a court of appropriate jurisdiction for a subpoena against any such person refusing to produce such evidence or refusing to appear as a witness, and such court may, upon good cause shown, cause the subpoena to be issued.
 - (A) For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.
 - (B) Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.
 - (C) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.
 - (D) Any witness subpoena issued under this Section shall include a statement that any statements made will be under oath and that the respondent or other witness is entitled to be represented by an attorney.
 - (E) Any person failing to comply with a subpoena issued under this Section shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may petition the court to quash the subpoena.
- (6) At the end of each investigation under this section, the ~~Director~~ Investigator shall prepare a final investigative report containing:
 - (A) the names and dates of contacts with witnesses;
 - (B) a summary and the dates of correspondence and other contacts with the aggrieved person and the respondent;

- (C) a summary description of other pertinent records;
 - (D) a summary of witness statements; and
 - (E) answers to questions submitted during the course of the investigation, where applicable.
- (7) ~~Concurrent with the investigation or after release of the investigative report, a conciliation agreement arising out of such complaint shall be an agreement between the respondent, the complainant, and the City of Charlottesville, and shall be subject to approval by the Deputy City Manager for Racial Equity, Diversity and Inclusion and the Director. Each conciliation agreement shall be made public unless the parties otherwise agree, and the Director determines that disclosure is not required to further the purposes of this Ordinance.~~
 - (8) ~~Notwithstanding the foregoing requirements for mutual agreement to publication of a conciliation agreement, the City of Charlottesville may provide a copy of the conciliation agreement as otherwise required by operation of law.~~
 - (9) A final report under this paragraph may be amended if additional evidence is later discovered.
- (f) Prohibitions and requirements with respect to disclosure of information
- (1) Nothing said or done in the course of conciliation under this subchapter may be made public or used as evidence in a subsequent proceeding under this subchapter without the written consent of the parties to the conciliation.
 - (2) Notwithstanding [Sec. 2-440.](#), the Director shall make available to the aggrieved person and the respondent, at any time, upon request following completion of the Director's investigation, information derived from an investigation and any final investigative report relating to that investigation, such information shall be redacted to exclude any personal identifying information protected from disclosure by state or federal law.
- (g) Prompt judicial action
- (1) If the Director, in consultation with the City Attorney, concludes at any time following the filing of a complaint that prompt judicial action is necessary to carry out the purposes of this subchapter, the Director may refer the matter to ~~the Deputy City Manager for REDI~~ [the City Attorney](#) with a request for appropriate temporary or preliminary relief pending final disposition of the complaint under this section. Upon receipt of ~~such an~~ authorization from the ~~City Manager~~ [Deputy City Manager for REDI](#), the City Attorney shall promptly commence and maintain such an action, as needed. Any temporary restraining order or other order granting preliminary or temporary relief shall be issued in accordance with the authority granted by a Court of competent jurisdiction. The commencement of a civil action under this subsection does not affect the initiation or continuation of [further action, as authorized by the Director under this ordinance.](#) ~~administrative proceedings under Sec. 2-437.2.(f) of this ordinance.~~
 - (2) Whenever the Director, in consultation with the City Attorney, has reason to believe that a basis may exist for the commencement of proceedings against any respondent ~~under Sec. 2-437.2.(f)(4) of this ordinance or for proceedings~~ by any

governmental licensing or supervisory authorities, the Director shall transmit the information upon which such belief is based to the City Attorney ~~Deputy City Manager for REDI~~, or to such other agency or authority with appropriate jurisdiction.

(h) Reasonable cause determination and effect

- (1) The Director shall, within one hundred (100) calendar days after the filing of the complaint, determine based on the facts whether reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, unless it is impracticable to do so, or unless the Director has approved a conciliation agreement with respect to the complaint. If the Director is unable to make the determination within one hundred (100) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.
- (2) If the Director determines that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, the Director shall, unless a resolution has been reached through informal dialogue, mediation, or conciliation, except as provided in Sec. 2-437.2.(e), immediately render a determination on behalf of the aggrieved person.
- (3) If the Director, in consultation with the City Attorney ~~and Deputy City Manager for REDI~~, renders a determination of reasonable cause on behalf of the aggrieved person, the Director shall issue a charge on behalf of the aggrieved person, for further civil action proceedings ~~under Sec. 2-437.2.(h) of this ordinance~~. Such charge:
 - (A) shall consist of a short and plain statement of the facts upon which the Director has found reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur;
 - (B) shall be based on the final investigative report; and
 - (C) need not be limited to the facts or grounds alleged in the complaint filed under Sec. 2-437.2.(a).
- (4) If the Director, in consultation with the City Attorney, determines that the matter involves the legality of any State or local zoning or other land use law or ordinance, the Director shall immediately refer the matter to the City Attorney ~~Deputy City Manager for REDI~~ with a recommendation for appropriate civil action ~~under Sec. 2-437.2.(l) of this ordinance~~, instead of issuing such charge.
- (5) If the Director determines that there is insufficient reasonable cause to believe a violation of this ordinance has been committed, the Director shall dismiss the complaint and advise the complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of the notice of dismissal, the complainant files with the Commission a request for a review of the determination of the Director.
- (6) The Director may not issue a charge under this section regarding an alleged discriminatory housing practice after the beginning of the trial of a civil action commenced by the aggrieved party under an Act of Congress or a State law, seeking relief with respect to that discriminatory housing practice.

