



**Human Rights Commission
Regular Meeting
December 19, 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. November OHR Staff Report
4. DRAFT A mended Charlottesville Human Rights Ordinance
5. Presentation on Proposed Changes to Charlottesville Human Rights Ordinance
6. DRAFT Amended HRC Rules and Procedures
7. 2024 HRC Work Plan

Attachment 1



**Human Rights Commission
AGENDA
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December 19, 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.

Members of the public who attend are welcome to provide public comment during the “matters by the public” sections of the agenda. 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 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

4. BUSINESS MATTERS

- a. Chair update
- b. OHR staff report
- c. Officer Nomination Committee update

5. WORK SESSION

- a. Proposed amendments to Charlottesville Human Rights Ordinance
- b. Amendments to HRC Rules and Procedures
- c. Work Plan check in
- d. Confirmation of next Work Session on 1/2
- e. 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



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

Administrative Updates:

- Fair Housing Assistance Program (FHAP) workshare agreement
 - August 8: Amended ordinance submitted to HUD.
 - October 31: Notification received from HUD that the Charlottesville Human Rights Ordinance needed further amendments for substantial equivalence to federal fair housing law.
 - November 8: OHR staff met with HUD representatives to review suggested amendments.
 - November 15: OHR staff worked with the City Attorney's Office to begin drafting revisions to the Charlottesville Human Rights Ordinance.
 - December 13: OHR staff received confirmation from HUD Office of General Counsel that the draft revisions met substantial equivalence requirements.
 - December 19: Proposed adoption of amended Charlottesville Human Rights Ordinance by Human Rights Commission
 - January 6: Proposed first reading of amended Ordinance by City Council
 - January 21: Proposed second reading and adoption by City Council
- 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: There are currently no confirmed tabling opportunities between now and the next HRC meeting. Please let Lily know if you hear of anything that we could table!

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Open office days in the month	22	20	20	22	22	19	22	22	20	23	18	20	250
Total service provision events	3	6	2	5	6	5	4	4	3	5	2	4	49
Total education & awareness events	2	1	0	4	0	0	1	0	1	0	0	0	9
Total collaboration & leadership events	12	12	16	22	19	14	17	19	11	12	14	14	182
Total outreach activities	17	19	18	31	25	19	22	23	15	17	16	18	240
Total unique primary collaborators (estimate)	No monthly count only total count												76
Total collaborative activities	16	17	17	29	24	18	20	20	14	16	13	17	221
Total attendees at service provision events	79	146	5	48	77	142	53	87	95	36	9	33	810
Total attendees at education & awareness events	104	0	0	152	0	0	20	0	0	0	0	0	276
Total newsletter opens	357	380	369	335	346	342	349	373	343	431	391	0	4016

Service Provision Data:

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

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Open office days in the month	22	20	20	22	22	19	22	22	20	23	18	20	250
Total Incoming & Outgoing Contacts	171	178	100	419	386	237	154	211	229	323	71	57	2536
Total Incoming Contacts	122	154	56	354	275	124	89	102	139	196	41	31	1683
Average Incoming & Outgoing Contacts/Day	8	9	5	19	18	12	7	10	11	14	4	3	10
Average Incoming Contacts/Day	6	8	3	16	13	7	4	5	7	9	2	2	7
Total Unique Individuals Served (rough count due to some anonymous contacts)													240
Contacts in Spanish	6	1	0	6	0	1	1	5	5	7	0	2	34
Total Staff Follow-ups (Outgoing)	36	16	28	54	72	60	35	40	48	68	16	16	489
Total Third-Party Contacts (Outgoing)	13	8	16	11	39	53	30	69	42	59	14	10	364
Total Individual Follow-ups (Incoming)	81	128	16	310	222	76	29	56	68	111	19	18	1134
Total Third-Party Contacts (Incoming)	18	10	23	31	35	35	34	34	53	66	10	2	351
Total Inquiries (Incoming)	20	15	17	12	16	13	24	12	17	19	11	9	185
Total Complaints (Incoming)	3	1	0	1	2	0	2	0	1	0	1	2	13
Total Duration of all Incoming and Outgoing Contacts	27.21	21.12	10.79	39.75	35.85	27.03	27.27	31.17	30.00	46.29	14.76	14.11	325.35
Total Duration of Conciliation Activity Contacts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Duration of Informal Dialogue Contacts	0.00	0.00	1.38	0.00	0.00	0.33	0.75	0.16	1.41	0.25	0.00	1.75	6.03
Total Duration of Information Contacts	3.44	1.12	0.64	3.77	1.45	3.79	3.96	6.31	3.66	10.41	0.32	0.16	39.03
Total Duration of Intake Activity Contacts	16.85	12.83	3.92	30.20	12.86	5.99	11.69	4.83	5.73	17.86	7.19	8.42	138.37
Total Duration of Investigation Activity Contacts	0.33	0.40	0.08	0.00	0.16	2.55	5.23	0.48	1.97	2.64	0.81	1.39	16.04
Total Duration of Mediation Activity Contacts	0.08	0.00	1.45	0.48	0.96	2.09	0.40	0.08	0.00	0.00	0.08	0.00	5.62
Total Duration of Case Administration Contacts	0.40	1.22	1.46	3.58	19.51	8.56	0.56	9.29	6.99	8.14	2.13	0.99	62.83
Total Duration of Navigation & Advocacy Contacts (All Staff)	6.11	5.55	1.86	1.72	0.91	3.72	4.68	10.02	10.24	6.99	4.23	1.40	57.43
Total Duration of Navigation & Advocacy Contacts (TN)	4.22	1.07	0.56	1.48	0.50	3.39	3.87	9.86	9.92	6.34	2.57	0.66	44.44
Total Duration of Navigation & Advocacy Contacts (CC)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Duration of Navigation & Advocacy Contacts (TN & CC)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Duration of Navigation & Advocacy Contacts (LG)	0.08	0.00	0.00	0.08	0.00	0.00	0.81	0.16	0.24	0.08	0.00	0.00	1.45
Total Duration of Navigation & Advocacy Contacts (SK)	1.56	4.48	1.22	0.16	0.41	0.33	0.00	0.00	0.00	0.00	0.00	0.00	8.16
Total Duration of Navigation & Advocacy Contacts (GH)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Duration of Navigation & Advocacy Contacts (TN & SK)	0.25	0.00	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.33
Total Duration of Navigation & Advocacy Contacts (LH)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.08	0.57	0.66	0.74	2.05
Total Duration of Navigation & Advocacy Contacts (TN & LH)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	1.00
Total Duration of Navigation & Advocacy Contacts (CC & LH)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Duration N&A Contacts (All Staff) out of Duration of All Contacts (%)	22%	26%	17%	4%	3%	14%	17%	32%	34%	15%	29%	10%	18%
Total Duration of N&A Application Assistance Contacts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Total Duration of N&A AG OCR Liaison Contacts	0.00	0.00	0.00	0.00	0.00	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.08
Total Duration of N&A City Agency Liaison Contacts	2.49	0.33	0.00	0.25	0.00	0.75	0.57	0.08	0.00	0.73	0.00	0.00	5.20
Total Duration of N&A Clerical Support Contacts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Duration of N&A CRHA Liaison Contacts	0.48	0.08	0.24	0.00	0.00	0.32	0.99	4.67	2.98	1.66	0.00	0.00	11.42
Total Duration of N&A Crisis Response Contacts	0.00	0.00	0.00	0.00	0.00	0.00	0.33	0.00	0.00	0.00	0.00	0.00	0.33
Total Duration of N&A DPOR Liaison Contacts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Duration of N&A EEOC Liaison Contacts	0.00	0.00	0.00	0.00	0.00	0.08	0.08	0.00	0.08	0.00	0.00	0.00	0.24
Total Duration of N&A Housing Navigation Contacts	0.33	0.16	0.24	0.89	0.66	1.25	1.71	4.12	3.84	1.84	1.24	0.74	17.02
Total Duration of N&A Legal Aid Liaison Contacts	0.00	0.75	0.65	0.00	0.25	0.00	0.08	0.00	0.00	0.08	0.00	0.25	2.06
Total Duration of N&A Mental Health Navigation Contacts	0.00	0.00	0.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.24
Total Duration of N&A Other Agency Liaison Contacts	0.41	0.16	0.16	0.41	0.00	1.16	1.57	1.89	3.09	3.61	1.08	0.00	13.54
Total Duration of N&A Other Contacts	2.07	0.57	0.33	0.33	0.00	0.16	0.16	0.83	0.50	0.24	1.25	0.08	6.52
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	0.08	0.00	0.00	0.83
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	5	15	31	60	86	58	11	8	355
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	2	13	23	58	82	52	7	3	282
Total Incoming & Outgoing Navigation & Advocacy Contacts (LG)	1	0	0	1	0	0	8	2	3	1	0	0	16
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	3	2	0	0	0	0	0	0	40
Total Incoming & Outgoing Navigation & Advocacy Contacts (LH)	0	0	0	0	0	0	0	0	1	5	3	5	14
Total Incoming & Outgoing Navigation & Advocacy Contacts (TN & LH)	0	0	0	0	0	0	0	0	0	0	1	0	1
Total Incoming & Outgoing Navigation & Advocacy Contacts (CC & LH)	0	0	0	0	0	0	0	0	0	0	0	0	0
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	18%	10%	19%	3%	1%	6%	20%	28%	38%	18%	15%	14%	14%
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	1	1	0	1	0	3	2	16
Total N&A City Agency Liaison Contacts	10	2	0	1	0	1	5	1	0	7	0	0	27
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	4	4	31	32	4	0	0	85
Total N&A Crisis Response Contacts	0	0	0	0	0	0	2	0	0	0	0	0	2
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	1	1	0	1	0	0	0	3
Total N&A Housing Navigation Contacts	2	2	3	9	4	2	15	18	26	23	4	4	112
Total N&A Legal Aid Liaison Contacts	0	2	6	0	1	0	1	0	0	1	0	1	12
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	3	0	1	1	0	0	10
Total N&A Other Contacts	8	5	2	2	0	2	2	2	1	3	2	1	30
Total N&A Translation Services Contacts	1	1	0	0	0	0	0	0	0	1	0	0	3
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	4	4	1	4	4	10	1	5	2	4	4	47

