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An Act Concerning Discriminatory Housing Practices and Policies... (1959)

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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 referred to as the state, many people are forced to live in circumscribed areas because of discriminatory housing practices based upon race or color, religion or country of ancestral origin. Such practices tend unjustly to condemn large groups of inhabitants to dwell in segregated districts under depressed living conditions in crowded, insanitary, substandard and unhealthful accommodations. Such conditions breed intergroup tension as well as vice, disease, juvenile delinquency and crime; increase the fire hazard; endanger the public health; jeopardize the public safety, general welfare and good order of the entire state; and impose substantial burdens on the public revenues for the abatement and relief of conditions so created. Such discriminatory and segregative housing practices are inimical to and subvert the basic principles upon which the Colony of Rhode Island and Providence Plantations was founded and
upon which the state and the United States were later
established. Discrimination and segregation in hous-
ing tend to result in segregation in our public schools
and other public facilities, which is contrary to the
policy of the state and the constitution of the United
States. In order to aid in the correction of these evils,
it is necessary to safeguard the right of all individuals
to equal opportunity in obtaining housing accommoda-
tions free of such discrimination.

(B) It is hereby declared to be the policy of the
state to assure to all individuals regardless of race
or color, religion or country of ancestral origin equal
opportunity to live in decent, safe, sanitary and health-
ful accommodations anywhere within the state in order
that the peace, health, safety and general welfare of
all the inhabitants of the state may be protected and
insured.

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

Sec. 2. Right to equal housing opportunities.

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

Sec. 3. Definitions.

When used in this act
(A) the term “person” includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, or other fiduciaries.
(B) the term “housing accommodation” includes any building or structure, or portion thereof, or any parcel of land, developed or undeveloped, which is occupied, or is intended to be occupied, or to be de-
veloped for occupancy, for residential purposes, but does not include a room or rooms rented or let to a roomer or lodger within a dwelling unit occupied by the owner or tenant; neither does it include any accommodation owned or controlled by any religious or denominational institution or organization when used by such institution or organization for a non-profit program for its own membership.

(C) the term “commission” means the Rhode Island commission against discrimination created by sections 28-5-1 to 28-5-39, inclusive, of the general laws of 1956.

(D) the term “discriminate” includes segregate or separate.

Sec. 4. Unlawful housing practices.

(A) No owner, lessee, sublessee, assignee, managing agent, or other person having the right to sell, rent or lease a housing accommodation as defined in section 3 (B) of this act, or an agent of any of these,
6 shall make or cause to be made any written or oral inquiry concerning the race or color, religion or country of ancestral origin of any prospective purchaser, occupant or tenant of such housing accommodation; or shall refuse to sell, rent, lease or otherwise deny to or withhold from any individual such housing accommodation because of the race or color, religion or country of ancestral origin of such individual; or shall discriminate against any individual because of his race or color, religion or country of ancestral origin in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or in the furnishing of facilities or services in connection therewith.

(B) No person to whom application is made for a loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, whether se-
cured or unsecured, shall make or cause to be made any written or oral inquiry concerning the race or color, religion or country of ancestral origin of any individual seeking such financial assistance, or of existing or prospective occupants or tenants of such housing accommodation; nor shall any such person to whom such application is made in the manner here-before provided discriminate in the terms, conditions or privileges relating to the obtaining or use of any such financial assistance against any applicant because of race or color, religion or country of ancestral origin or such applicant or of the existing or prospective occupants or tenants.

Sec. 5. Prevention of unlawful housing practices.

The Rhode Island commission against discrimination is empowered and directed, as hereinafter provided, to prevent any person from violating any of the provisions of this act, provided that before insti-
tuting a formal hearing it shall attempt by informal methods of conference, persuasion and conciliation, to induce compliance with the said sections. Upon the commission's own initiative or whenever an aggrieved individual or an organization chartered for the purpose of combating discrimination or racism or of safeguarding civil liberties, such individual or organization being hereinafter referred to as the complainant, makes a charge to the said commission that any person, agency, bureau, corporation or association, hereinafter referred to as the respondent, has violated or is violating any of the provisions of this act, the said commission may proceed in the same manner and with the same powers as provided in sections 28-5-16 to 28-5-27, inclusive, of the general laws of 1956; and the provisions of sections 28-5-13 and 28-5-16 to 28-5-36, inclusive, of the general laws of 1956 as to the powers, duties and rights of the commission,
24 its members, hearing examiners, the complainant, inter-
25 ivener, respondent and the court shall apply in any
26 proceedings under this section.

Sec. 6. Construction.

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

Sec. 7. Separability.

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

Sec. 8. Short title.

2 This act may be cited as the Rhode Island fair hous-
ing practices act.

Sec. 9. Effective date.

2 This act shall take effect July 1, 1959.