(i) Service of copies of charge

(1) After the Director issues a charge under this section, the Director shall cause a copy thereof, together with information as to how to make an election of judicial determination under ~~Sec. 2-437.2.(h)~~ of this ordinance and the effect of such an election, to be served:

(A) on each respondent named in such charge, together with a notice of opportunity for an appeal hearing by the Commission, under section 2-439.1 of this ordinance, at a time and place specified in the notice, unless that election is made; and

(B) on each aggrieved person on whose behalf the complaint was filed.

(j) Election of judicial determination

(1) When a charge is filed under section 2-437.2.~~(f)~~ of this ordinance a complainant, a respondent, or an aggrieved person on whose behalf the complaint was filed, may elect to have the claims asserted in that charge decided in a civil action ~~under Sec. 2-437.2.(h)(k)~~. The election must be made not later than 20 calendar days after the receipt by the electing person of service of copies of the charge~~under Sec. 2-437.2.(g) of this ordinance~~ or, in the case of the Director, not later than 20 calendar days after such service. The person making such election shall give notice of doing so to the Director and to all other complainants and respondents to whom the charge relates.

(k) Civil action for enforcement when a charge is issued or election is made for such civil action

(1) If an election of judicial determination is made ~~under Sec. 2-437.2.(g)~~, the Director shall ~~advise the Deputy City Manager for REDI of such election, and the Deputy City Manager may~~ authorize, not later than thirty (30) calendar days after the authorization or election is made, the City Attorney to commence and maintain, a civil action on behalf of the aggrieved person in a Court of competent jurisdiction seeking relief to this subsection.

(A) For the purposes of pursuing a civil action under this section, the City Attorney is authorized to contract qualified legal counsel on behalf of the City at the City's sole expense.

(2) Any aggrieved person with respect to the issues to be determined in a civil action under this subsection may intervene as of right in that civil action.

(3) In a civil action under this subsection, if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may grant as relief any relief with respect to such discriminatory housing practice in a civil action under 42 U.S.C. § 3613. Any relief so granted that would accrue to an aggrieved person in a civil action commenced by that aggrieved person under 42 U.S.C. § 3613 shall also accrue to that aggrieved person in a civil action under this subsection.

(l) Civil action by private persons

(1) Under 42 U.S.C. § 3613, an aggrieved person, regardless of the status of the complaint, may commence a civil action in a Court of competent jurisdiction within the City of Charlottesville not later than two (2) years after the occurrence or the termination of an alleged discriminatory housing practice, or the breach of a conciliation agreement entered into under this subchapter, whichever occurs last, to

obtain appropriate relief with respect to such discriminatory housing practice or breach.

- (2) The computation of such 2-year period shall not include any time during which an administrative proceeding under this subchapter was pending with respect to a complaint or charge under this subchapter based upon such discriminatory housing practice. This subparagraph does not apply to actions arising from a breach of a conciliation agreement.
- (3) An aggrieved person may commence a civil action under this subsection whether or not a complaint has been filed under Sec. 2-437.2.(a) of this ordinance and without regard to the status of any such complaint, but if the Director has obtained a mediation or conciliation agreement with the consent of an aggrieved person, no action may be filed under this subsection by such aggrieved person with respect to the alleged discriminatory housing practice which forms the basis for such complaint except for the purpose of enforcing the terms of such an agreement.

(m) Relief which may be granted

- (1) In a civil action under ~~Sec. 2-437.2.(h) of~~ this ordinance, if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may award to the plaintiff actual and punitive damages, and ~~subject to subsection (d),~~ may grant as relief, as the court deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order (including an order enjoining the defendant from engaging in such practice or ordering such affirmative action as may be appropriate).

(A) Such relief may include actual damages suffered by the aggrieved person and injunctive or other equitable relief. Such order may, to vindicate the public interest, assess a civil penalty against the respondent:

- (i) in an amount not exceeding \$10,000 if the respondent has not been adjudged to have committed any prior discriminatory housing practice;
 - (ii) in an amount not exceeding \$25,000 if the respondent has been adjudged to have committed on other discriminatory housing practice during the 5-year period ending on the date of the filing of this charge; and
 - (iii) in an amount not exceeding \$50,000 if the respondent has been adjudged to have committed 2 or more discriminatory housing practices during the 7-year period ending on the date of the filing of this charge; except that if the acts constituting the discriminatory housing practice that is the object of the charge are committed by the same natural person who has been previously adjudged to have committed acts constituting a discriminatory housing practice, then the civil penalties may be imposed without regard to the period of time within which any subsequent discriminatory housing practice occurred.
- (2) In a civil action ~~under subsection (a) 2-437.2.(i),~~ the court, in its discretion, may allow the prevailing party, other than the City of Charlottesville, a reasonable

attorney's fee and costs.

- (3) Relief granted under this section shall not affect any contract, sale, encumbrance, or lease consummated before the granting of such relief and involving a bona fide purchaser, encumbrancer, or tenant, without actual notice of the filing of a complaint with the Director or civil action under this subchapter.