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Total Inquiries: P.A. - Housing	7	0	1	1	7	6	10	2	5	8	1	2	50
Total Inquiries: P.A. - Public Accommodation	5	1	3	1	2	0	1	1	0	2	1	0	17
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)	4	10	9	9	3	3	3	8	7	7	5	3	71
Total Complaints: P.A. - Employment	0	0	0	0	1	0	1	0	1	0	1	1	5
Total Complaints: P.A. - Housing	2	0	0	1	0	0	1	0	0	0	0	1	5
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	4	4	1	5	4	11	1	6	2	5	5	52
Employment inquiries & complaints in Charlottesville	2	1	2	1	2	2	4	0	6	2	2	2	26
Employment inquiries in Albemarle Co.	2	1	1	0	3	0	5	1	0	0	1	3	17
Employment inquiries in other and unspecified localities	0	2	1	0	0	2	2	0	0	0	2	0	9
Total Housing Inquiries & Complaints	9	0	1	2	7	6	11	2	5	8	1	3	55
Housing inquiries & complaints in Charlottesville	5	0	1	2	4	3	3	2	3	8	1	2	34
Housing inquiries in Albemarle Co.	4	0	0	0	1	2	2	0	0	0	0	0	9
Housing inquiries in other and unspecified localities	0	0	0	0	2	1	2	0	2	0	0	1	8
Total Public Accommodation Inquiries & Complaints	6	2	3	1	3	0	1	1	0	2	1	0	20
Public accommodation inquiries & complaints in Charlottesville	5	2	1	1	1	0	0	1	0	2	1	0	14
Public accommodation inquiries in Albemarle Co.	1	0	0	0	1	0	0	0	0	0	0	0	2
Public accommodation inquiries in other and unspecified localities	0	0	2	0	0	0	1	0	0	0	0	0	3
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	1	0	2	1	0	14
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	1	0	2	1	0	14
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	4	10	9	9	3	3	3	8	7	7	5	3	71
Other (Unprotected) inquiries & complaints in Charlottesville	0	2	5	2	0	0	1	3	0	1	2	0	16
Other (Unprotected) inquiries in Albemarle Co.	0	0	0	0	0	1	0	0	1	0	1	0	3
Other (Unprotected) inquiries in other and unspecified localities	4	8	4	7	3	2	2	5	6	6	2	3	52
Total I&C: P.C. - Age	2	0	0	0	0	1	0	0	1	1	0	0	5
Total I&C: P.C. - Elderliness (Housing)	1	0	0	0	0	1	1	0	0	2	0	1	6
Total I&C: P.C. - Disability	6	1	3	2	7	1	5	1	2	5	1	2	36
Total I&C: P.C. - National Origin	4	3	0	0	0	1	5	1	2	0	0	2	18
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	1	0	0	1

[illegible]

[illegible]

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
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. - Military 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. - Military 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	0	0	0	0	1	0	0	0	0	4	1	5	11
Total Closed Inquiries	20	15	17	12	15	13	24	12	17	15	10	4	174
Total Open Complaints	1	1	0	1	1	0	2	0	1	0	1	2	10
Total Closed Complaints	2	0	0	0	1	0	0	0	0	0	0	0	3
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	1	0	0	0	0	0	0	0	0	0	0	0	1
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 Complaint Closure: Finding	1	0	0	0	0	0	0	0	0	0	0	0	1
Reason for Complaint Closure: Administrative Closure	0	0	0	0	1	0	0	0	0	0	0	0	1
Reason for Inquiry Closure: Informal Resolution	0	0	0	0	0	1	2	0	0	0	0	0	3
Reason for Inquiry Closure: Navigation Only	15	8	12	3	9	10	17	6	13	14	10	4	121
Reason for Inquiry Closure: No Response	4	6	5	7	5	1	1	5	1	1	0	0	36
Reason for Inquiry Closure: Referral	0	0	0	0	0	1	2	1	0	0	0	0	4
Reason for Inquiry Closure: Complaint Filed	1	1	0	2	1	0	2	0	3	0	0	0	10
Primary Service: Case Administration	5	10	13	30	227	87	7	49	59	66	15	4	572
Primary Service: Conciliation Activity	0	0	0	0	0	0	0	0	0	0	0	0	0

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Primary Service: Informal Dialogue	0	0	13	0	0	2	3	2	3	1	0	1	25
Primary Service: Information	43	14	8	45	16	39	38	61	31	128	4	2	429
Primary Service: Intake Activity	89	131	30	325	124	56	55	32	37	61	32	33	1005
Primary Service: Investigation Activity	2	5	1	0	2	14	15	6	13	9	8	9	84
Primary Service: Mediation Activity	1	0	16	6	12	24	5	1	0	0	1	0	66
Primary Service: Navigation & Advocacy	31	18	19	13	5	15	31	60	86	58	11	8	355

Reporting:

Report	Status
CY2023 HRC & OHR Annual Report	Posted on Human Rights webpage. 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	Completed and submitted to Council on July 29, 2024.
CY2024 Third Quarter Report to Council	Completed and submitted to Council on October 18, 2024.

Active Complaints:

Case #	Protected Activity	Protected Class(es)	Status
2021-5	Employment	Sexual Orientation, Race	Investigation in progress.
2023-2	Employment	Religion, National Origin	New named Respondent. Preparing to send updated notice.
2024-2	Housing	Age, Disability	Alternative dispute resolution in progress.
2024-3	Public Accommodation	National Origin, Sexual Orientation	Investigation in progress.
2024-3R	Public Accommodation	Retaliation	Investigation in progress.
2024-4	Housing	Disability	Alternative dispute resolution in progress.
2024-7	Housing	Race, Religion, National Origin	Alternative dispute resolution in progress.
2024-8	Employment	Race, National Origin	Investigation in progress.
2024-9	Employment	Disability	Alternative dispute resolution in progress.
2024-10	Employment	Marital Status	Preparing to send notice of complaint and offer of ADR to parties.
2024-11	Employment	Sex, Marital Status	Awaiting Respondent response to offer of alternative dispute resolution.
2024-12	Housing	Disability	Preparing to send notice of complaint and offer of ADR to parties.

HRC Work Summary:

Date	Roles (Sec. 433)	Duties & Responsibilities	Primary Action	Summary & Analysis
1/5/2024	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	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.
2/29/2024	Sec. 2-433. (b) Awareness and Guidance	Sec. 2-434 Community dialogue and engagement.	Other Action	The Chair promoted the public poll on NBC29 Community Conversations.
5/6/2024	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	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.
6/6/2024	Sec. 2-433. (e) Legislative Program	Sec. 2-435 Systemic issues	Public Discussion	The Commission invited representatives from the Blue Ridge Area Coalition for the Homeless, Charlottesville Democratic Socialists of America, Charlottesville NAACP, Downtown Job Center, Home to Hope, and Region 10 to speak regarding city policy and state legislative priorities impacting housing and wraparound services for the people they support.
6/27/2024	Sec. 2-433. (d) Federal Workshares	Sec. 2-435 Systemic issues	Council Recommendation	The Commission reviewed proposed amendments to the Charlottesville Human Rights Ordinance during public meetings on 5/16/24 and 6/20/24, and voted to adopt a final draft for recommendation to City Council on 6/27/24. The proposed amendments included changes recommended by HUD for substantial equivalence to federal fair housing law for entering an interim FHAP workshare agreement.

Date	Roles (Sec. 433)	Duties & Responsibilities	Primary Action	Summary & Analysis
6/29/2024	Sec. 2-433. (b) Awareness and Guidance	Sec. 2-434 Community dialogue and engagement.	Community Event	The Chair and Vice Chair conducted service provision outreach and HRC recruitment at Healthy Streets Healthy People in conjunction with OHR staff.
7/11/2024	Sec. 2-433. (b) Awareness and Guidance	Sec. 2-434 Community dialogue and engagement.	Other Action	The Chair promoted the legislative recommendation expert panel on NBC29 Community Conversations.
7/18/2024	Sec. 2-433. (e) Legislative Program	Sec. 2-435 Systemic issues	Public Discussion	The Commission hosted Sen. Creigh Deeds, Del. Katrina Callsen, Laura Dobbs (Director of Policy for Housing Opportunities Made Equal), as well as representatives from the Alexandria, Fairfax, and Virginia Beach Human Rights Commissions for a discussion about state legislative priorities impacting housing and wraparound services for the people they support.
7/23/2024	Sec. 2-433. (e) Legislative Program	Sec. 2-434 Community dialogue and engagement.	Public Poll	The Commission Chair and Vice Chair worked with the Community Outreach & Administrative Specialist to develop a public poll to solicit feedback regarding priority legislative and City policy issues. The Commission used this feedback to inform their state legislative and City policy recommendations to Council. The public poll ran from 7/23/24 through 7/30/24 and received 48 responses.
9/6/2024	Sec. 2-433. (e) Legislative Program	Sec. 2-435 Systemic issues	Council Recommendation	The Commission submitted recommendations for City Council's 2025 Legislative Agenda.

