



## BOARD RULINGS DIGEST

### Rulings Through June 2012

This booklet summarizes rulings of the Board of Commissioners of the Chicago Commission on Human Relations in discrimination cases filed under the *Chicago Human Rights Ordinance* or the *Chicago Fair Housing Ordinance*. It lists the remedies or “relief” ordered if the Board ruled in favor of the complainant.<sup>1</sup> We hope this publication helps parties in cases before the Commission to assess claims and approach settlement negotiations in an informed way. We also hope it highlights for the public the implementation of Chicago’s powerful ordinances prohibiting discrimination.

**When Rulings Occur.** The Board of Commissioners makes rulings after an administrative hearing and recommended decision by an appointed hearing officer. Such a hearing occurs only if the Commission finds substantial evidence of discrimination after investigating a complaint, or if a respondent is held in default for failure to comply with Commission orders (such as failure to file a proper response or attend a scheduled proceeding). Board rulings reflect only a small number of the complaints filed by the public under the City’s discrimination ordinances. Many cases are settled between the parties or dismissed for other reasons, making a Board ruling unnecessary.

**How Remedies Are Determined.** Chicago’s discrimination ordinances set no minimum floor or maximum cap on damage awards, although caps apply to fines. Damages are awarded on a case-by-case basis, based on evidence the parties present at the administrative hearing. The Board considers what damages and other remedies were ordered in similar cases, and parties may cite prior Board rulings as precedent. Although decisions by state and federal courts in similar civil rights cases are not binding on the Commission, the Board may also look to them for guidance.

**Part I: Rulings for Complainants Since January 2002.** The first part of this publication contains short narrative summaries of Board rulings in favor of complainants issued from 2002 through the date noted at the beginning of this issue. These are cases in which the Board determined that the Chicago Human Rights Ordinance or the Chicago Fair Housing Ordinance had been violated. As a result, the Board ordered relief as described in the summaries. Information on rulings for complainants prior to January 2002 can be found in Part III, the Table of Relief Awards.

Within each section, the rulings are grouped according to the categories of discrimination prohibited under the City’s ordinances—employment, housing, and public accommodations. No Board rulings have occurred in credit or bonding cases. Within each category, the rulings are listed from the *latest to earliest*, except awards of attorney fees and costs are described with the liability ruling.

**Part II: Rulings for Respondents.** This section describes rulings in which the Board found that no ordinance violation occurred. As a result, no relief was ordered. Short narrative summaries are provided for decisions since January 2002, with briefer listings for earlier decisions. As for the previous section, the rulings are grouped by the categories of prohibited discrimination and then listed from latest to earliest, except any subsequent decisions on review are described with the initial Board ruling.

**Part III: Table of Relief Awards.** The third part of this publication is a table of all rulings in which the Board has found an ordinance violation and ordered relief. For each ruling, the table lists the type of discrimination found, types of relief ordered, and sometimes the amount. The rulings are listed by case category (employment, housing, public accommodations), from the latest to earliest. Additional explanation precedes the table.

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<sup>1</sup> **Do not cite this publication as legal authority.** For information on finding and citing precedential decisions of the Commission, see Reg. 270.510 *et seq.* and the information on the next page.

**Researching Commission Decisions.** The *Board Rulings Digest* may not be cited as legal authority; it is merely a starting point and guide. Explanatory material is for general information only and may not fully state the applicable law. The listings do not fully describe the facts of each case, nor do they fully state the Board’s reasoning and the legal authority cited. Each Board ruling is a detailed written opinion including findings of fact, conclusions of law, and an explanation of the basis for any relief awarded.

Board rulings are not the only Commission decisions which may be cited as precedent in later cases before the Commission. In addition, the Adjudication Division’s senior attorneys and hearing officers issue orders resolving legal issues that arise either in the earlier stages of cases which reach the Board or in cases which never reach the Board because they are settled or dismissed for other reasons. To support legal research, a digest of Commission decisions called the *Subject Matter Index* is available for inspection at the Commission’s office and at the Cook County Law Library (26<sup>th</sup> Floor of the Daley Center). Copies may also be purchased from the Commission.

Copies of Commission decisions are available for inspection at the Commission’s office on 48 hours’ advance notice and may be purchased at a per-page charge. Copies are also available at the Cook County Law Library and many are available on the Westlaw electronic research service. The case name, case number, and decision date are needed to retrieve a decision.

Additional information about on researching Commission decisions, along with copies of the applicable ordinances and regulations, can be found on the Commission’s web site, [www.cityofchicago.org/HumanRelations](http://www.cityofchicago.org/HumanRelations).

## **DEFINITIONS**

This section briefly explains some terms used in describing damages and other awards of relief. To fully understand how the terms may apply to a particular case, it is necessary to research the Ordinances and Regulations as well as applicable case law. **Do not cite these explanations as legal authority.**

**Attorney Fees.** A successful complainant who was represented by an attorney may petition for an award of reasonable attorney fees and related costs. The petition must include itemized documentation of the hours expended, hourly rate sought, and costs incurred. The hearing officer issues a recommended decision and the Board of Commissioners makes the final ruling, as for liability decisions. The ordinances do not allow awards of attorney fees or costs to successful respondents if no violation is found.