(n) Intervention by the City

- (1) Upon timely application, the City may intervene in a private civil action, if the City certifies that the case is of general, public importance. Upon such intervention the City may obtain such relief as would be available to the City under 42 U.S.C. § 3614 in a civil action to which such section applies.

(o) Contracted services

- (1) In order to fulfill the requirements of this section, the City Manager or their designee is authorized to contract on behalf of the City with any objective, neutral third party qualified to assess allegations of discrimination under this section, for the purpose of conducting alternative dispute resolution of complaints and advising the Director of the Commission of the results of such proceedings.

Sec. 2-437.3. ~~Duties and responsibilities~~— Investigation of individual public accommodation, credit, or private education discrimination complaints and issuance of findings.

(g) Complaints and answers

- (1) The Director shall develop and implement a central intake ~~mechanism~~ procedure to be used by the Office of Human Rights for receiving and processing individual inquiries ~~complaints~~ that allege an unlawful, discriminatory public accommodation, credit, or private education practice ~~in~~ within the jurisdiction of the City.
- (2) Upon the receipt of such inquiry, the ~~The~~ Director or other designated professional staff shall conduct an initial assessment to determine if the inquiry ~~complaint~~ is jurisdictional and presents a prima facie case of discrimination. The ~~inquiry complaint~~ may be dismissed by the Director without further action if it fails to adequately allege a violation of this ordinance, is non-jurisdictional, or is otherwise deficient on its face.
- (3) ~~Upon the filing of such a discriminatory complaint:~~ If the inquiry ~~complaint~~ is not dismissed, and the Director shall authorize the aggrieved individual to file a formal complaint of discrimination with the Office of Human Rights.
- (4) Upon receiving authorization from the Director to file, aAny person claiming to be aggrieved by an unlawful, discriminatory public accommodation, credit, or private education practice may file a complaint in writing with the Office of Human Rights not more than 180 calendar days following the alleged discriminatory act. The complaint shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged unlawful discrimination.

- (5) For complaints alleging an unlawful, discriminatory public accommodation, credit, or private education practice within the jurisdiction of the City, defined herein as within the corporate limits of the City and as authorized by state and federal statutes, the Director or other designated professional staff are authorized to undertake further action as detailed in Sec. 2- 437.3.(b).
- (6) For ~~complaints~~ inquiries alleging an unlawful discriminatory public accommodation, credit, or private education practice that falls outside the jurisdiction of the City, the Director or other designated professional staff will refer the complaint to the appropriate state or federal agency.
- (7) If the City of Charlottesville is the named respondent in ~~a complaint~~ an inquiry of public accommodation, credit, or private education discrimination received by Office of Human Rights, the Director shall refer the complaint to the appropriate state or federal agency.
- (8) If a current or former City of Charlottesville Human Rights Commissioner is a party to an inquiry of public accommodation, credit, or private education discrimination received by the Office of Human Rights, and the case is jurisdictional and presents a prima facie case of discrimination, the Director may authorize the filing of a complaint and attempt resolve it through alternative dispute resolution, and/or refer the inquiry to the appropriate state or federal agency.
- (9) Upon the filing of a formal complaint of discrimination, if the complainant wishes to pursue further action, and further action is authorized by the Director, the Director shall serve a copy notice of the complaint on each respondent named therein. Said copy notice shall be served in a timely manner and specify the allegation, citing the evidence that supports further action, advising the complainant of the time limits and choice of forums under this ordinance, and indicating the action to be taken.

~~(A) The Director or other designated professional staff shall conduct an initial assessment to determine if the complaint is jurisdictional and presents a prima facie case of discrimination. The complaint may be dismissed by the Director without further action if it fails to adequately allege a violation of this ordinance, is non-jurisdictional, or is otherwise deficient on its face.~~

~~(B) If the complaint is not dismissed, and the complainant wishes to pursue further action, the Director shall serve a copy on each respondent named therein. Said copy shall be served in a timely manner and specify the allegation, citing the evidence that supports further action, and indicating the action to be taken.~~

(h) ~~Informal dialogue, mediation, and investigation~~ Further action

- (1) Further action for public accommodation, credit, or private education discrimination complaints, as authorized by this ordinance, may include informal dialogue mediation, and formal investigation of the complaint, as deemed appropriate by the Director.
- (2) If the Director determines that further action on a complaint is appropriate, during the period beginning with the filing of such complaint and ending with the rendering

of a determination or a dismissal by the Director, the Director shall, to the extent feasible, engage in informal dialogue or mediation with respect to such complaint.

- (3) It shall be the responsibility of the aggrieved individual to provide current and updated contact information to the Office of Human Rights from the date of filing through the completion of any further action.
- (4) If, during the process of informal dialogue, mediation or investigation, the complainant does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, ~~the Investigator shall notify the Director. T~~the Director shall serve written notice on the complainant that the case will be administratively closed if the complainant does not respond within thirty (30) ~~ten (10)~~ calendar days of the date ~~receipt of the~~ written notice is issued.
- (5) The complainant may, following the administrative closure of the case, re-file the complaint at a future date, provided that the complaint is filed within one hundred and eighty (180) calendar days of the alleged discriminatory event detailed in the original complaint.
- (6) If, during the process of informal dialogue, mediation or investigation, the respondent does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, ~~the investigator shall notify the Director. T~~the Director ~~shall~~ may serve written notice on the respondent that the investigation ~~shall~~ may proceed without the requested information and that a determination on the case shall be rendered upon completion of the investigation.