Date	Roles (Sec. 433)	Duties & Responsibilities	Primary Action	Summary & Analysis
9/7/2024	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.
10/25/2024	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.
11/7/2024	Sec. 2-433. (a) Individual Assistance	Sec. 2-439.1 Enforcement authority	Public Hearing	The Commission voted to not hold a public hearing on Case 2020-2.
11/14/2024	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 4

**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 Proposed Text Amendments to the City's Human Rights Ordinance; and

~~**WHEREAS**, a public meeting was held to discuss and receive comments on the Proposed Text Amendments on May 16, and June 20, 2024, and the proposed amendments were presented to, discussed and approved on June 27, 2024, at a public meeting of the Human Rights Commission for recommendation to Charlottesville City Council~~ a public meeting was held by the Human Rights Commission on December 19, 2024, for the purpose of receiving comments on, discussing, and approving the Proposed Text Amendments 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 Amendments have 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 Amendments, and (ii) the Proposed Text Amendments are 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: Chapter 2, Article XV of the Code of the City of Charlottesville (1990), as amended, is hereby amended and reenacted as follows:

Article XV. Human Rights

- Sec. 2-430.1. Short title.
- Sec. 2-430.2. Definitions.
- Sec. 2-431. Unlawful discrimination prohibited generally.
- Sec. 2-431.1. Unlawful employment discrimination prohibited.
- Sec. 2-431.2. Unlawful housing discrimination prohibited.
- Sec. 2-431.3. Unlawful public accommodation, credit, and private education discrimination prohibited.
- Sec. 2-432. Human Rights Commission.
- Sec. 2-433. Role of the Human Rights Commission.
- Sec. 2-434. Office of Human Rights.
- Sec. 2-435. Role of the Office of Human Rights.
- Sec. 2-436. Reserved.
- Sec. 2-437.1. Investigation of individual employment discrimination complaints and issuance of findings.
- Sec. 2-437.2. Investigation of individual housing discrimination complaints and issuance of findings.
- Sec. 2-437.3. Investigation of individual public accommodation, credit, or private education discrimination complaints and issuance of findings.
- Sec. 2-438. Interference, coercion, intimidation, or retaliation prohibited.
- Sec. 2-439.1. Enforcement authority – The role of the Commission regarding individual complaints of discrimination.
- Sec. 2-439.2. Enforcement authority – The role of the Commission regarding Court enforcement of individual complaints of employment, public accommodation, credit, or private education discrimination.
- Sec. 2-440. Confidentiality.
- Sec. 2-441. ~~Severability.~~ Annual Report.
- Sec. 2-442. ~~Reserved.~~ Severability.
- Sec. 2-443. ~~Reserved.~~ No waiver of other legal rights.

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., 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”, and Virginia Fair Housing Law, Va. Code § 36-96.1:1., and 42 U.S.C. § 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 U.S.C. § 2000a., as amended.
- (d) The term “jurisdictional” as used in this ordinance shall mean that an allegation of discrimination is timely, the person who experienced harm is the person bringing forth the allegation and falls within a covered group under this ordinance, the respondent falls within a covered group under this ordinance, the alleged discriminatory act is covered by this ordinance, and the alleged discriminatory act took place within the geographical boundary of the City of Charlottesville and/or the alleged respondent is registered within the corporate jurisdiction of the City of Charlottesville.
- (e) The term “inquiry” as used in this ordinance shall mean an incoming contact requesting services provided to an individual by the Office of Human Rights and/or an individual allegation of discrimination that falls outside the jurisdiction of the Human Rights Commission and Office of Human Rights, as defined by this ordinance.
- (f) The term “complaint” as used in this ordinance shall mean a timely filing of a jurisdictional allegation of unlawful discrimination, as defined by this ordinance ~~and as authorized for filing by the Director of the Human Rights Commission.~~
- (g) The phrase “alternative dispute resolution” as used in this ordinance shall mean an attempt to resolve a complaint through informal dialogue, mediation, or conciliation.

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, military status, 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., as amended.

Sec. 2-431.2. Unlawful housing discrimination prohibited.

In accordance with 42 U.S.C. § 3604, 42 U.S.C. § 3605, and 42 U.S.C. § 3606, 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, military status, 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, military status, 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, military status, 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, military status, 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, military status, 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:
 - a. an accessible route into and through the dwelling;
 - b. light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
 - c. reinforcements in bathroom walls to allow later installation of grab bars; and
 - d. 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:
- (i) buildings consisting of 4 or more units if such buildings have one or more elevators; and
 - (ii) 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, military status, 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, military status, 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, military status, 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, military status, 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., as amended.

Sec. 2-432. Human Rights Commission.

(a) There is hereby created in the City of Charlottesville a Human Rights Commission (“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 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 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 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 for the prosecution of civil action regarding a finding of reasonable cause under this ordinance, ~~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 awareness, education and guidance on methods to prevent and eliminate discrimination citywide;
 - (1) The Commission 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 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 advise its boards, commissions, and other public agencies within the City on issues related to human rights;
 - (1) Such policies, practices, and systems may include those of an institutional nature that:
 - (A) May be unlawful discriminatory practices; or
 - (B) 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 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. 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. Office of Human Rights.

- (a) There is hereby created in the City of Charlottesville an Office of Human Rights (“Office”), 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.

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 individual complaints of discrimination within the jurisdiction of the City of Charlottesville, and attempt to resolve such complaints through alternative dispute resolution or by investigating and issuing findings on whether there is reasonable cause to believe a violation of this ordinance has occurred;
 - (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 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 issues of human rights, discrimination, and/or equity.

Sec. 2-436. Reserved.

Sec. 2-437.1. Investigation of individual employment 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 employment 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 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 inquiries alleging an unlawful discriminatory employment practice that falls outside the jurisdiction of the City, the Director or other designated professional staff shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an appropriate state or federal agency.
- (7) If the City of Charlottesville is the named respondent in an inquiry of employment discrimination received by Office of Human Rights, the Director or other designated professional staff shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an 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 to resolve it~~ the complaint through alternative dispute resolution, ~~and/or. If the complaint cannot be resolved through alternative dispute resolution, the Director shall administratively close the case and~~ inform the aggrieved individual of the option to file with an 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 notice of the complaint on the complainant and each respondent named therein. Said notice shall be served in a timely manner specifying the allegation, citing the evidence that supports further action, ~~and~~ advising ~~the complainant~~ all parties of the time limits and choice of forums under this ordinance, and indicating the action to be taken.

(b) Further action

- (1) Further action for employment discrimination complaints, as authorized by this ordinance, may include informal dialogue, mediation, and/or ~~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 or their designee 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 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 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 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) Alternative dispute resolution

- (1) 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 or their designee shall, to the extent feasible, engage in informal dialogue or mediation with respect to such complaint.
- (2) The Director shall propose an initial meeting between the parties for the purpose of exploring alternative dispute resolution of the complaint through 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.
- (3) Nothing herein shall be interpreted as requiring any party to participate in informal dialogue, mediation, or any other resolution efforts.
- (4) 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.
- (5) If informal dialogue is concluded, the complaint shall be considered resolved upon the complainant's written or verbal withdrawal of the complaint.
- (6) If the mediation is concluded to the satisfaction of both parties, the complaint 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 shall be taken by the Commission or the Office of Human Rights staff once the agreement is executed.
- (7) If informal dialogue or mediation is not successful, ~~and the complainant wishes to~~

~~pursue further action,~~ the Director or designee ~~may~~ shall conduct an 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.~~

(d) Investigation

- (1) ~~If the Director determines that a formal investigation into the complaint is warranted,~~ Upon the filing of a complaint under this section, 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) Statements received by the Investigator from the complainant, respondents, and witnesses as part of ~~a formal~~ an 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 Investigator shall have the right to interview any person who may have any information which may further ~~its~~ the 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.
- (5) If during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information, documents, or 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) Said subpoenas and requests for information may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or requests for information were ordered or served as part of a civil action in the Commonwealth of Virginia.
- (B) 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.
- ~~(C) Neither the Commission nor the Office shall have the power itself to issue~~

~~subpoenas under this article.~~

- (D) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.
 - (E) 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.
 - (F) 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 Charlottesville Circuit Court ~~court~~ to quash the subpoena.
 - (G) In case of refusal or neglect to obey a subpoena, the Director may petition for its enforcement in the Circuit Court of the City of Charlottesville. The Circuit Court of the City of Charlottesville will be requested to give these cases priority on the court docket.
- (6) 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~~ an 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 administrative 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. Investigation of individual housing discrimination complaints and issuance of findings.

(a) Complaints and Answers (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. § 115.204)

- (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) ~~Upon a majority vote of its members, the Human Rights Commission 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. Where the Commission identifies a systemic, discriminatory housing practice, the Commission may, upon majority vote of its members, request that the Director file a complaint of housing discrimination in situations where there is no named complainant. The Director, on the Director's own initiative, may also file such a complaint.~~
- (6) The Director may also investigate housing practices to determine whether a complaint should be brought under this section.
- (7) If the City of Charlottesville is the named respondent in an inquiry of housing discrimination received by Office of Human Rights, the Director shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an appropriate state or federal agency.
- (8) 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 to resolve it~~ the complaint through alternative dispute resolution, and/or, If the complaint cannot be

resolved through alternative dispute resolution, the Director shall administratively close the case and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(9) 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~~ 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 Office of Human Rights shall commence proceedings with respect to the complaint before the end of the thirtieth (30th) calendar day after receipt of the complaint.

(10) Complaints and answers shall be under oath or affirmation and may be reasonably and fairly amended at any time.

(11) 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 to such person, from the Director. Such notice shall explain the basis for the Director's belief that the person to whom the notice is addressed is properly joined as a respondent.

(12) Under this section, all decision-making authority with respect to acceptance and investigation of a complaint, approval of a conciliation agreement, dismissal of a complaint, final administrative disposition of a complaint, and/or decision-making regarding whether a particular matter will or will not be pursued shall be held by staff of the Office of Human Rights.