**Award.** When we “award” damages or attorney fees to a successful complainant, that means the Chicago Commission on Human Relations orders the respondent found in violation of the discrimination ordinance to pay that amount of money to the complainant (or the complainant’s attorney). The City of Chicago does not give the money to the complainant. The complainant may need to take additional steps to enforce the order awarding damages or attorney fees, if the respondent does not pay as ordered.

**Back Pay.** Back pay is a form of out-of-pocket damages (see definition below) which may be awarded in employment discrimination cases, to compensate for earnings lost due to the discrimination. Back pay runs from the date of the discriminatory act (for example, the hiring or promotion decision at issue) until the earlier of (a) when the complainant obtains a comparable or better job or (b) the Commission’s final ruling in the case. Any compensation received since the discriminatory act is subtracted, so back pay reflects any additional amount complainant would have received had the discrimination not occurred. See the definition of Mitigation of Damages below.

**Costs.** See **Attorney Fees** above.

**Emotional Distress Damages.** Emotional distress damages compensate the complainant for the personal distress suffered due to the discrimination. The complainant must present evidence at the administrative hearing to prove the distress was caused or exacerbated by the discrimination, and also to establish the proper amount to be awarded. In determining the amount, the Commission considers the severity and duration of the discrimination, the severity and duration of the complainant’s response to it, and the complainant’s vulnerability.

**Fines.** If, after an administrative hearing, a respondent is found to have violated the Chicago Human Rights Ordinance or the Chicago Fair Housing Ordinance, the Commission typically imposes a fine. Under the Human Rights Ordinance, fines may range from \$100 to \$500 for each offense, and every day that a violation continues may constitute a separate offense. Under the Fair Housing Ordinance, violations are punishable by a fine in any sum not exceeding \$500. Multiple fines may be imposed in a case—such as per violation found, per respondent responsible for a violation, or per complainant affected. Fines may also be imposed for failure to comply with a Commission regulation or order including failure to attend a scheduled proceeding. Fines are paid to the City treasury, not to the complainant or the Commission.

**Front Pay.** Front pay is a remedy available in employment discrimination cases to compensate for loss of future earnings for a certain length of time. A front pay award is fairly rare. A complainant must prove that he or she will have an especially hard time finding work with comparable earnings in the future.

**Frustration of Purpose.** This is a damage award to a complainant which is an organization, to compensate it for the burden placed on the execution of its purpose and mission in connection with opposing the discrimination.

**Injunctive Relief.** Injunctive relief is an order requiring a respondent to take an action other than paying money, or to stop (“cease and desist”) certain conduct. A few examples include (a) ceasing the discriminatory conduct or policy; (b) training staff about non-discriminatory practices; (c) hiring, promoting, or reinstating the complainant’s employment; (d) renting or selling a housing unit to the complainant; (d) adding wheelchair ramps, elevators, buzzers, signs, or restroom accessibility features; (e) restructuring rules or requirements to accommodate a person with a disability; and (e) reporting progress in eliminating discriminatory practices.

**Interest.** The Commission typically awards pre- and post-judgment interest on the damages it orders. It is usually calculated from the date of the injury to complainant (as determined based on evidence presented in the administrative hearing) until the damages are paid. The interest rate is calculated using the prime rate, adjusted quarterly and compounded annually. The Commission does not determine the rate or amount for the parties, but information on the prime rate and method of calculation is available elsewhere. **Because pre- and post-judgment interest is routinely awarded, it is usually not mentioned in describing a ruling.**

**Mitigation of Damages.** In general, a complainant is required to make efforts to “mitigate” or minimize the damages resulting from discrimination. For example, a complainant denied employment must look for comparable employment and not just wait for back pay to accumulate. A complainant denied housing must search for comparable housing. At the administrative hearing, the complainant typically must provide evidence of efforts to mitigate damages. Damage awards may be reduced or denied if the complainant did not make a reasonable effort to mitigate.

**Out-of-Pocket Damages.** Out-of-pocket damages compensate a complainant for actual financial loss. Evidence supporting a requested award must be presented by a complainant at the administrative hearing. Usually these damages must be calculated and documented with specificity. As examples, in employment discrimination cases, out-of-pocket damages might include back pay and front pay (see definitions above). In housing discrimination cases, out-of-pocket damages might include the difference between housing costs actually paid and a lower amount the complainant would have paid but for the discrimination. It might also include the added costs of seeking and obtaining housing elsewhere. In public accommodation discrimination cases, out-of-pocket damages might include the costs to obtain the service or product elsewhere. Costs to pursue the discrimination claim may also be awarded.