(i) Alternative dispute resolution

- (1) The Director shall propose an initial meeting between the parties for the purpose of exploring a ~~alternative dispute~~ resolution of the complaint through ~~voluntary mediation or other informal means~~ voluntary informal dialogue or mediation.
 - (A) For the purposes of this section, informal dialogue shall refer to a voluntary meeting between the complainant and respondent to explore resolution that does not result in a written settlement agreement.
 - (B) For the purposes of this section, mediation shall refer to a facilitated dialogue resulting in a written settlement agreement between the respondent and complainant.
- (2) Nothing herein shall be interpreted as requiring any party to participate in informal dialogue, mediation, or any other resolution efforts.
- (3) Materials used and communications made during informal dialogue or mediation concerning a complaint of unlawful discrimination shall be confidential and shall not be disclosed to the public by the Director, the Commission, or Office of Human Rights staff unless disclosure is authorized in writing by all parties to the dispute.
- (4) If informal dialogue is concluded, the complaint ~~will~~ shall be considered resolved upon the complainant's written or verbal withdrawal of the complaint.
- (5) If the mediation is concluded to the satisfaction of both parties, the complaint ~~will~~

shall be considered resolved upon the parties' execution of a written settlement agreement. Unless all parties agree otherwise, the execution of a written agreement is solely for the purpose of settling a disputed claim and does not constitute an admission by any party that the law or this ordinance has been violated. No further action on the initial complaint ~~will~~ shall be taken by the Commission or the Office of Human Rights staff once the agreement is executed.

- (6) If informal dialogue or mediation is not successful, and the complainant wishes to pursue further action, the Director or designee may conduct a formal investigation.
- (7) If further investigation is not warranted, the Director may dismiss the complaint as not constituting a violation and promptly serve written notice of the dismissal on the complainant and respondent.

(j) Investigation

- (1) If the Director determines that a formal investigation into the complaint is warranted, the Director shall assign an Investigator to make an investigation of the alleged discriminatory practice for the purpose of rendering a written determination as to whether there is reasonable cause to believe a violation of this ordinance occurred, and the facts supporting such determination.
- (2) The Investigator shall complete such investigation within one hundred and eighty (180) calendar days after the filing of the complaint unless it is impracticable to do so. If the Investigator is unable to complete the investigation within one hundred and eighty (180) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.
- (3) ~~If, during the process of informal dialogue, mediation or investigation, the complainant does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Investigator shall notify the Director. The Director shall serve written notice on the complainant that the case will be administratively closed if the complainant does not respond within ten (10) calendar days of the receipt of the written notice.~~
- (4) ~~The complainant may, following the administrative closure of the case, re-file the complaint at a future date, provided that the complaint is filed within one hundred and eighty (180) calendar days of the alleged discriminatory event detailed in the original complaint.~~
- (5) ~~If, during the process of informal dialogue, mediation or investigation, the respondent does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the investigator shall notify the Director. The Director shall serve written notice on the respondent that the investigation shall proceed without the requested information and that a determination on the case shall be rendered upon completion of the investigation.~~
- (6) Statements received by the Investigator from the complainant, respondents, and witnesses as part of a formal investigation shall be under oath or affirmation and may be reasonably and fairly amended at any time.
- (7) ~~Upon the conclusion of the formal investigation, the Investigator shall prepare an investigative report for submission to the Director.~~

- (8) When conducting an investigation of a complaint filed under this ordinance, the Investigator shall have the right to interview any person who may have any information which may further its investigation and to request production of any records or documents for inspection and copying in the possession of any person which may further the investigation. Such persons shall be interviewed under oath. The Director or its designated subordinates shall have the authority to collect, inspect and copy records under this ordinance.
- (9) If during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information, documents, other tangible evidence or refuses to appear as a witness for the gathering of evidence necessary to determine whether a violation of this ordinance has occurred, the Director, after a good faith effort to obtain such evidence or attendance of witnesses, may request the City Attorney to petition a court of appropriate jurisdiction for a subpoena against any such person refusing to produce such evidence or refusing to appear as a witness, and such court may, upon good cause shown, cause the subpoena to be issued.
- (A) For purposes of this section, “person” includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.
 - (B) Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.
 - (C) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.
 - (D) Any witness subpoena issued under this Section shall include a statement that any statements made will be under oath and that the respondent or other witness is entitled to be represented by an attorney.
 - (E) Any person failing to comply with a subpoena issued under this Section shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may petition the court to quash the subpoena.
- (10) Upon the conclusion of the formal investigation, the Investigator shall prepare an investigative report for submission to the Director.
- (k) Reasonable cause determination and effect
- (1) Upon completion of a formal investigation and submission of the investigative report, the Director shall render a written determination of whether there is reasonable cause to believe a violation of this ordinance has been committed and the facts supporting such determination. The written determination shall promptly be served on the parties.
 - (2) If the Director determines that there is reasonable cause to believe that a violation of this ordinance has been committed, the Director shall immediately endeavor to eliminate any alleged unlawful discriminatory practice through informal dialogue

or mediation.