(b) Further action

(1) Further action for housing discrimination complaints, as authorized by this ordinance, may include informal dialogue, mediation, conciliation, and/or ~~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) Alternative dispute resolution (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)
- (1) ~~If the Director determines that further action on a complaint is appropriate, during~~ 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 ~~or their designee~~ 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~~ shall conduct a formal an 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 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 (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)
- (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 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 (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)
- (1) ~~If the Director determines that a formal investigation into the complaint is warranted,~~ Upon the filing of a complaint under this section, the Director shall assign an Investigator to 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 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 an 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 Investigator shall have the right to interview any person who may have any information which may further ~~its~~ the 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.
 - (5) In accordance with 42 U.S.C. §3611, if during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information,

documents, or 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) Said subpoenas and requests for information may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or requests for information were ordered or served as part of a civil action in the Commonwealth of Virginia.
 - (B) 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.
 - (C) ~~Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.~~
 - (D) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.
 - (E) 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.
 - (F) 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 Charlottesville Circuit Court ~~court~~ to quash the subpoena.
 - (G) In case of refusal or neglect to obey a subpoena, the Director may petition for its enforcement in the Circuit Court of the City of Charlottesville. The Circuit Court of the City of Charlottesville will be requested to give these cases priority on the court docket.
- (6) At the end of each investigation under this section, the 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) 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 (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)

- (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 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 (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)
- (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 City Attorney with a request for appropriate temporary or preliminary relief pending final disposition of the complaint under this section. Upon receipt of authorization from the City Manager, 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.
 - (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 by any governmental licensing or supervisory authorities, the Director shall transmit the information upon which such belief is based to the City Attorney or to such other agency or authority with appropriate jurisdiction.
- (h) Reasonable cause determination and effect (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)
- (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.
 - (A) The Commission and/or Office shall make a final administrative disposition of a complaint filed under this section within one year (365 calendar days) of the date of receipt of a complaint, unless it is impracticable to do so. If the Commission and/or Office is unable to do so, it shall notify the parties, 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, immediately render a determination on behalf of the aggrieved person.
 - (3) If the Director, in consultation with the City Attorney, 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. 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 with a recommendation for appropriate civil action 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 (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)
 - (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 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~~ a public administrative 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 (in accordance with 42 U.S.C. § 3612)
 - (1) When a charge is filed under section 2-437.2. 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 in lieu of a public administrative hearing by the Commission under Sec. 2-439.1. The election must be made not later than twenty (20) calendar days after the receipt by the electing person of service of copies of the charge or, in the case of the Director, not later than twenty (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 (in accordance with 42 U.S.C. § 3612)
 - (1) If an election of judicial determination is made, ~~the Director shall authorize, not later than thirty (30) calendar days after the authorization or election is made,~~ the City Attorney ~~to~~ shall commence and maintain; a civil action on behalf of the aggrieved person in a Court of competent jurisdiction seeking relief to this subsection, not later

than thirty (30) calendar days after the authorization or election is made.

(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 (in accordance with 42 U.S.C. § 3613)

- (1) 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 (in accordance with 42 U.S.C. § 3612 and 24 C.F.R. § 115.204)

- (1) In a civil action under 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 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 one 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, 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 informal dialogue or mediation with respect to resolution of alternative dispute resolution of complaints and advising the Director of the Commission of the results of such proceedings.

Sec. 2-437.3. Investigation of individual public accommodation, credit, or private education 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 public accommodation, credit, or private education 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 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 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 shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an appropriate state or federal agency.
- (7) If the City of Charlottesville is the named respondent in an inquiry of public accommodation, credit, or private education discrimination received by Office of Human Rights, the Director or other designated professional staff shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an 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 to resolve it~~ the complaint through alternative dispute resolution, ~~and/or. If the complaint cannot be resolved through alternative dispute resolution, the Director shall administratively close the case and~~ inform the aggrieved individual of the option to file with an 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 notice of the complaint on the complainant and each respondent named therein. Said notice shall be served in a timely manner and specify the allegation, citing the evidence that supports further action, advising all parties ~~the complainant~~ of the time limits and choice of forums under this ordinance, and indicating the action to be taken.

(b) Further action

- (1) Further action for public accommodation, credit, or private education discrimination complaints, as authorized by this ordinance, may include informal dialogue, and/or ~~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 or their designee~~

~~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, 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 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 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) Alternative dispute resolution

- (1) 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 or their designee shall, to the extent feasible, engage in informal dialogue or mediation with respect to such complaint.
- (2) The Director shall propose an initial meeting between the parties for the purpose of exploring alternative dispute resolution of the complaint through 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.
- (3) Nothing herein shall be interpreted as requiring any party to participate in informal dialogue, mediation, or any other resolution efforts.
- (4) 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.
- (5) If informal dialogue is concluded, the complaint shall be considered resolved upon the complainant's written or verbal withdrawal of the complaint.
- (6) If the mediation is concluded to the satisfaction of both parties, the complaint 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 shall be taken by the Commission or the Office of Human Rights staff once the agreement is executed.

- (7) If informal dialogue or mediation is not successful, ~~and the complainant wishes to pursue further action,~~ the Director or designee ~~may~~ shall conduct ~~an~~ 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.~~

(d) Investigation

- (1) ~~If the Director determines that a formal investigation into the complaint is warranted,~~ Upon the filing of a complaint under this section, 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) Statements received by the Investigator from the complainant, respondents, and witnesses as part of ~~a formal~~ an 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 Investigator shall have the right to interview any person who may have any information which may further ~~its~~ the 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.
- (5) If during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information, documents, or 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) Said subpoenas and requests for information may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or requests for information were ordered or served as part of a civil action in the Commonwealth of Virginia.
 - (B) 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.

~~(C) Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.~~

(D) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.

(E) 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.

(F) 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 Charlottesville Circuit Court ~~court~~ to quash the subpoena.

(G) In case of refusal or neglect to obey a subpoena, the Director may petition for its enforcement in the Circuit Court of the City of Charlottesville. The Circuit Court of the City of Charlottesville will be requested to give these cases priority on the court docket.

(6) 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~~ an 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 administrative 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. 2-438. Interference, coercion, intimidation, or retaliation prohibited.

- (a) In accordance with 42 U.S.C. § 3617, 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 discrimination.

(a) ~~Public~~ Administrative hearings generally

- (1) The Commission shall serve as a ~~public~~ an administrative 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~~ an administrative hearing and any proceedings in process shall cease. If an election is not made, the Commission shall hold an administrative hearing on behalf of the complainant.
- (3) If a an administrative 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 notice and statement shall be served no later than fourteen (14) calendar

days prior to the date of the hearing.

- (4) The Commission 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 administrative hearing to one or more of the allegations or issues.
- (5) ~~Hearings~~ Administrative 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) Prior to the ~~public~~ administrative hearing, the Director shall provide the Commission with a copy of the investigative report and any findings or determinations resulting from the investigation. During ~~a public~~ an administrative hearing, the Commission shall base its findings and recommendations on a review of the existing record and any additional evidence acquired by the Commission, at its discretion through the Office of Human Rights, prior to the hearing. Neither party to the complaint shall be entitled to submit unsolicited written statements or arguments, present oral defense or documentary evidence, or conduct cross examinations during the ~~public~~ administrative hearing.
- (7) Any investigative report, findings, determinations, or additional evidence provided to the Commission by the Office of Human Rights for purposes of ~~a public~~ an administrative hearing shall be redacted to remove any personal identifying information in accordance with Va. Code Ann. § 2.2-3800 et seq.
- (8) The Commission shall keep a full record of the administrative hearing, and such 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.
- (9) 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.
- (10) Whenever the Commission 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 through the Office of Human Rights, 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) Said subpoenas and requests for information may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or requests for information were ordered or served as part of a civil action in the Commonwealth of Virginia.
 - (B) 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.

- ~~(C) Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.~~
 - (D) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.
 - (E) 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.
 - (F) 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 Charlottesville Circuit Court ~~court~~ to quash the subpoena.
 - (G) In case of refusal or neglect to obey a subpoena, the Commission may petition for its enforcement in the Circuit Court of the City of Charlottesville. The Circuit Court of the City of Charlottesville will be requested to give these cases priority on the court docket.
- (11) 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~~ an administrative 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. 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 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.
- (12) If, after receiving the evidence presented at the administrative 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.
- (13) Nothing herein shall be construed as authorizing the Commission to ~~issue subpoenas~~, award damages, or grant injunctive relief.
- (b) ~~Public~~ Administrative appeal hearings for ~~complainant appeals~~ determinations 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 complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of notice of the dismissal, the complainant files with the Commission a request for a review of the determination of the Director.
- (3) On written petition of the complainant, the Commission shall hold ~~a public~~ an administrative appeal hearing to review the Director's conclusion and shall either overrule or affirm the finding of no reasonable cause.
- (4) If, at the conclusion of an administrative appeal hearing, the Commission determines by majority vote that 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 and recommendations for further action. The Director shall serve notice on both parties of the Commission's finding and pursue appropriate further action, per the Commission's resolution.
- (5) If, at the conclusion of an administrative 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~~ Administrative hearings for determinations of reasonable cause

- (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) For determinations of reasonable cause regarding complaints of employment, public accommodation, credit, or private education discrimination, The the Commission shall determine by majority vote whether to hold ~~a public~~ an administrative 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~~ an administrative 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) For determinations of reasonable cause regarding complaints of housing discrimination, the Commission shall proceed with an administrative hearing on behalf of the complainant if neither party elects to pursue judicial determination through a civil action in a court of competent jurisdiction.

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 alternative dispute resolution 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.~~ No waiver of other legal rights.

- (a) Any person who is aggrieved by an unlawful discriminatory practice may bring an appropriate action in a court of competent jurisdiction, including but not limited to a judicial review of a final decision made by the Commission or Office, as provided for by any other applicable law.
- (b) Nothing in this Chapter shall prevent any person from exercising any right or seeking any remedy to which the person might otherwise be entitled; nor shall any person be required to pursue any remedy set forth herein as a condition of seeking relief from any court or other agency, except as is otherwise provided by applicable Virginia or federal law.