**Punitive Damages.** The purpose of punitive damages is to punish the respondent and to deter the respondent and others from similar discriminatory conduct in the future. Punitive damages are not awarded in every case. The evidence presented in the administrative hearing must show that the respondent’s discriminatory conduct was egregious, that is, “willful or wanton” or done with “reckless disregard” for the complainant’s rights. Factors justifying punitive damages may include (a) direct discriminatory statements accompanying the discriminatory act, such as derogatory epithets or insults; (b) a physical attack on the complainant; (c) proof of similar past discriminatory practices; and (d) serious or flagrant disregard for Commission procedures. Factors affecting the amount of the award may include (a) the respondent’s financial resources (i.e. ability to pay as well as what amount will adequately punish and deter a particular respondent); (b) the respondent’s history of discrimination; and (c) the likelihood that the respondent will repeat the discriminatory conduct if not punished. This type of damages award is unique because it considers the respondent’s financial position, not what the complainant lost.

# Part I

## RULINGS FOR COMPLAINANTS SINCE JANUARY 2002

### EMPLOYMENT DISCRIMINATION

*Sleper v. Maduff & Maduff LLC*, CCHR No. 06-E-90 (May 16, 2012)  
Sex Discrimination (Pregnancy)

The Board found pregnancy-related sex discrimination where law firm discharged a female associate while she was on maternity leave. The firm hired a male associate to replace her, and one partner commented that the firm was through hiring women because “they get pregnant and go off on maternity leave.” The Board rejected as pretextual the claim that Complainant was terminated for poor attitude and low billable hours. Other female associates who had comparable billing hours or were also argumentative with partners, but did not become pregnant, were not terminated or disciplined. The Board awarded \$2,500 in emotional distress damages and \$9,466.45 in back pay, and ordered Respondent to pay a \$500 fine. Attorney fees are pending.

*Tarpein v. Polk Street Company d/b/a Polk Street Pub et al.*, CCHR No. 09-E-23 (Oct. 19, 2011)  
Sex Discrimination (Pregnancy)

The Board found pregnancy-related sex discrimination where a bar owner forced a manager-bartender to take maternity leave before she was ready to do so, rejecting arguments that she was unable to perform her job and he was acting out of concern for her health and safety. The Board found Complainant had not proved she was discharged and so ordered back pay of \$1,600 for the period from the date of the forced leave to the birth of her child. No emotional distress damages were ordered because Complainant failed to notify Respondents of this claim in her pre-hearing memorandum. However, the Board ordered payment of \$4,800 in punitive damages based on Respondents’ reckless disregard of Complainant’s protected rights. A fine of \$500 was also imposed.

- *Tarpein v. Polk Street Company d/b/a Polk Street Pub et al.*, CCHR No. 09-E-23 (Apr. 18, 2012)  
The board awarded attorney fees of \$26,439.30 and costs of \$752.38.

*Williams v. RCJ Inc. et al.*, CCHR No. 10-E-91 (Oct. 19, 2011)  
Sex Discrimination (Sexual Harassment)

After an order of default, a convenience store cashier proved a *prima facie* case of sexual harassment where the store owner asked her to wear revealing clothing to attract male customers, inquired about her sex life, propositioned her, pressed his private parts against her, and told her teenage daughter to come to the back of the store with him to work for her food. In addition to a \$500 fine, the Board ordered payment of \$2,000 in emotional distress damages and \$4,000 in punitive damages.

*Roe v. Chicago Transit Authority et al.*, CCHR No. 05-E-115 (Oct. 20, 2010)  
Sexual Orientation Discrimination

The Board found sexual orientation discrimination where an employee’s supervisor subjected him to a hostile working environment after determining he is gay and CTA took inadequate corrective action after the employee reported the harassment under established policies. Among other conduct, the supervisor berated and heckled Complainant in front of other employees declaring “God told Adam to walk with Eve and not Steve” and “all homosexuals will go to hell.” She showed photos of men “on the down-low” demanding to know whether Complainant knew them, and led other employees in ridiculing Complainant through comments and gestures. The Board awarded \$10,360 in out-of-pocket damages for medical and related expenses and emotional distress damages of \$75,000. Punitive damages of \$6,000 were assessed against the supervisor only. CTA was ordered to train its staff about laws and internal policies prohibiting discrimination with a focus on workplace harassment based on sexual orientation. CTA and the supervisor were each fined \$500. Attorney fees were settled between the parties.

*Flores v. A Taste of Heaven et al.*, CCHR No. 06-E-32 (Aug. 18, 2010)  
Age, National Origin, Sex Discrimination

After an order of default, a Mexican-American kitchen employee proved a *prima facie* case that a restaurant owner harassed and discharged her based on age, sex, and national origin when he subjected her to repeated, unwelcome derogatory slurs and insults which included calling her a “stupid Mexican” and “old lady,” then finally discharged her stating, “I don’t need her work because she’s already old. And I don’t like Mexicans. I don’t like Mexicans in my business.” The Board found this conduct sufficiently severe and pervasive to establish a hostile working environment. The Board awarded \$6,750 as back pay, \$20,000 as emotional distress damages, and \$25,000 in punitive damages. It imposed a fine of \$250 each against the business and its owner individually. The case is under Circuit Court review.

- *Flores v. A Taste of Heaven et al.*, CCHR No. 06-E-32 (Jan. 19, 2011)  
The Board awarded attorney fees of \$67,511 and costs of \$2,262.27.