- (3) If the complaint cannot be resolved through informal dialogue or mediation, the Director shall proceed with the preparation of materials for consideration by the Commission for the purpose of holding a vote on whether to conduct a public hearing on the complaint.
- (4) Such materials shall include a copy of the written determination with the names and identifying information of the complainant, respondent, respondent's agents, and any witnesses redacted.
- (5) Upon request by the Commission, the Director shall provide a copy of the full investigative report with the names and identifying information of the complainant, respondent, respondent's agents, and any witnesses redacted.
- (6) If the Director determines that there is insufficient reasonable cause to believe a violation of this ordinance has been committed, the Director shall dismiss the complaint and advise the complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of the notice of dismissal, the complainant files with the Commission a request for a review of the determination of the Director.

(l) Contracted services

- (1) In order to fulfill the requirements of this section, the City Manager or their designee is authorized to contract on behalf of the City with any objective, neutral third party qualified to assess allegations of discrimination under this section, for the purpose of receiving complaints, conducting investigations, rendering written determinations of whether there is reasonable cause to believe a violation of this ordinance has occurred, conducting informal dialogues or mediations of complaints and advising the Director of the Commission of the results of any investigation, informal dialogue or mediation of complaints.

Sec. 2-438. Interference, coercion, intimidation, or retaliation prohibited.

- (a) It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of having exercised or enjoyed, or on account of having aided or encouraged any other person in the exercise or enjoyment of, or on account of having filed a complaint of discrimination regarding any right granted or protected by this ordinance.
- (b) Any person experiencing such interference, coercion, intimidation, or retaliation in connection with a complaint of unlawful discrimination received or in process under this ordinance may file a retaliation complaint with the Office of Human Rights. The complaint shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged unlawful retaliation.
- (c) Retaliation complaints shall be processed in the same manner as complaints of unlawful discrimination and such process shall be determined by the protected activity named in the original complaint to which the alleged retaliation is linked or by the protected activity in which the complainant was engaged and which was impacted by the alleged retaliation.

Sec. 2-439.1. Enforcement authority – The role of the Commission regarding individual complaints of ~~employment, public accommodation, credit, or private education~~

discrimination.

(a) Public hearings generally

- (1) The Commission shall serve as a public hearing body with the authority to review appeals and reasonable cause determinations for complaints of individual discrimination received and investigated by the Office of Human Rights.
- (2) In complaints of housing discrimination, if the Director determines that there is reasonable cause to believe a violation did occur, a charge is filed, and either party elects to pursue judicial determination through a civil action in a court of competent jurisdiction, under Sec. 2-437.2. of this ordinance, the Commission shall not hold a public hearing and any proceedings in process shall cease.
- (3) If a hearing is to be held, the Commission shall promptly notify the parties of the time, date and location of the hearing and serve upon them a statement of the charges against the respondent, the Director's summary of the evidence and recommended remedies, and the issues to be considered at the hearing.
- (4) The Commission ~~will~~ shall have the option to consider all of the allegations and issues set forth in the complaint or, in its discretion, may limit the scope of the hearing to one or more of the allegations or issues. The notice and statement shall be served no later than 14 days prior to the date of the hearing.
- (5) Hearings of the Commission may be held before the entire Commission or before designated hearing panels, consisting of three or more members of the Commission, as the Commission in its discretion may determine. The Chair or a Commissioner designated by the Chair shall preside over the public hearing, which shall be open to the public.
- (6) In cases to be heard by the Commission under this section the complainant and the responding parties shall be entitled:
 - (A) To file written statements or arguments with the Commission prior to the hearing;
 - (B) To be represented by privately retained counsel of their choice;
 - (C) To present ~~his or her~~ the case or defense by oral or documentary evidence, to be given under oath or by affirmation;
 - (D) To submit rebuttal evidence; and
 - (E) To conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence may be received, but the Commission as a matter of policy shall provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence. The Commission shall not be bound by the strict rules of evidence prevailing in the courts of law or equity.
- (7) The Director shall be responsible for assuring the development of the evidentiary record before the Commission and may introduce evidence, examine, or cross-examine witnesses, or make argument if they deem it advisable to fully apprise the

Commission of the facts or the applicable law. The Commission shall keep a full record of the hearing, which record shall be public and open to inspection by any person unless otherwise provided by any applicable law or regulations. Any party may request that the Commission furnish such party a copy of the hearing record and shall reimburse the Commission for the cost of producing the copy. In matters where any party is represented by counsel, the office of the City Attorney shall provide an attorney as counsel to the Commission who will also assist the Director in preparing the case.

