

AN ACT Concerning Discriminatory Housing Practices  
and Policies Based upon Race or Color, Religion  
or Country of Ancestral Origin, and Defining  
Further the Functions, Powers and Duties of the  
Commission Against Discrimination Relative Thereto.

It is enacted by the General Assembly as follows:

Section 1. Finding and declaration of policy.

2 (A) In the State of Rhode Island and Providence Plantations, hereinafter  
3 referred to as the state, many people are denied equal opportunity in obtaining  
4 housing accommodations and are forced to live in circumscribed areas because  
5 of discriminatory housing practices based upon race or color, religion or  
6 country of ancestral origin. Such practices tend unjustly to condemn large  
7 groups of inhabitants to dwell in segregated districts or under depressed  
8 living conditions in crowded, insanitary, substandard and unhealthful accom-  
9 modations. Such conditions breed intergroup tension as well as vice, disease,  
10 juvenile delinquency and crime; increase the fire hazard; endanger the public  
11 health; jeopardize the public safety, general welfare and good order of the  
12 entire state; and impose substantial burdens on the public revenues for the  
13 abatement and relief of conditions so created. Such discriminatory and seg-  
14 regative housing practices are inimical to and subvert the basic principles  
15 upon which the Colony of Rhode Island and Providence Plantations was founded  
16 and upon which the state and the United States were later established. Dis-  
17 crimination and segregation in housing tend to result in segregation in our  
18 public schools and other public facilities, which is contrary to the policy  
19 of the state and the constitution of the United States. In order to aid in  
20 the correction of these evils, it is necessary to safeguard the right of all  
21 individuals to equal opportunity in obtaining housing accommodations free of  
22 such discrimination.

23 (B) It is hereby declared to be the policy of the state to assure to all  
24 individuals regardless of race or color, religion or country of ancestral ori-  
25 gin equal opportunity to live in decent, safe, sanitary and healthful accommo-  
26 dations anywhere within the state in order that the peace, health, safety and  
27 general welfare of all the inhabitants of the state may be protected and  
28 insured.

29 (C) This act shall be deemed an exercise of the police power of the  
30 state for the protection of the public welfare, prosperity, health and peace  
31 of the people of the state.

Sec. 2. Right to equal housing opportunities.

2 The right of all individuals in the state to equal housing opportunities  
3 regardless of race or color, religion or country of ancestral origin, is  
4 hereby recognized as, and declared to be, a civil right.

Sec. 3. Definitions.

2 When used in this act

3 (A) the term "person" includes one or more individuals, partnerships,  
4 associations, organizations, corporations, legal representatives, trustees,  
5 other fiduciaries, or real estate brokers or real estate salesmen as defined  
6 in Chapter 83 of P. L. of 1959.

7 (B) the term "housing accommodation" includes any building or structure,  
8 or portion thereof, or any parcel of land, developed or undeveloped, which is  
9 occupied, or is intended to be occupied, or to be developed for occupancy,  
10 for residential purposes, but does not include a room or rooms rented or let  
11 to a roomer or lodger within a dwelling unit occupied by the owner or  
12 tenant.

13 (C) the term "commission" means the Rhode Island commission against dis-  
14 crimination created by sections 28-5-1 to 28-5-39, inclusive, of the general

26 conditions or privileges relating to the obtaining or use of any such finan-  
27 cial assistance against any applicant because of the race or color, religion  
28 or country of ancestral origin of such applicant or of the existing or pro-  
29 spective occupants or tenants.

Sec. 5. Prevention of unlawful housing practices.

2 The Rhode Island commission against discrimination is empowered and  
3 directed, as hereinafter provided, to educate in order to prevent any person from  
4 violating any of the provisions of this act, provided that before instituting a  
5 formal proceeding it shall attempt by informal methods of conference, persuasion  
6 and conciliation to induce compliance with the said sections. Upon the commission's  
7 own initiative or whenever an aggrieved individual or an organization chartered  
8 for the purpose of combating discrimination or racism or of safeguarding civil  
9 liberties, such organization acting on behalf of one or more individuals being  
10 hereinafter referred to as the complainant, makes a complaint, in writing,  
11 under oath, to the said commission that any person, agency, bureau, corporation  
12 or association, hereinafter referred to as the respondent, has violated or is  
13 violating, to the best of complainant's knowledge and belief, any of the pro-  
14 visions of this act, the said commission may proceed in the same manner and  
15 with the same powers as provided in sections 28-5-16 to 28-5-27, inclusive, of  
16 the general laws of 1956; and the provisions of sections 28-5-13 and 28-5-16  
17 to 28-5-36, inclusive, of the general laws of 1956 as to the powers, duties  
18 and rights of the commission, its members, hearing examiners, the complainant,  
19 intervener, respondent and the court shall apply in any proceedings under this  
20 section.

Sec. 6. Complainant's right of action.

2 If, within thirty days after it has issued a cease and desist order, the  
3 commission does not issue a finding that the respondent has ceased to engage

4 in unlawful housing practices, pursuant to the procedures of section 28-5-24,  
5 then the complainant shall be entitled to recover his actual damages plus two  
6 thousand dollars together with costs of suit and attorneys' fees against the  
7 respondent in an action of the case in the superior court for having engaged  
8 in an unlawful housing practice or practices. In any such action, the commiss-  
9 ion's cease and desist order shall be prima facie evidence that an unlawful  
10 housing practice has been committed.

Sec. 7. Availability of record.

2 Upon the payment of costs therefor to the commission, a transcript of the  
3 record, together with a certified copy of the testimony may be made available  
4 to any party in the proceeding before the commission.

Sec. 8. Construction.

2 The provisions of this act shall be construed liberally for the accom-  
3 plishment of the purposes intended and any provisions of any law inconsistent  
4 with any provisions hereof shall not apply. Nothing contained in this act shall  
5 be construed to repeal any of the provisions of any law of the state prohibiting  
6 discrimination based on race or color, religion or country of ancestral origin.  
7 Nothing contained in this act shall be construed to affect the free exercise  
8 of religion.

Sec. 9. Separability.

2 If any clause, sentence, paragraph, or part of this act or the application  
3 thereof to any person or circumstance shall, for any reason, be adjudged by a  
4 court of competent jurisdiction to be invalid, such judgment shall not affect,  
5 impair, or invalidate the remainder of this act or its application to other  
6 persons or circumstances.

Sec. 10. Short title.

2 This act may be cited as the Rhode Island fair housing practices act.

Sec. 11. Effective date.

2 This act shall take effect upon its passage.