Attachment 5

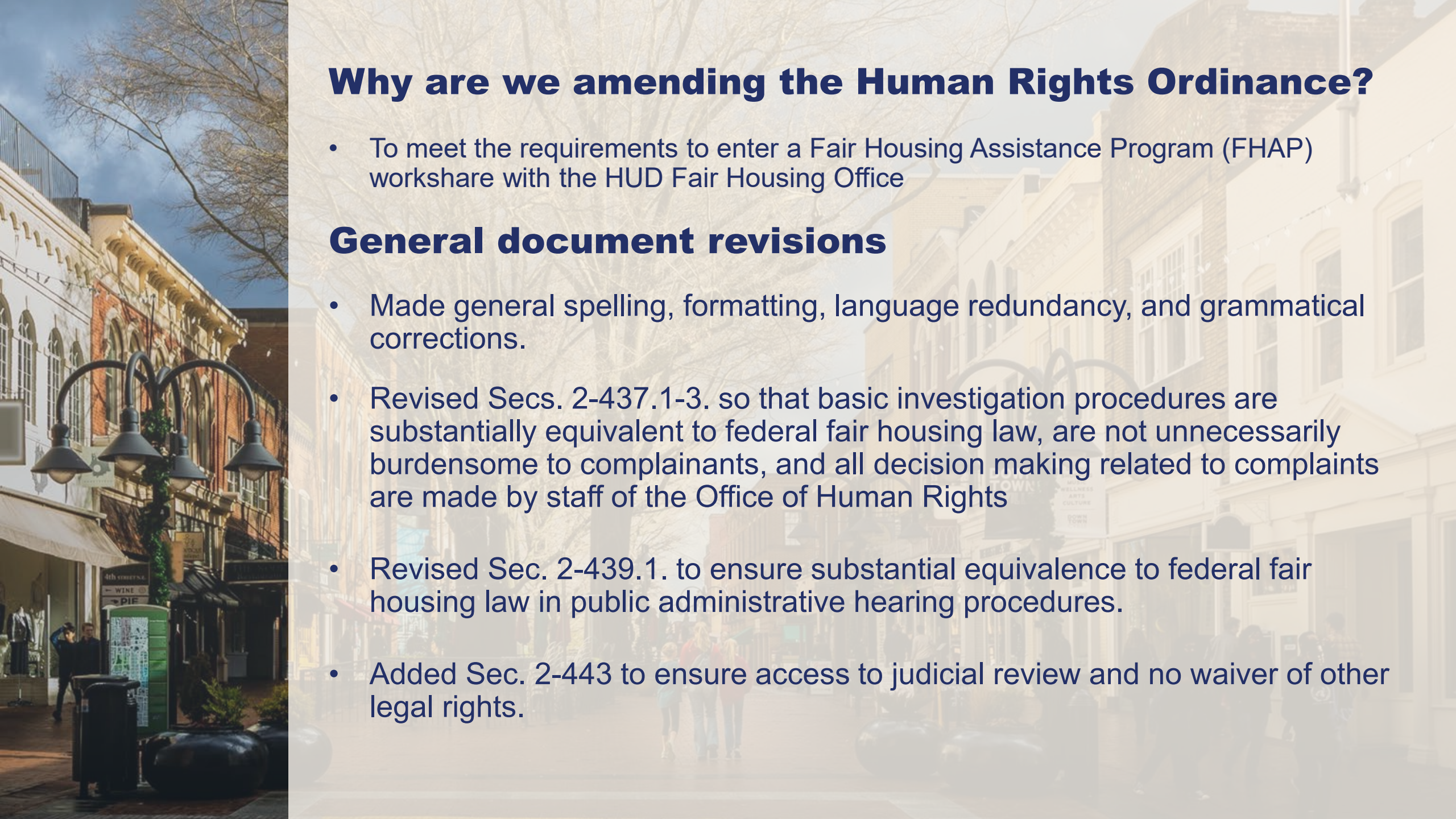


Proposed Amendments to the Charlottesville Human Rights Ordinance

Presented by Todd Niemeier

Director, Human Rights Commission

City Council Regular Meeting January 6, 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

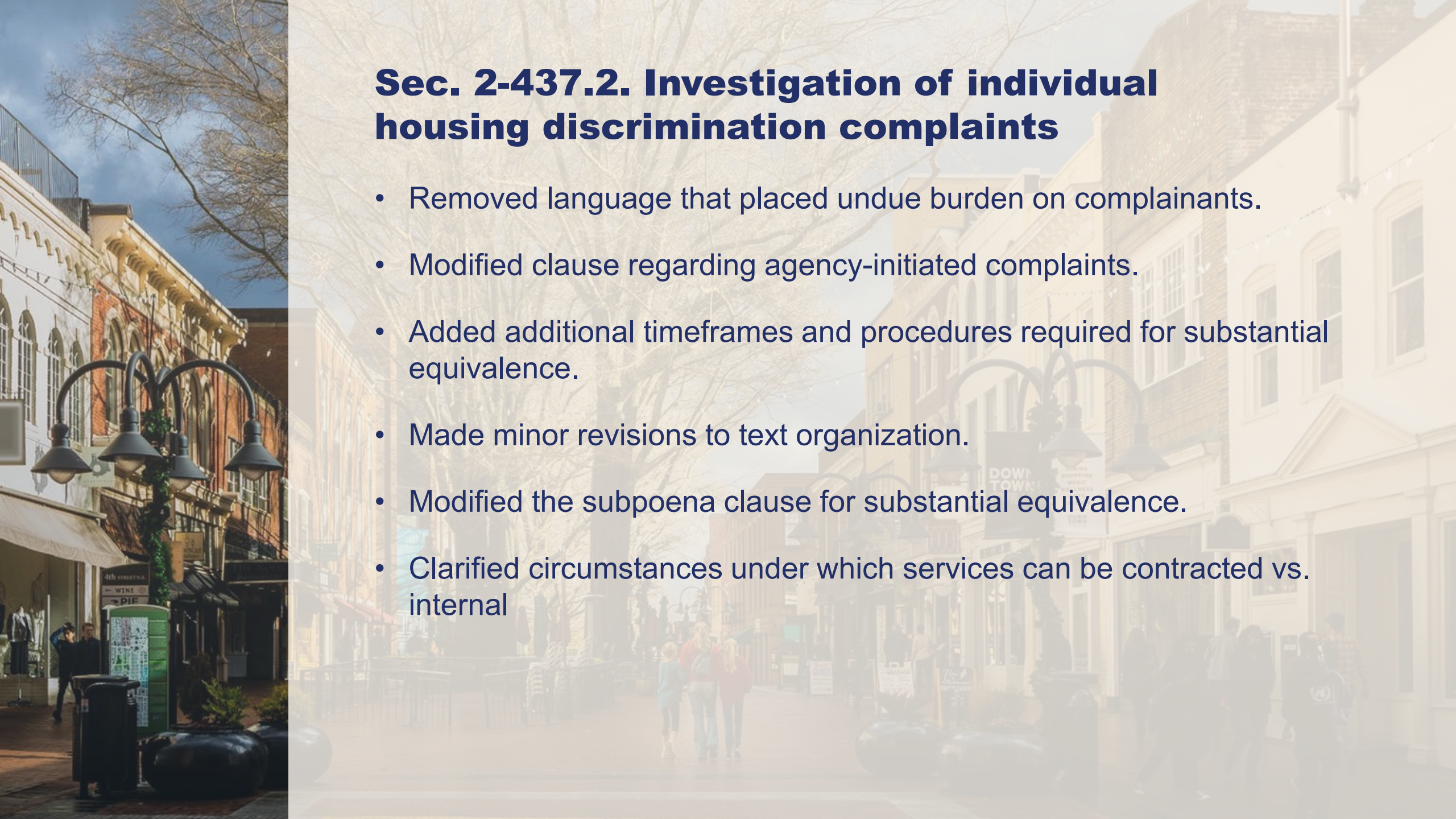
General document revisions

- Made general spelling, formatting, language redundancy, and grammatical corrections.
- Revised Secs. 2-437.1-3. so that basic investigation procedures are substantially equivalent to federal fair housing law, are not unnecessarily burdensome to complainants, and all decision making related to complaints are made by staff of the Office of Human Rights
- Revised Sec. 2-439.1. to ensure substantial equivalence to federal fair housing law in public administrative hearing procedures.
- Added Sec. 2-443 to ensure access to judicial review and no waiver of other legal rights.