*Shores v. Charles Nelson d/b/a Black Hawk Plumbing*, CCHR No. 07-E-87 (Feb. 17, 2010)  
Sex Discrimination (Sexual Harassment)

After an order of default, the Board found that an employee established a *prima facie* case of sexual harassment where the company owner exposed himself in her presence, propositioned her, asked her to not come to work for several days when she rebuffed his advances, and ultimately locked her out of the company. The employee failed to prove discrimination based on her religion where the company owner was merely critical of her religion and church activities. The Board awarded damages of \$80,000 as back pay and \$2,000 for emotional distress, and imposed a fine of \$500.

*Lockwood v. Professional Neurological Services, Ltd.*, CCHR No. 06-E-89 (June 17, 2009)  
Parental Status Discrimination

The Board found parental status discrimination where an employer discharged a sales representative who was a mother of two children after single absence, finding that employees with children were treated less favorably than those without children in several respects including leniency about absences, that Complainant was meeting the employer's legitimate expectations, and that she was replaced by employees who had no children. The Board awarded \$78,601.25 in back pay and lost commissions, emotional distress damages of \$35,000, punitive damages of \$100,000, and a \$500 fine for each of three discriminatory actions. The Circuit Court has affirmed the Commission's rulings on review; the case is now before the Illinois Appellate Court.

- *Lockwood v. Professional Neurological Services, Ltd.*, CCHR No. 06-E-89 (Jan. 20, 2010)  
The Board awarded attorney fees of \$87,655.61 and costs of \$1,662.32.

*Alexander v. 1212 Restaurant Group et al*, CCHR No. 00-E-110 (Oct. 16, 2008), aff'd Cir. Ct. Cook Co. No. 09 CH 16337 (Feb. 19, 2010), aff'd Ill.App (1<sup>st</sup>), No. 1-10-0797 (Sept. 29, 2011), PLA denied Ill. St. Ct. No. 113274 (Jan. 25, 2012).  
Sexual Orientation Discrimination

The Board found discrimination based on perceived sexual orientation where the Respondent company's majority owner and employees harassed Complainant for being gay by continuing derogatory comments. The Board found that Complainant did not establish race or sexual orientation discrimination in connection with the termination of his employment. The Board awarded emotional distress damages of \$35,000 and punitive damages of \$140,000 against Respondents jointly and severally, and imposed a fine of \$500 against each of three Respondents. The Circuit Court of Cook County and the Illinois Appellate Court have affirmed the Commission's rulings on review; the case is now before the Illinois Supreme Court on a Petition for Leave to Appeal.

- *Alexander v. 1212 Restaurant Group et al*, CCHR No. 00-E-110 (Apr. 15, 2009)  
The Board awarded attorney fees of \$83,781.31 and costs of \$691.75 after reducing the attorney fee award by 15 per cent to adjust for the unsuccessful claim.

*Hawkins v. Ward and Hall*, CCHR No. 03-E-114 (May 21, 2008)  
Sex Discrimination (Sexual Harassment)

After an order of default, the Board found that Complainant established a *prima facie* case of sexual harassment where one supervisor made sexual advances toward Complainant and another supervisor failed to take remedial actions when he knew of the harassment. As a result, Complainant resigned but returned to work when the harassing supervisor apologized and promised to stop. The supervisor nevertheless began professionally harassing Complainant by scheduling her on the weekend and demanding that she come in when sick. The Board awarded \$6,000 in back pay, emotional distress damages of \$2,000, punitive damages of \$2,000, plus a fine of \$400 against Hall and \$200 against Ward.

*Johnson v. Fair Muffler Shop*, CCHR No. 07-E-23 (Mar. 19, 2008)  
Race Discrimination

After an order of default, the Board found that Complainant established a *prima facie* case of race discrimination where the manager of Respondent used derogatory language toward Complainant regarding his race and discharged him without legitimate reasons. The Board awarded \$18,245 in back pay, \$10,465 in front pay, emotional distress damages of \$20,000, and punitive damages of \$30,000. The Board imposed a \$250 fine for each of two offenses.

- *Johnson v. Fair Muffler Shop*, CCHR No. 07-E-23 (Oct. 15, 2008)  
The Board awarded attorney fees of \$8,145.

*Manning v. AQ Pizza LLC & Alhakim*, CCHR No. 06-E-17 (Sep. 19, 2007)

Sex (Sexual Harassment), Race Discrimination, Retaliation

After an order of default, the Board found that Complainant established a *prima facie* case of sexual harassment, race harassment, and retaliation. The manager of the pizza restaurant where Complainant worked for about six weeks subjected her to repeated sexual advances which included exposing himself and physical assault, addressed her in racially derogatory terms, then terminated her employment when she continued to refuse sexual activity. After Complainant filed her Complaint, the manager left a racially and sexually derogatory message about it on Complainant's voice mail. The Board imposed fines totaling \$2,000, at \$500 for the initial discrimination and \$500 for the retaliation, against both the company that operated the restaurant and the manager individually. The Board ordered damage payments of \$500 for lost wages, \$15,000 for emotional distress, plus \$30,000 as punitive damages against the manager.