- (8) ~~Whenever the Commission has reasonable cause to believe that~~ requires additional evidence to determine whether reasonable cause exists to believe any person has engaged in or is engaging in any unlawful discriminatory practice, and the Commission, after a good faith effort to obtain such evidence or attendance of witnesses, may request the City Attorney to petition a court of appropriate jurisdiction for a subpoena against any such person refusing to produce such evidence or refusing to appear as a witness, and such court may, upon good cause shown, cause the subpoena to be issued. after a good faith effort to obtain the data and information necessary to determine whether a violation has occurred, has been unable to obtain such information, it may request the City Attorney to apply to the judge of the circuit court of the jurisdiction in which the respondent resides or is doing business for a subpoena duces tecum against any person refusing to produce such data and information. The judge of the court, upon good cause shown, may cause the subpoena to be issued. Any person failing to comply with such subpoena shall be subject to punishment for contempt by the court issuing the subpoena.
- (A) For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.
- (B) Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.
- (C) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.
- (D) Any witness subpoena issued under this Section shall include a statement that any statements made will be under oath and that the respondent or other witness is entitled to be represented by an attorney.
- (E) Any person failing to comply with a subpoena issued under this Section shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may apply to the judge who issued the subpoena to quash it.
- (9) The Commission shall have the authority to grant relief, as permitted under Virginia law, or to issue recommendations for appropriate remedies, for complaints reviewed during a public hearing. If, after the hearing, the Commission determines by a preponderance of the evidence that the respondent has committed or is committing the alleged violation(s) of this ordinance, the Commission shall state its findings in a

written resolution and may issue recommendations, to be served promptly on the parties, ~~which~~ Such recommendations may include:

- (A) the pursuit of remedies through alternative dispute resolution.
 - (B) a referral to the City attorney for the consideration of potential civil action.
 - (C) notice to the respondent to cease and desist from such violation(s) and to take such action as may be authorized by law to effectuate the purpose of this ordinance, including but not limited to the payment by ~~0~~ respondent of compensatory damages to any person or persons found by the Commission to be so entitled by reason of the violation(s) of this ordinance, or the placement or restoration of any person in or to such status in which the Commission finds they would be but for respondent's violation(s) of this ordinance.
- (10) If, after receiving the evidence presented at the hearing, the Commission finds that the respondent has not engaged in the alleged violation(s) of this ordinance, the Commission shall state its findings in a written resolution and shall dismiss the complaint. Prompt notice of such action shall be given to the parties, and such dismissal shall be final.
- (11) Nothing herein shall be construed as authorizing the Commission to issue subpoenas, award damages or grant injunctive relief.

(b) Public hearings for complainant appeals of no reasonable cause determinations

- (1) The Commission shall serve as a due process appellate body with the authority to hear appeals of determinations of no reasonable cause rendered by the Director on complaints of individual discrimination received and investigated by the Office of Human Rights.
- (2) If the Director determines that there is insufficient reasonable cause to believe a violation of this ordinance has occurred, the Director shall dismiss the complaint and advise the ~~C~~complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of notice of the dismissal, the ~~C~~complainant files with the Commission a request for a review of the determination of the Director.
- (3) On written petition of the ~~C~~complainant, the Commission ~~may~~ shall hold a public appeal hearing to review the Director's conclusion and may either overrule or affirm the finding of no reasonable cause. The parties may submit such additional information as they desire for the Commission's consideration.
- (4) If, at the conclusion of an appeal hearing, the Commission determines by majority vote that reasonable cause exists, it shall ~~direct the Director to~~ prepare a written resolution that includes a summary of the evidence upon which the reversal of the Director's finding is based and recommendations for further action. The Director shall serve notice on both parties of the Commission's finding and pursue appropriate further action ~~conciliation efforts,~~ per the Commission's resolution.
- (5) If, at the conclusion of an appeal hearing, the Commission determines by majority vote that no reasonable cause exists, it shall prepare a written resolution upholding the Director's dismissal of the complaint, and such dismissal shall be final.

(c) Public hearings for respondent appeals of reasonable cause determinations by the Director

- (1) The Commission shall serve as a due process appellate body with the authority to

hear appeals of determinations of reasonable cause rendered by the Director on complaints of individual discrimination received and investigated by the Office of Human Rights.