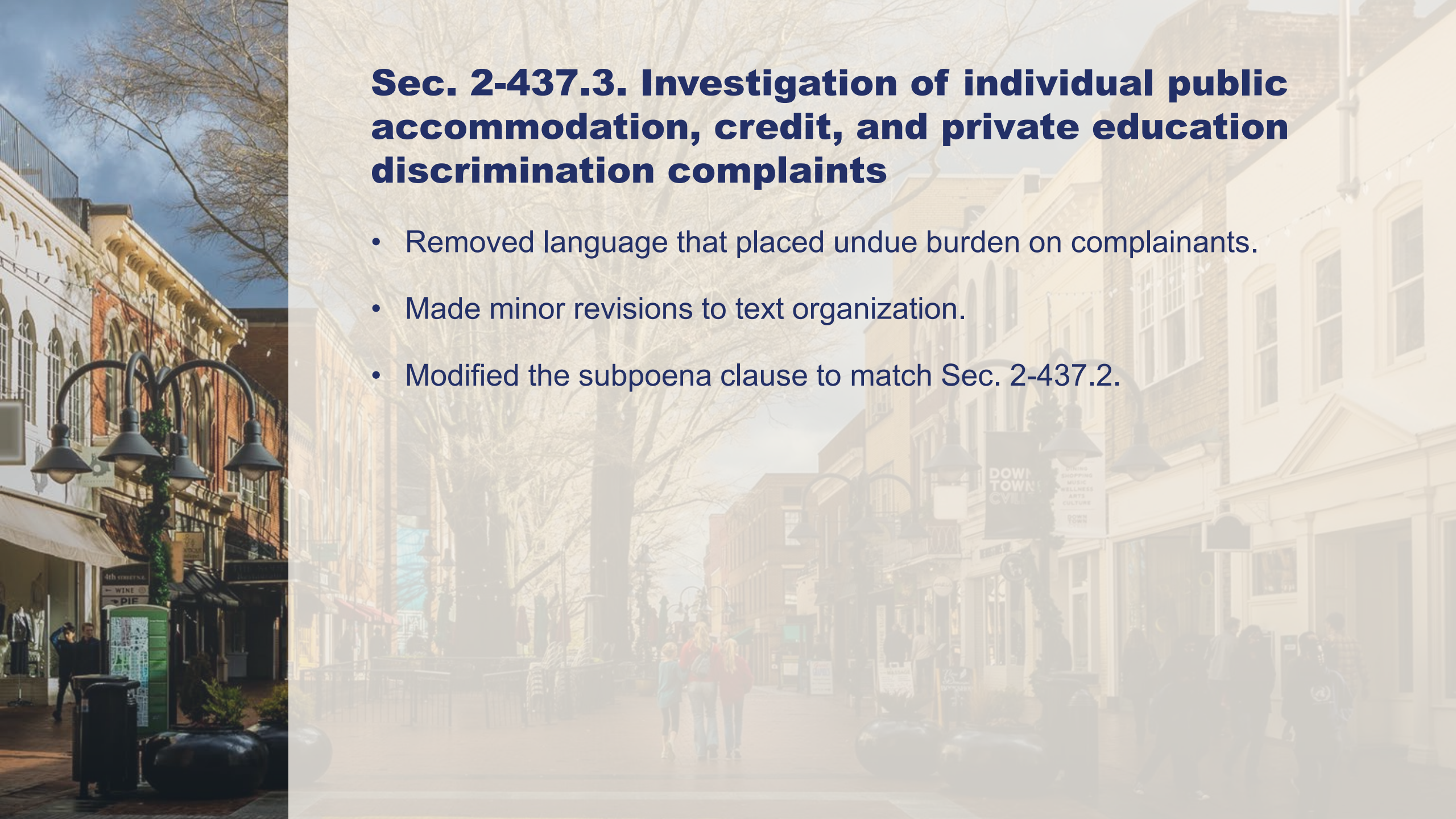
Sec. 2-437.1. Investigation of individual employment discrimination complaints

- Removed language that placed undue burden on complainants.
- Made minor revisions to text organization.
- Modified the subpoena clause to match Sec. 2-437.2.



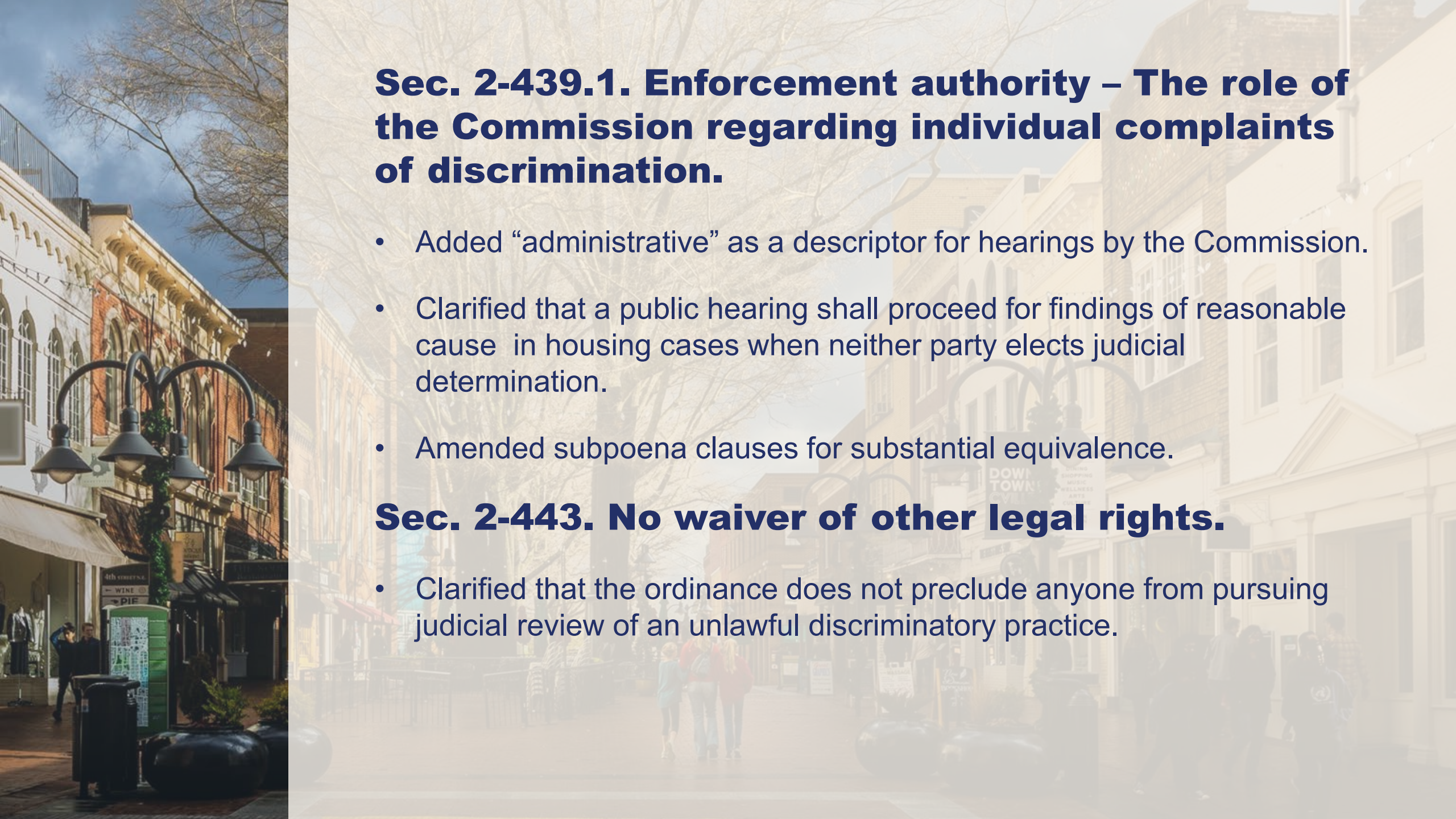
Sec. 2-437.2. Investigation of individual housing discrimination complaints

- Removed language that placed undue burden on complainants.
- Modified clause regarding agency-initiated complaints.
- Added additional timeframes and procedures required for substantial equivalence.
- Made minor revisions to text organization.
- Modified the subpoena clause for substantial equivalence.
- Clarified circumstances under which services can be contracted vs. internal



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

- Removed language that placed undue burden on complainants.
- Made minor revisions to text organization.
- Modified the subpoena clause to match Sec. 2-437.2.

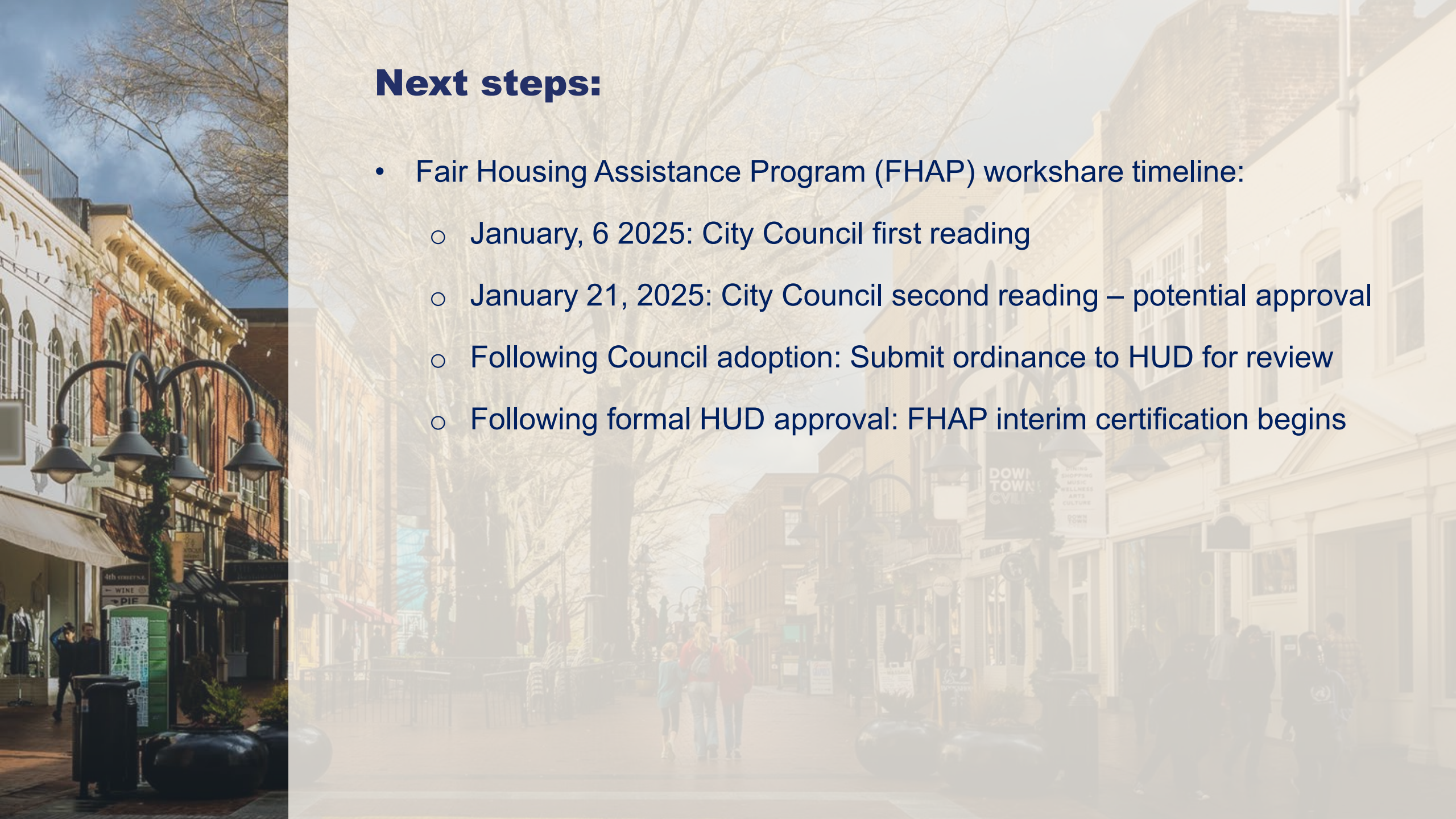


Sec. 2-439.1. Enforcement authority – The role of the Commission regarding individual complaints of discrimination.