- *Manning v. AQ Pizza LLC & Alhakim*, CCHR No. 06-E-17 (Mar. 19, 2008)

The Board awarded attorney fees of \$4,303.75.

*Bellamy v. Neopolitan Lighthouse*, CCHR No. 03-E-190 (Apr. 18, 2007)

Sexual Orientation Discrimination

The Board found sexual orientation discrimination in terms and conditions of employment where an openly lesbian employee was required by Respondent's executive director not to express her sexual orientation in the workplace, including not mentioning or sharing pictures of her partner. Heterosexual employees including the executive director were able to discuss their personal lives freely including their families, children, and marital status. Respondent's conduct was found not to constitute a constructive discharge, however. The Board imposed a fine of \$100 and awarded damages of \$25,000 for emotional distress based on Complainant's convincing evidence of the psychological toll resulting from the discriminatory conduct.

*Feinstein v. Premiere Connections, LLC et al.*, CCHR No. 02-E-215 (Jan. 17, 2007)

Sex (Sexual Harassment)

The Board found *quid pro quo* sexual harassment where the owner of a business caused the termination of Complainant's employment after she discontinued an initially-consensual dating relationship with him, then refused to pay her all the compensation she was owed. The Board imposed the maximum fine of \$500 each for the two offenses found. The Board also awarded \$34,413 in back pay for the six month period before Complainant redirected her efforts to developing her own business rather than searching for another job, \$2,500 as emotional distress damages, and \$7,500 as punitive damages.

*Hampton v. Financial Strategy Network, LLC*, CCHR No. 01-E-2 (Apr. 19, 2006)

Retaliation

The Board ruled that Complainant's former employer retaliated against her for filing a discrimination complaint at the Commission by refusing to pay the severance unconditionally offered when her employment was terminated and directly stating as the reason that Complainant had filed discrimination complaints about the termination so they had to go through their insurance company and attorney. However, the Board found no denial or miscalculation of a second bonus payment as Complainant claimed. The Board awarded the unpaid severance pay of \$1,042 plus interest from the next regular pay date after termination, and imposed a \$500 fine. Complainant's petition for Circuit Court review was dismissed.

*Mullins v. AP Enterprises, LLC, and Adams*, CCHR No. 03-E-164 (Jan. 19, 2005)

Disability Discrimination

After an order of default, the Board ruled that Respondents discharged Complainant because of her mental disability. After consistently complimenting her work in their laundromat, they fired her upon learning she had been hospitalized for depression and was continuing to receive treatment for it. Complainant was awarded \$14,734.61 in back pay, \$20,000 in damages for emotional distress, and \$1,000 as punitive damages. The Board imposed a fine of \$500 on each Respondent.

*Carroll v. Riley*, CCHR Nos. 03-E-172 (Nov. 17, 2004)

Sex Discrimination (Sexual Harassment)

After an order of default, the Board ruled that a male manager of newspaper delivery routes established a *prima facie* case of sexual harassment where his female employer sexually harassed him by firing him because he entered into a relationship with another woman after having a personal relationship with Respondent. The Board awarded \$10,500 as back pay and \$2,000 for emotional distress, and imposed a fine of \$500.

*Arellano & Alvarez v. Plastic Recovery Technologies, Inc.*, CCHR Nos. 03-E-37 and 03-E-44 (July 21, 2004)

Sexual Orientation Discrimination

After an order of default, the Board ruled that Complainants established a *prima facie* case of discrimination based on perceived sexual orientation where the company's president harassed each of them by accusing them of being gay and taunting them about it, then discharging Complainant Alvarez and constructively discharging Complainant Arellano. The Board found that Alvarez had not established a *prima facie* case of discrimination based on her Mexican ancestry. The Board awarded Arellano \$9,807.64 in back pay after an offset for unemployment compensation received, plus \$10,000 for emotional distress and \$2,000 as punitive damages. Alvarez was awarded back pay of \$653.85 plus \$15,000 for emotional distress and \$2,000 as punitive damages. The Board imposed a fine of \$500 for each violation, for a total of \$1,000.

*Martin v. Glen Scott Multi-Media*, CCHR No. 03-E-34 (Apr. 21, 2004)

Sex Discrimination (Pregnancy)

After an order of default, the Board ruled that Complainant established a *prima facie* case of pregnancy-related sex discrimination where her employer told her she was discharged because she was pregnant and had been absent from work for two days due to illness. The Board ordered back pay of \$5,236, expenses of \$65 for a pre-hearing conference which Respondent failed to attend, emotional distress damages of \$6,000, \$2,000 as punitive damages, plus fines of \$500 for the violation and \$85 for failure to attend the pre-hearing conference.