- (2) If the Director determines that there is reasonable cause to believe a violation did occur and either party declines to participate in alternative dispute resolution, mediation, or other informal means of resolving the complaint, or if such efforts are attempted but unsuccessful, the Director shall prepare a written summary of the evidence on which the determination of reasonable cause is based, and shall recommend appropriate remedies for the discriminatory actions in a report to the Commission. ~~The Commission shall determine by majority vote whether to hold a public hearing on the complaint. The Commission shall base its determination on its judgment as to how enforcement of this ordinance would be best served. If the Commission determines not to hold a public hearing, it shall either dismiss the complaint or take such action as it deems appropriate and consistent with the purposes of this ordinance and the powers of the Commission hereunder.~~
- (3) Such determination shall become final unless, within ten (10) calendar days of receipt of the determination, the respondent files with the Commission a request for a review of the determination of the Director.
- (4) On written petition of the respondent, the Commission shall hold a public appeal hearing to review the Director's conclusion and may either overrule or affirm the finding of reasonable cause. The parties may submit such additional information as they desire for the Commission's consideration.
- (5) If, at the conclusion of an appeal hearing, the Commission determines that reasonable cause exists, it shall prepare a written resolution upholding the Director's finding, and such determination shall be final.
- (6) If, at the conclusion of an appeal hearing, the Commission determines that no reasonable cause exists, it shall prepare a written resolution that includes a summary of the evidence upon which the reversal of the Director's finding is based. The Director shall serve notice on both parties that the case has been dismissed, and such dismissal shall be final.
- (d) ~~If a hearing is to be held, the Commission shall promptly notify the parties of the time, date and location of the hearing and serve upon them a statement of the charges against the respondent, the Director's summary of the evidence and recommended remedies, and the issues to be considered at the hearing. The Commission will have the option to consider all of the allegations and issues set forth in the complaint or, in its discretion, may limit the scope of the hearing to one or more of the allegations or issues. The notice and statement shall be served no later than 14 days prior to the date of the hearing. Hearings of the Commission may be held before the entire Commission or before designated hearing panels, consisting of three or more members of the Commission, as the Commission in its discretion may determine. The Chair or a Commissioner designated by the Chair shall preside over the public hearing, which shall be open to the public.~~
- (e) Public hearings on determinations of reasonable cause when an appeal has not been filed
 - (1) If the Director determines that there is reasonable cause to believe a violation did occur

and either party declines to participate in alternative dispute resolution, or if such efforts are attempted but unsuccessful, the Director shall prepare a written summary of the evidence on which the determination of reasonable cause is based, and shall recommend appropriate remedies for the discriminatory actions in a report to the Commission.

- (2) If the respondent does not appeal the Director's determination of reasonable cause, the Commission shall determine by majority vote whether to hold a public hearing on the complaint. The Commission shall base its determination on its judgment as to how enforcement of this ordinance would be best served. If the Commission determines not to hold a public hearing, it shall either dismiss the complaint or take such action as it deems appropriate and consistent with the purposes of this ordinance and the powers of the Commission hereunder.
- (3) ~~Whenever the Commission has reasonable cause to believe that any person has engaged in or is engaging in any unlawful discriminatory practice, and the Commission, after a good faith effort to obtain the data and information necessary to determine whether a violation has occurred, has been unable to obtain such information, it may request the City Attorney to apply to the judge of the circuit court of the jurisdiction in which the respondent resides or is doing business for a subpoena duces tecum against any person refusing to produce such data and information. The judge of the court, upon good cause shown, may cause the subpoena to be issued. Any person failing to comply with such subpoena shall be subject to punishment for contempt by the court issuing the subpoena. For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor management committee, or an agent thereof.~~

Sec. 2-439.2. Enforcement authority – Court enforcement regarding individual complaints of employment, public accommodation, credit, or private education discrimination.

- (a) If the Commission finds that a respondent has committed a violation of this ordinance and determines that appropriate remedial measures have not been taken, the Commission, through the City Attorney, and subject to approval by the City Council, may file an appropriate action in any court of competent jurisdiction to prove, *de novo*, that the respondent violated this chapter; secure compliance with this chapter; and/or obtain appropriate relief available under any applicable federal or state statute or regulation including, but not limited to an award of injunctive relief, compensatory and / or punitive damages and a recovery of costs and attorney's fees for any person, including the City, injured as a result of a violation of this chapter.
- (b) If the City Council approves the institution of any proceeding in court, the proceeding shall be brought in the name of the City Council and the Human Rights Commission of the City of Charlottesville.

Sec. 2-440. Confidentiality.

It shall be unlawful for any Commissioner, officer, employee, contractor or staff member of the Commission or Office of Human Rights to disclose or make public any complaints, investigative

notes, or other correspondence and information furnished to the Commission or its staff in confidence with respect to a complaint, an investigation or conciliation process involving an alleged unlawful discriminatory practice. A violation of this section shall be a Class 3 misdemeanor.

Sec. 2-441. Annual Report.

The Commission shall make an annual comprehensive report to City Council that outlines its efforts during the preceding year in the areas of identifying and addressing systemic or institutional discrimination; processing individual complaints of unlawful discrimination; and facilitating a community dialogue regarding issues of human rights. The report shall also outline the Commission's work plan for the ensuing year, which shall be subject to approval or modification by City Council.

Sec. 2-442. Severability.

The provisions of the Article are severable; and if any provision, sentence, clause, section or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Article, or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Article would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person or circumstances to which the chapter or any part thereof is inapplicable had been specifically exempted therefrom.

Sec. 2-443. Reserved.

Attachment 8

**Human Rights Commission
Annual Focus Areas, Goals, & Work Plan
March 2024 – February 2025**

Primary Focus Area(s):

1. Housing
 - a. Homelessness
 - i. City policies
 1. Shelter
 2. Wraparound services
 - ii. Expert panel and fact gathering to determine current trends
 - b. Systemic Barriers
 - i. Restrictive housing access policies based on criminal records
 - ii. Excessive rental costs
 - iii. Excessive application fees
 - iv. Source of funds
 1. Rents for market rate units above HUD voucher payment standards
 2. Rental properties in states of disrepair that can't pass HUD voucher inspections

Secondary Focus Area(s):

1. Legislative recommendation
 - a. Removing voter exclusion from state constitution
 - b. Rental application fees
 - c. Rental registry
 - d. Proactive rental inspections
 - e. Legal representation for people facing eviction
 - f. Anything housing related the emerges from primary focus areas
 - g. Amplifying local food justice initiatives
2. Ally/Safe Space training program development
3. Reparations
 - a. Public discussion to determine public interest and priorities of impacted communities

Annual Goals and Ordinance Alignment

Consider developing goals that align with the primary and secondary focus areas, where applicable.