- Added “administrative” as a descriptor for hearings by the Commission.
- Clarified that a public hearing shall proceed for findings of reasonable cause in housing cases when neither party elects judicial determination.
- Amended subpoena clauses for substantial equivalence.

Sec. 2-443. No waiver of other legal rights.

- Clarified that the ordinance does not preclude anyone from pursuing judicial review of an unlawful discriminatory practice.



Next steps:

- Fair Housing Assistance Program (FHAP) workshare timeline:
 - January, 6 2025: City Council first reading
 - January 21, 2025: City Council second reading – potential approval
 - Following Council adoption: Submit ordinance to HUD for review
 - Following formal HUD approval: FHAP interim certification begins

Next Steps:

- Anticipated fair housing complaint caseload:

Year	OHR new cases	HUD/FHAP new cases
2023	4	Data request pending
2022	5	3
2021	5	4
2020	1	3

- OHR capacity building
 - Fully staffed: Intake Specialist, Investigator, Outreach Specialist, Director
 - Additional training through the National Fair Housing Training Academy (NFHTA)
 - Capacity-building funding from HUD during interim certification

Questions?



Attachment 6

RULES AND PROCEDURES OF THE HUMAN RIGHTS COMMISSION

CITY OF CHARLOTTESVILLE, VIRGINIA

The Human Rights Commission, established pursuant to Article XV, Sections 2-430 to 2-443 of the Charlottesville City Code (the Charlottesville Human Rights Ordinance), hereby adopts the following rules and procedures for the execution of its duties and responsibilities thereunder:

1. Composition of the Human Rights Commission

1.1. The Commission membership shall consist of no less than nine members appointed by City Council, and shall be broadly representative of the City's population, with consideration of racial, gender (including gender identity, transgender status, and sexual orientation), religious, ethnic, disabled, socio-economic, geographic neighborhood and age groups within the City.

1.2 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. Despite the expiration of a member's term, the member shall continue to serve until a successor is appointed by City Council. Any vacancy during a term shall be filled by the City Council for the unexpired portion of that term. Following notice to the member, any member of the Commission may be removed for good cause by a majority vote of City Council.

1.3 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.

2. Officers and Duties

2.1 Officers. The officers of the Human Rights Commission shall be a Chair, a Vice Chair and a Secretary, who shall have the duties set forth below.

2.2 Duties of Officers.

(1) Chair. The Chair shall be elected from the Commission's membership. It shall be the duty of the Chair to execute all documents on behalf of the Commission, to act as liaison between the Commission and the Office of Human Rights and Director of the Human Rights Commission, to cause all resolutions, approvals and other actions of the Commission to be executed or carried out, to determine that all matters delegated to the Commission by state statute, city ordinance, or at the instance of the City Council are properly brought before the Commission.

(2) Vice Chair. The Vice Chair shall be elected from the Commission's membership and shall exercise the powers and perform the duties of the Chair during the absence, disability or disqualification of the Chair.

(3) Secretary. The Director of the Human Rights Commission shall be the Secretary of the Commission. The Secretary shall not be a member of the Commission and shall have no right to vote. It shall be the duty of the Secretary to keep minutes of the Commission's proceedings in accordance with the requirements of the Virginia Freedom of Information Act ("FOIA") and any other applicable provisions of law; to give notices required by law or these bylaws; to prepare, in consultation with the Chair, the agenda for all meetings of the Commission; to be custodian of and maintain the Commission's public records and other records, as required in the performance of its duties and functions; to inform the Commission of correspondence relating to the business of the Commission and to respond to such correspondence unless responsibility is otherwise assigned by the Chair; to act as liaison with the City Manager, City departments and agencies, and to execute on behalf of the Commission any documents requiring the signature of the Secretary. In the event the Secretary is absent from any meeting, the Chair presiding at the meeting shall designate an individual to perform the duties of Secretary for that meeting.

2.3 Terms and Vacancies. The term of office for the Chair and Vice Chair shall be for one year. The Chair shall be eligible for reappointment to no more than one additional one-year term. Should any vacancy occur among the offices described above, the Commission shall fill that vacancy as promptly as practicable and the individual elected to such office shall serve for the unexpired term of that office.

2.4 Officer Elections Procedures. The Chair shall appoint a nominating committee of no less than three members of the Commission, who shall meet in October of each year to make recommended nominations for the offices of Chair and Vice Chair. The recommended slate will be presented to the full Commission at the December meeting. At the Commission's January meeting of each year, the officer election rules currently in place (attached) may be invoked by any member who wishes to make nominations in addition to the Nominating Committee's recommended slate.

3. Meetings

3.1 Election Meetings. The Commission shall hold an annual election meeting, which shall take place during the first regular meeting of the Commission in the month of January of each year. At this meeting, the members of the Commission shall elect officers. The Commission may also conduct such other business as shall be placed on the agenda in accordance with the provisions of these bylaws.

3.2 Strategic Annual Planning Meetings. The Commission shall hold an annual **strategie** planning meeting, which shall take place during the regular meeting of the Commission in the month of March of each year. At the **strategie annual** planning meeting, the members of the Commission shall adopt the work plan for the ensuing year. The Commission may also conduct such other business as shall be placed on the agenda in accordance with the provisions of these bylaws.

3.3 Regular Meetings. Regular meetings shall be held on the third Thursday of each month. The basic order of business will be as set forth in 4.3, following below.

3.4 Special Meetings. Special meetings may be called by the Chair, the Vice Chair in the absence of the Chair, or by any two members, upon written request to the Secretary.

3.5 Work Sessions. Work sessions are special meetings that may be held at the request of the Chair, or the Vice Chair in the absence of the Chair. Work sessions shall be held for the purpose of inquiry and discussion and no official action shall be taken at such meetings.

3.6 Public meetings; exceptions for Closed Sessions. Meetings of the Commission shall be open meetings, as that term is defined within FOIA, except that the Commission may hold closed meetings when authorized pursuant to Va. Code Section 2.2-3711, and upon compliance with the closed meeting procedures and certification requirements set forth within Va. Code Section 2.2-3712.

3.7 Notice of Meetings.

3.7.1. The Secretary shall give notice of all meetings (annual, regular, special, and work session) to all members of the Commission, five days prior to such meeting, or, for a special meeting or work session, such other notice as is reasonable under the circumstances. Such notice shall state the time and place of such meetings. With respect to regular meetings and the annual meeting, such notice shall be accompanied by an agenda prepared in accordance with the provisions of these rules and procedures and accompanied by such documentation as may be reasonable to permit the members of the Commission to consider the business which they are called upon to act. With respect to work sessions and special meetings, the notice shall state the purpose of the meeting or the nature of the discussion or inquiry to be undertaken and shall be accompanied by such documentation as may be available and practicable to provide to enable the members of the Commission to thoughtfully consider the business to come before the meeting.

3.7.2. The Secretary shall place notice of the date, time, and location of each Commission meeting in a prominent public location at which notices of City Council meetings are regularly posted and shall also post such notice on the City's website. This public notice shall be posted at least three (3) working days prior to the meeting; however, notice of a special meeting or work session may be given upon fewer than 3 days' notice, if reasonable under the circumstances and if such notice is given contemporaneously with the notice provided to Commission members. At least one

copy of all agenda packets and, unless a specific FOIA exemption applies, all materials furnished to Commission members for a meeting, shall be made available for public inspection in the office of the Director/ Secretary at the same time such documents are furnished to the Commission.

3.7.3. For the purposes of this section, and as used throughout these rules and procedures, the term “notice” shall mean and include any format within the definition of a “public record” set forth in FOIA, at Virginia Code Sec. 2.2-3701.

4. Conduct of Meetings.

4.1 Quorum. A majority of currently serving Commissioners (“quorum”) must be in attendance at a meeting of the Commission in order for business to be legally transacted. Except as expressly provided in Virginia Code Section 2.2-3708(G) or 2.2-3708.1, the Commission shall not conduct a meeting where its business is discussed or transacted through any means of communication where the members are not physically assembled.

4.2 Procedure. All meetings of the Commission shall be conducted in accordance with Martha’s Rules of Order as amended and adopted by the Commission on February 20, 2020. The Chair of the Commission, or in their absence, the Vice Chair, or in the absence of both, the person having been designated by the Chair as parliamentarian, shall preside at meetings of the Commission.

4.3 Proceedings. At any meeting of the Commission, the Commission may hear, review, discuss and act upon, and otherwise transact business related to, any matters within its role, and within the scope of its duties and responsibilities, as described within the Charlottesville Human Rights Ordinance. At any regular meeting and annual meeting of the Commission, the order of business to come before the meeting shall be as expressed on the agenda sent out with the notice of the meeting provided, however, the presiding officer, with the consensus or affirmative vote of a majority of the Commissioners, may change the order of business on the agenda for any reason, or may add a matter to the agenda.