*Brooks v. Hyde Park Realty*, CCHR No. 02-E-116 (Dec. 17, 2003)

Age Discrimination

After an order of default, the Board ruled that an office manager in her fifties established a *prima facie* case of age discrimination where she was discharged after over a year of employment and two months after receiving a raise and added responsibility. The employer told her the reason was that business was slow after losing a major account. However, the employer knew of the slowdown before giving the raise and added responsibility, yet had Complainant interviewing to hire additional staff and did not discharge two much younger employees with similar duties, including one recently hired after loss of the major account was known. The Board awarded back pay of \$47,692, accumulated vacation pay of \$1538.46, and emotional distress damages of \$2,000, and imposed a fine of \$500.

- *Brooks v. Hyde Park Realty*, CCHR No. 02-E-116 (June 16, 2004)  
The Board awarded attorney fees of \$6,625 and costs of \$629.24.

*Salwierak v. MRI of Chicago, Inc. and Baranski*, CCHR No. 99-E-107 (July 16, 2003)

Sex Discrimination (Sexual Harassment)

The Board ruled that Complainant was subjected to sexual harassment in the form of a hostile work environment where she was required to retrieve objects from the floor and plug in wires so her supervisor could remark that she is "on her knees," subjected to offensive remarks about her body and clothes, taunted concerning her sex life, and touched by her supervisor inappropriately. All of which she made clear was unwelcome. The Board awarded emotional distress damages of \$30,000 and punitive damages of \$30,000 against each of the two Respondents, and imposed a fine of \$500 against each Respondent.

- *Salwierak v. MRI of Chicago, Inc. and Baranski*, CCHR No. 99-E-107 (Apr. 21, 2004)  
The Board awarded attorney fees of \$32,200 and costs of \$863.43 covering Commission proceedings.
- *Salwierak v. MRI of Chicago, Inc., and Baranski*, CCHR No. 99-E-107 (May 18, 2005)  
The Board awarded an additional \$10,200 in attorney fees and \$143.09 in costs incurred to obtain a judgment in Respondent Baranski's bankruptcy proceeding for payment of the monetary relief the Commission had awarded. By preventing discharge of the awards in the bankruptcy; the additional legal work was found necessary to secure Complainant's rights to relief for the discrimination.

*Nuspl v. Marchetti*, CCHR No. 98-E-207 (Sep. 25, 2002)

Sexual Orientation Discrimination

The Board ruled that a restaurant co-owner discriminated based on sexual orientation when he subjected Complainant, a kitchen manager, to a hostile working environment. Respondent engaged in offensive verbal tirades about gay men which increased in intensity over a relatively short period of time culminating in a direct attack against Complainant, in front of his staff, using expressions derogatory of him as a gay man. This caused Complainant to quit his job. The Commission ordered payment of emotional distress damages of \$3,500, punitive damages of \$3,000 and a fine of \$500.

- *Nuspl v. Marchetti*, CCHR No. 98-E-207 (Mar. 19, 2003)  
Complainant was awarded attorney fees of \$3,837.50 and \$1,122.03 in costs.

*Claudio v. Chicago Baking Co.*, CCHR No. 99-E-76 (July 17, 2002)

Race Discrimination

The Board ruled that Complainant's employer discriminated against him based on his race, Hispanic, when it discharged him for leaving work before his replacement arrived, although similarly-situated Caucasian supervisors who violated work rules that were terminable offenses were not discharged. The Board awarded \$41,466.32 in back pay and \$1,000 as emotional distress damages, and imposed a fine of \$500.

- *Claudio v. Chicago Baking Co.*, CCHR No. 99-E-76 (Nov. 21, 2002)  
Complainant was awarded \$58,017.50 in attorney and paralegal fees and \$2040.99 in costs.

## HOUSING DISCRIMINATION

*Gilbert and Gray v. 7355 South Shore Drive Condominium Assn. et al.*, CCHR No. 01-H-18/27 (July 20, 2011)

Sexual Orientation Discrimination

The Board found that a condominium association president subjected a lesbian resident to a hostile housing environment through slurs and derogatory comments including the statement that she did not want the "gay lifestyle" in the building, and also blocked the effort of another lesbian to purchase a unit, in each case because of the complainants' sexual orientation. The association president was fined \$100 per violation and the association \$500 per violation. Respondents were ordered to pay emotional distress damages of \$2,000 to the resident who was harassed. But based on a mixed-motive analysis finding that the sale would not have been approved even absent the discrimination, the Board awarded only \$100 in emotional distress damages to the potential purchaser. In light of the reduced financial circumstances of Respondents, the Board found that the monetary relief awarded along with attorney fees was sufficient to punish and deter without a further order of punitive damages.

- *Gilbert and Gray v. 7355 South Shore drive Condominium Assn. et al.*, CCHR No. 01-H-18/27 (June 20, 2012)  
Complainant was awarded \$61,535.66 in attorney fees and \$6653.39 in costs.

*Gray v. Scott*, CCHR No. 06-H-10 (Apr. 20, 2011)

Sex Discrimination (Sexual Harassment)

Resolving the credibility of conflicting testimony in Complainant's favor, the Board found that Complainant's landlord sexually harassed her by repeated unwelcome sexual propositions, often associated with her requests for repairs. The Board ordered \$5,000 in emotional distress damages and imposed a fine of \$500. The Board found no liability for race discrimination.