Goals	Human Rights Ordinance Alignment
Adopt an amended draft of the Charlottesville Human Rights Ordinance for presentation to City Council by June 2024.	• Sec. 2-433. (a) Individual Assistance • Sec. 2-433. (d) Federal Workshares • Sec. 2-433. (f) Commission Policies • Sec. 2-439.1. Enforcement Authority

Complete public hearing training following the adoption of the revised Charlottesville Human Rights Ordinance.	• Sec. 2-433. (a) Individual Assistance • Sec. 2-433. (d) Federal Workshares • Sec. 2-433. (f) Commission Policies • Sec. 2-439.1. Enforcement Authority
Plan and hold a public panel with experts in housing to focus on homelessness (shelter and wraparound services) and barriers to entering stable housing during the June 6, 2024 HRC Work Session.	• Sec. 2-433. (b) Awareness and Guidance • Sec. 2-433. (d) Federal Workshares • Sec. 2-434. Community dialogue and engagement
Submit policy recommendations to City Council pertaining to housing issues by October. <i>Note: budget-related recommendations should be made by October 2024 for fiscal year 2026.</i>	• Sec. 2-433. (c) City Policies • Sec. 2-435. Systemic Issues
Submit a letter with legislative recommendations focused on (focus area) to City Council by (date).	• Sec. 2-433. (e) Legislative Program

March 2023 – February 2024 HRC Work Plan

Actions should support the goals identified above.

Month	Actions
March	• Annual Meeting (3/9)
April	• Work Session (4/4: Carver Rec.) ◦ Finalize 2024 Annual Goals and Work Plan • Regular Meeting (4/18: City Space) ◦ Training: FOIA/COIA/VPRA ◦ Expert panel planning discussion • Actions Between Meetings ◦ June expert panel outreach (OHR staff to work with Chair and Vice Chair to identify panelists) ◦ Prepare draft ordinance for review
May	• Work Session (5/2: City Space) ◦ Review proposed ordinance amendments • Regular Meeting (5/16: City Space) ◦ (Open) • Actions Between Meetings ◦ Finalize June expert panelist list ◦ Outreach for July Legislative agenda expert panel ◦ Commissioners talk to individuals in the community regarding work done on reparations ◦ OHR staff will collaborate with partners to develop Ally/Safe Space training ◦ Chair and OHR staff prepare to present CY2023 annual report to Council
June	• Work Session (6/6: Carver Rec.) ◦ Expert Panel: Housing, homelessness, and wraparound services. • Regular Meeting (6/20: City Space) ◦ Proposed: Adopt ordinance amendments ◦ HRC Research Presentation (Ginny Helmandollar) • Actions Between Meetings ◦ June 3: Present CY2023 Annual Report to Council (Chair and Director) ◦ Tentative: VAHR Conference

Month	Actions
July	• Work Session (CANCELED) ◦ (Note: the first Thursday in July is July 4th) • Regular Meeting (7/18: City Space) ◦ Expert Panel: Focus Area Legislative Priorities • Actions Between Meetings ◦ Proposed: Present Ordinance Revisions to Council ◦ OHR staff finalize training opportunities for HRC public hearings
August	• Work Session (8/1: City Space) ◦ Draft legislative recommendations • Regular Meeting (8/15: City Space) ◦ Proposed: Adopt legislative recommendations ◦ Revisit HRC annual calendar • Actions Between Meetings ◦ Proposed: Present Legislative Recommendations to Council
September	• Work Session (9/5: City Space) ◦ Tentative: Public Hearing training • Regular Meeting (9/19: City Space) ◦ Discuss focus area City policy recommendations based on earlier panels and research • Actions Between Meetings ◦ Amend HRC Rules & Procedures regarding elections and language around annual meetings
October	• Work Session (10/3: City Space) • Regular Meeting (10/17: May need to relocate to Carver Rec for City Council budget session) ◦ Form Officer Nomination Committee ◦ Finalize policy recommendations for submission to City Council • Actions Between Meetings ◦ Submit additional recommendations to Council ◦ Nominating Committee begins nomination process
November	• Work Session (11/7: City Space) • Regular Meeting (11/21: City Space) ◦ Amend Rules & Procedures to reflect new election timeframe • Actions Between Meetings
December	• Work Session (12/5: City Space) • Regular Meeting (12/19: City Space) ◦ Officer Nominations • Actions Between Meetings
January	• Work Session (1/2: City Space) • Regular Meeting (1/16: City Space) • Actions Between Meetings
February	• Work Session (2/6: May need to relocate to Carver Rec for City Council budget session) • Regular Meeting (2/20: City Space) • Actions Between Meetings