

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

SHIRLEY WILSON, :
Complainant :
 :
vs. : DOCKET NO. H-2380
 :
RICHARD E. AMES, :
Individual - solely in his name, :
MARGARET E. AMES, :
Individual - solely in her name, :
Respondents :

CONSENT ORDER AND DECREE

WHEREAS, a Complaint was filed against Richard E. Ames, individually and solely in his name of 343 Argone Drive, New Kensington, Pennsylvania and Margaret E. Ames, individually and solely in her name of 1105 Kenneth Avenue, New Kensington, Pennsylvania (hereinafter called the Respondents) on October 15, 1974, by Shirley Wilson of 721 Kimball Avenue, New Kensington, Pennsylvania alleging that on or about to wit October 1, 1974, the Respondents violated Section 5(h)(1) of the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744, as amended, (43 P.S. Section 951 et seq) in connection with commercial housing accommodation located at 1105 Kenneth Avenue (rear), New Kensington, Pennsylvania; and

WHEREAS, for the purposes of avoiding further litigation before the Commission, the Respondents do hereby agree to a waiver of their right to a public hearing under Section 9 of the Pennsylvania Human Relations Act, as amended, and to the entry of the following Consent Order and Decree which shall have the full force and effect of a Commission order following a public hearing.

NOW, THEREFORE, this 23rd day of February, 1976
the Respondents and the Pennsylvania Human Relations Commission agree to the following:

ORDER AND DECREE

1. The Respondents and their agents and employees will fully comply with the Pennsylvania Human Relations Act, as amended and will henceforth cease and desist from:

a. Directly or indirectly refusing to sell, rent, lease or in any way discriminate because of race, color, religious creed, national origin, ancestry, sex, the presence of a guide dog due to the blindness of the user, handicap or disability, in the terms, conditions or privileges of the sale, rental or lease of any and all commercial housing accommodations which the Respondents or either of them own(s), operates or manages, or in the furnishing of advantages, privileges, facilities or services in connection therewith.

2. The Respondents and their agents and employees shall take the following affirmative actions which, in the judgement of the Commission, will effectuate the purposes of this chapter:

a. Offer full, equal and non-discriminatory assistance without regard to race, color, religious creed, nationality, ancestry, sex or because of the presence of a guide dog due to the blindness of the user, to all responsible persons who come to the Respondents seeking assistance in obtaining housing accommodations.

b. The Respondents, as of the effective date of this Consent Order and Decree have no employees. However, should they acquire employees within one year of the effective date of this Order, the Respondents will immediately issue written instructions citing 2(a) of this Order to all such employees and direct them to abide by this Order.

c. The Respondents will furnish the Commission with a copy of said instructions within ten (10) days of issuance to such employees.

d. The Respondents shall from the effective date of this Order post in a conspicuous place in all vacant dwelling owned by them or either of them hereafter a copy of the Pennsylvania Human Relations Commission Fair Housing Poster; the Respondents shall place the

poster in the aforementioned manner within 24 hours after the dwelling is vacated. The poster will be continually maintained in a conspicuous place until the dwelling is no longer available.

e. The Respondents shall for a period of one (1) year from the effective date of the Order maintain records of the availability for sale, rental or lease of any and all commercial housing accommodations or other real property which the Respondents or either of them owns, operates or manages or in any manner furnishes facilities or services in connection therewith. Such records shall contain the date of availability and the terms of sale, rental or lease including but not limited to cost and size of unit.

f. The Respondents shall for a period of one (1) year from the effective date of this Order maintain a registry of the names, addresses and phone numbers of all persons seeking to, applying for, inquiring about or requesting information concerning the availability of units at any and all commercial housing accommodations or other property which the Respondents or either of them operates or manages or in any manner furnishes facilities or services in connection therewith.

g. The Respondents shall from the effective date of this Order include in all advertising for commercial housing accommodations or other real property which the Respondents or either of them owns, operates or manages or in any manner furnishes facilities or services in connection therewith the words, "Equal Opportunity Housing". The Respondents may also use the Equal Opportunity Logotype.

h. The Respondents shall for a period of one year subsequent to the effective date of this Order maintain and allow the Pennsylvania Human Relations Commission staff to review records pertinent to implementation of this Consent Order and Decree upon request and with one (1) week's written notice.

i. The Respondents will adopt a uniform tenant selection procedure. Such procedure must include objective and verifiable tenant selection criteria and the use of a written application form. A summary of the procedure and a copy of the application form will be submitted to Commission staff for review/approval within thirty (30) days of the effective date of this Order.

3. It is understood by both parties to this Order that any infraction of this Order by an employee of the Respondents constitutes an infraction by the Respondents of record.

4. It is understood by both parties to this Order that any willful infraction of this Order may result in a fine or imprisonment or both as specified in Section 11, Penalties, of the Act.

5. It is understood by both parties to this Order that any subsequent violation of Section 5 of the Pennsylvania Human Relations Act, as amended or other comparable statutes within the State of Pennsylvania shall entitle the Pennsylvania Human Relations Commission to demand enforcement of item 4 above.

6. If any clause, sentence, paragraph or part of this Consent Order and Decree or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder of this Order nor the application of such clause, sentence, paragraph or part to other persons or circumstances directly involved in the controversy in which such judgement shall have been rendered. It is hereby declared to be the Commission's intent that this Order would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage.

7. The Commission and the Respondents enter into this Agreement with the intent to be legally bound thereby and acknowledge that this agreement shall not be final and binding until executed by the Respondents (its duly authorized officer) and approved by the Commission and executed by the Chairperson of the Commission, and thereafter shall be binding upon and inure to the benefit of the parties hereto, their and each of their respective heirs, legal representatives, successors and assigns.

BY THE RESPONDENTS:

February 23, 1976
Effective Date of this Order

Richard E. Ames

Margaret E. Ames

ATTEST:

BY THE COMMISSION:

Homer C. Floyd
Homer C. Floyd, Executive Director
Pennsylvania Human Relations Commission

Joseph X. Yaffe
Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations Commission

ATTEST:

Robert Johnson Smith
Robert Johnson Smith, Secretary
Pennsylvania Human Relations Commission

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

Shirley Wilson, Complainant

Docket No. H-2380

vs.

Richard E. Ames, Individually
solely in his name, Margaret
E. Ames, Individual solely
in her name, Respondents

FINAL ORDER AND DECREE

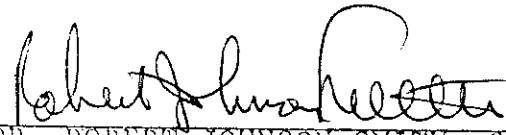
23rd February 76

AND NOW, this day of , 19 - ,
upon consideration of the Conciliation Agreement submitted
in the above captioned case it is hereby ORDERED AND DECREED
that said Conciliation Agreement is entered into the official
record of the Pennsylvania Human Relations Commission as a
Final Order, to be given the same force and effect as if
entered after a public hearing.

BY


JOSEPH X. YAFFE, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

BY


DR. ROBERT JOHNSON SMITH, SECRETARY
PENNSYLVANIA HUMAN RELATIONS COMMISSION