4.4 Voting. All business transacted by the Commission shall be authorized by a vote of the majority of members present and voting taken at a lawful meeting conducted in accordance with these rules and procedures. At all meetings of the Commission, each member present shall be entitled to cast one vote providing there is a physical quorum. A decision on whether to hold a public hearing on a complaint of an unlawful discriminatory practice shall not be valid unless authorized by a majority of the full Commission members. No vote of the Commission shall be taken by secret or written ballot. A member may vote by telephone or other electronic communication means as expressly authorized by FOIA Section 2.2-3708.1.

4.5 Committees. The Commission may, in its discretion, delegate any of its duties or responsibilities to a panel of not less than three Commissioners. Any such panel shall constitute a committee of the Commission, which shall transact the delegated business of the Commission following the same rules, procedures, and meeting requirements applicable

to the Commission, except it shall not be authorized to vote on any matter. Rather, any such committee shall bring its recommendations to the full membership of the Commission for a vote in accordance with these rules. No such committee may include individuals who are not members of the Commission; however, the Commission may appoint advisory committees or form task forces which may include individuals who are not members of the Commission.

4.5.1 Ad hoc Committees. The Chair may recommend the formation of Ad hoc Committees for the purpose of addressing specific issues of concern to the Commission or to develop and implement projects approved by the Commission. The Chair of the Commission appoints members of each Ad hoc Committee and a Chair of each committee is selected from committee members. Commission staff is responsible for assisting Committee chairs with setting Committee meeting agendas and preparing Committee reports for presentation to the full Commission during its regular meetings.

5. Conflicts of Interest.

5.1 All members of the Human Rights Commission are subject to the Virginia State and Local Government Conflict of Interests Act (Va. Code 2.2-3100 et seq.) ("COIA") and are required to read and familiarize themselves with the provisions of COIA.

5.1.1. In the event that any member shall have a "personal interest in a transaction" as defined by Va. Code Section 2.2-3101, in a matter before the Commission, the member shall be required to make a declaration of such interest before participating in the transaction, and the member may be required to disqualify himself from participating in the transaction. The member's obligations in a given situation shall be determined in accordance with Va. Code Section 2.2-3112. It is the obligation of each member to ascertain whether he or she has a personal interest in a transaction, and to take action in accordance with Va. Code 2.2-3112 immediately upon concluding that a personal interest does exist; however, the issue of personal interests of a commission member may also be raised by other members or by individuals who are not members.

Any member of the Commission may request an advisory opinion from the Commonwealth's Attorney or the City Attorney or his or her representative, as to whether a personal interest exists and, if so, what are the Commissioner's obligations under COIA. An opinion of the Commonwealth's Attorney or the City Attorney shall have the effect specified in Va. Code Sec. 2.2-3121.

5.1.2. Every declaration and disqualification required pursuant to COIA shall be reflected in the public records of the Commission for a period of five (5) years, in the office of the Director/ Secretary.

5.1.3. In the event of a disqualification, the disqualified member shall be prohibited from (i) attending any portion of a closed meeting when the matter in which he or she has a personal interest is discussed, and (ii) discussing the matter in which he or she has a personal interest with other members of the Commission, with the Director, or with

other officers or employees of the City government, at any time.

5.1.4. At all times, Commission members shall conduct themselves and the Commission's business in accordance with all applicable requirements of COIA, including those provisions not specifically referenced within these rules and procedures.

6. Community Participation

6.1 Public notice. Public notice of all meetings of the Commission will be provided as set forth in 3.6, above. In addition, the Commission may direct the Secretary to give additional or special notice, or advertise or announce specific matters before the Commission, as the Commission may deem appropriate.

6.2 Public Participation. At the beginning and at the end of each of its open meetings the Commission will receive public comment in accordance with City Council's "Rules for Public Participation," which Rules are hereby adopted and incorporated by reference within these rules and procedures, as rules of the Commission.

7. Reports.

7.1. Quarterly Reports. The Commission shall make quarterly reports to the City Council concerning the operation of the Commission and the Office of Human Rights and the status of the performance of the duties, responsibilities, and roles set forth within the Charlottesville Human Rights Ordinance. Quarterly reports shall be submitted each year in the months of January, April, July, and October.

7.2. Annual Reports. The Commission shall present a calendar year annual report to the City Council concerning the operation of the Commission and the Office of Human Rights and the status of the performance of the duties, responsibilities, and roles set forth within the Charlottesville Human Rights Ordinance. Annual reports shall be submitted each year on a date specified by the City Council.

8. Amendments.

These bylaws, rules and procedures may be amended by vote of a majority of the Commission at any meeting provided, however, notice of such proposed amendment shall be given to each member of the Commission in writing at least five days prior to such meeting.

AMENDMENTS

**Human Rights Commission Policy on Individual Participation in Meetings by Electronic Means
Administrative Policy No. 1: Approved May 21, 2015 and amended May 18, 2023.**

- I. **Policy Statement:** It is the policy of the Charlottesville Human Rights Commission (HRC) that individual members of the HRC may participate in meetings of the Commission by electronic means as permitted by City Policy No. 100-02, as enabled by City Council Resolution #R22-110 (September 6, 2022), City Code Sec. 2-149 & 2-154, and Va. Code Sec. 2.2-3708.3, 15.2-1107, and 15.2-1541.
- II. **Eligibility:** This policy shall apply to the entire membership of the HRC and without regard to the identity of the member requesting remote participation or the matter considered or voted on at the meeting.

Election of the Chair and Vice-Chair Adopted March 20, 2014

The Human Rights Commission Rules and Procedures (2.2) provide that a Chair and Vice-Chair shall be annually elected. This is to set forth the customary procedure as modified from the 2013 City Attorney memo regarding the election of Mayor and Vice-Mayor for the City of Charlottesville.

1. The Director will Chair the meeting during the officer elections process.
2. The Director will ask for nominations for the Office of Chair.
3. Only names that are moved and seconded will be placed in nomination. Any Commission member may move or second his or her own name.
4. After one or more persons are nominated and it appears that no one else wishes to make a nomination, the Director will ask if there are any further nominations. If there are no responses, the Director will declare that nominations for the Office of Chair are closed.
5. Commissioners will then vote on the first person nominated for the Office of Chair. A Commission member who is nominated may vote for himself or herself.
6. If a majority of those present and voting affirmatively vote for the first candidate, that person is elected Chair and there is no further voting. If the first candidate does not receive a majority, the Commission will then vote on the second person nominated. If no nominee receives a majority, there will need to be a motion, second and vote on reopening nominations.
7. After a Commissioner is elected as Chair, the same procedure will be followed for the election of Vice-Chair. Following the election of the Vice-Chair, the newly-elected Chair will chair the remainder of the meeting.

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 7

**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 – to be considered in 2025
3. Reparations – to be revisited in December
 - 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 homelessness and systemic barriers to housing to City Council by August 20, 2024.	• 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) -- DONE ◦ Prepare draft ordinance for review – DONE
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 - DONE ◦ Outreach for July Legislative agenda expert panel – Staff working on this ◦ Commissioners talk to individuals in the community regarding work done on reparations – Chair will work on this ◦ OHR staff will collaborate with partners to develop Ally/Safe Space training – in progress ◦ Chair and OHR staff prepare to present CY2023 annual report to Council - DONE

Month	Actions
June	• Work Session (6/6: Carver Rec.) ◦ Expert Panel: Housing, homelessness, and wraparound services. - DONE • Regular Meeting (6/20: City Space) ◦ Proposed: Adopt ordinance amendments – DONE ◦ HRC Research Presentation (Ginny Helmandollar) - DONE • Actions Between Meetings ◦ June 3: Present CY2023 Annual Report to Council (Chair and Director) - DONE ◦ Tentative: VAHR Conference
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 - DONE • Actions Between Meetings ◦ Proposed: Present Ordinance Revisions to Council - DONE ◦ OHR staff finalize training opportunities for HRC public hearings – pending ordinance changes
August	• Work Session (8/1: City Space) ◦ Draft legislative recommendations • Regular Meeting (8/15: City Space) ◦ Proposed: Adopt legislative recommendations - DONE ◦ Revisit HRC annual calendar • Actions Between Meetings ◦ Proposed: Present Legislative Recommendations to Council - SENT
September	• Work Session (9/5: City Space) ◦ Tentative: Public Hearing training - Postponed • 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) ◦ Fill in remaining months of 2024 HRC Work Plan ◦ City policy recommendations • Regular Meeting (10/17: City Space) ◦ 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 ◦ Staff prepare redacted case file for Case 2020-2 for 10/17 agenda packet ◦ HRC reviews Case 2020-2 case file ahead of public hearing vote during 11/7 work session
November	• Special Meeting (11/7: City Space) ◦ Vote on whether to hold public hearing on Case 2020-2 - DONE • Regular Meeting (11/21: City Space) ◦ Finalize effective right to counsel letter • Actions Between Meetings ◦ Nomination committee will send out a call for nominations

Month	Actions
December	• Work Session (12/5: City Space) ◦ Public Hearing preparation with City Attorney's Office (tentative) • Regular Meeting (12/19: City Space) ◦ Officer Nominations ◦ Amend Rules & Procedures to reflect new election timeframe ◦ Review amended Charlottesville Human Rights Ordinance • Actions Between Meetings ◦ Chair to provide update on reparations ◦ Vice Chair to send out Doodle poll for date for annual meeting in March
January	• Work Session (1/2: City Space) • Regular Meeting (1/16: City Space) ◦ Officer elections ◦ Plan date for Annual Meeting in March • Actions Between Meetings
February	• Work Session (2/6: City Space) • Regular Meeting (2/20: City Space) ◦ Planning for Annual Meeting • Actions Between Meetings