- *Gray v. Scott*, CCHR No. 06-H-10 (Nov. 16, 2011)  
Complainant was awarded \$13,368 in attorney fees and \$414.05 in costs.

*Montelongo v. Azarpira*, CCHR No. 09-H-23 (Mar. 16, 2011)

Disability Discrimination

After an order of default, the Board found that the mother of a 15-year-old autistic child established a *prima facie* case that a property owner refused to rent an apartment to her after the child acted out during a discussion with the owner's representative at the end of the showing. The Board held that the child's highly unusual behavior in combination with the representative's reaction to it supported an inference that the representative perceived the child to have a disability, even without evidence that the representative knew the precise nature of the disability.

- *Montelongo v. Azarpira*, CCHR No. 09-H-23 (Feb. 15, 2012)  
The Board awarded damages of \$6,250 including \$2,500 for emotional distress, \$3,000 in punitive damages, and \$750 in out-of-pocket losses for the two weeks Complainant took off work to find another apartment. The Board also imposed a fine of \$500. Complainant was awarded \$7,386.25 in attorney fees and costs.

*Pierce & Parker v. New Jerusalem Christian Development Corporation*, CCHR No. 07-H-12/13 (Feb. 16, 2011)

Source of Income Discrimination

After an order of default, the Board found that a nonprofit housing developer receiving government support through the City of Chicago to build affordable housing discriminated against two low-income home purchasers based on their source of income when it refused to complete their sales transactions because they would finance the purchases in part with another government subsidy through a different City-sponsored program. The developer refused for no apparent

reason to sign riders to allow additional inspections of Complainants' units for compliance with the Housing Quality Standards of the U.S. Department of Housing and Urban Development, as required for Complainants to receive their subsidies. The Board ordered payment of emotional distress damages of \$20,000 to each Complainant. The Board also ordered payment of punitive damages of \$10,000 to Complainant Parker, who was able to purchase another home using some of her available subsidies, and \$60,000 to Complainant Pierce, who due to the imminent expiration of her subsidy was unable to make any purchase or use any of her other arranged subsidies and still lives in rental housing. Finally, Respondent was ordered to pay fines of \$500 each for the two violations plus \$500 as a sanction for failure to comply with the Commission's procedural orders and regulations, for a total of \$1,500 in fines. In addition, the City of Chicago is to be notified of the violations by this developer.

- *Pierce & Parker v. New Jerusalem Christian Development Corporation*, CCHR No. 07-H-12/13 (May 16, 2012)  
The Board awarded damages of \$56,484.50 and costs of \$366.60.

*Rankin v. 6954 N. Sheridan, Inc., DLG Management, et al.*, CCHR No. 08-H-49 (Aug. 18, 2010), aff'd Cir. Ct. Cook Co. No. 11 CH 24562 (June 22, 2012)

#### Source of Income Discrimination

The Board found that a property manager refused to rent an apartment to a Section 8 voucher holder, stating that the owner did not accept Section 8 recipients in the building. The building owner, management company, and rental agent were all held liable for source of income discrimination. The Board awarded out-of-pocket damages of \$850 to cover the increased heating costs in the apartment Complainant eventually found, \$1,500 in emotional distress damages, and \$3,000 in punitive damages at \$1,000 per Respondent. As injunctive relief, the Board ordered that non-discrimination notices be placed in future rental housing advertisements of the management company. Each of the three Respondents was fined \$500. The case is under Circuit Court review.

- *Rankin v. 6954 N. Sheridan, Inc., DLG Management, et al.*, CCHR No. 08-H-49 (May 18, 2011) aff'd Cir. Ct. Cook Co. No. 11 CH 24562 (June 22, 2012)  
Complainant was awarded \$53,100 in attorney fees and \$124.30 in costs after reductions for charges found excessive.

*Hutchison v. Iftekaruddin*, CCHR No. 08-H-21 (Feb. 17, 2010)

#### Source of Income Discrimination

The Board found source of income discrimination where a landlord told Complainant's representative that he would not rent to her because of "bad experiences with Section 8" and the hearing officer found the landlord's other explanations not credible. The Board awarded \$2,500 in emotional distress damages plus \$1,500 in punitive damages, and imposed a fine of \$500.

- *Hutchison v. Iftekaruddin*, CCHR No. 08-H-21 (June 16, 2010)  
Complainant was awarded \$8114.06 in attorney fees and \$30 in costs.

*Diaz v. Wykurz et al.*, CCHR No. 07-H-28 (Dec. 16, 2009)

#### Source of Income Discrimination

The Board found source of income discrimination where a co-owner of a building made the decision and told Complainant she would not accept a Section 8 voucher. The Board found two other owners not vicariously liable because the first owner was not acting as their agent. The Board awarded \$2,500 in emotional distress damages and imposed a fine of \$250.

*Sercye v. Reppen and Wilson*, CCHR No. 08-H-42 (Oct. 21, 2009)

#### Source of Income Discrimination

The Board found source of income discrimination after Respondents admitted that they refused to rent to Complainant because she would use a Section 8 voucher. The Board awarded \$15,000 in emotional distress damages and imposed a fine of \$500 against each of two Respondents. The Board also referred the case to the City of Chicago Department of Law to report the discrimination finding against the Respondent who is a licensed real estate broker to the Illinois Department of Financial and Professional Regulation as called for in the Chicago Fair Housing Ordinance.

*Draft v. Jercich*, CCHR No. 05-H-20 (July 16, 2008)

#### Source of Income Discrimination

After an order of default, the Board found that Complainant established a *prima facie* case of source of income discrimination where apartment owners refused to rent an available unit to her because she wished to use a Section 8 voucher. Respondents showed Complainant the unit but told her they would not rent to Section 8 recipients. The Board awarded emotional distress damages of \$5,000 and imposed a fine of \$500.

*Marshall v. Borouch*, CCHR No. 05-H-39 (Aug. 16, 2006)

Race Discrimination

After an order of default, the Board ruled that Complainant established a *prima facie* case of race discrimination where her former landlord refused to return her security deposit as promised. Complainant, who is African-American, testified that the landlord had returned security deposits of Caucasian tenants and during her tenancy had referred to Complainant and her children as “you people,” and accused Complainant of bringing bugs into the building. When Complainant telephoned several times about her security deposit refund, the landlord spoke to her only in Polish and hung up on her. The Board awarded \$1,100 (the amount of the security deposit) in out-of-pocket damages and imposed a fine of \$500.

*Torres v. Gonzales*, CCHR No. 01-H-46 (Jan. 18, 2006)

Source of Income Discrimination

After an order of default, the Board ruled that Complainant established a *prima facie* case of discrimination based on source of income where a landlord accepted her security deposit and signed her Section 8 moving papers, then failed to appear for four scheduled inspection appointments, rented to other tenants, and told Complainant he did not want to deal with Section 8 “mumbo jumbo.” The Board awarded \$5,000 for emotional distress and \$5,000 in punitive damages, plus out-of-pocket damages of \$567.60 for furniture storage, \$128 for rental of a post office box, \$200 for travel expenses while Complainant and her three children lived out of town with her father and searched for other housing, \$310 for moving expenses because the discrimination required Complainant to move twice, \$50 for the higher security deposit paid for the housing she found, and \$404 as rent differential. Compensation for property damage during the extra move was denied for lack of evidence linking it to the discrimination, and compensation for work days missed for hearings was denied for lack of evidence to support the amount requested. The Board imposed a fine of \$500.

*Sullivan-Lackey v. Godinez*, CCHR No. 99-H-89 (Sep. 21, 2005); see *Godinez v. Sullivan-Lackey*, 815 N.E.2d 822 (Ill. App. 2004)

Source of Income Discrimination

The Board awarded additional attorney fees of \$57,447.75 and costs of \$731.47 after Complainant successfully defended rulings in her favor (in 2001) on her claim of source of income discrimination after Respondents refused to rent an apartment to her because she would have used a Section 8 voucher to support the rent. In 2004, the Illinois Appellate Court affirmed and reinstated the Commission’s rulings, which had been vacated by the Circuit Court, in a precedent-setting decision confirming that Section 8 vouchers are a source of income under the Chicago Fair Housing Ordinance.

*Edwards v. Larkin*, CCHR No. 01-H-35 (Feb. 16, 2005)

Disability Discrimination

After a substantial evidence finding and subsequent default for failure to attend a Conciliation Conference without good cause, the Board ruled that Complainant’s landlord harassed her and terminated her tenancy due to her disabilities resulting from post-polio syndrome, a work-related injury, and a stroke. Among other things, the landlord persisted in demanding a rent increase beyond what the Section 8 program would approve, refused to accept Complainant’s rent then pursued eviction proceedings based on non-payment, turned off her heat, took her mail, disconnected and refused to repair her doorbell, refused to admit her special-transportation driver, threatened and refused to admit her home care worker, turned on loud music, turned off stairway lights, pounded on her door at night, and called her a “crippled bitch.” The Board ordered emotional distress damages of \$12,500 and punitive damages of \$5,000, plus a fine of \$500.

- *Edwards v. Larkin*, CCHR No. 01-H-35 (Nov. 16, 2005)

The Board awarded attorney fees of \$9,306 and costs of \$94.65.

*Fox v. Hinojosa*, CCHR No. 99-H-116 (June 16, 2004)

Sexual Orientation Discrimination

The Board found sexual orientation discrimination where Complainant’s landlord harassed him after determining he is gay by repeatedly telling him she did not want gay people in the building, revealing his sexual orientation to his family whom he had not told, demanding to know whether a visitor was his boyfriend, calling him derogatory names, and attempting to evict him. Complainant was awarded out-of-pocket damages of \$720 for moving expenses and \$420 as rent differential over new 12-month lease, plus \$10,000 for emotional distress and \$2,000 as punitive damages. Fines were levied at \$400 each for three discriminatory incidents and \$500 each for two more egregious incidents (telling family he is gay and termination notice).

*Jones v. Shaheed*, CCHR No. 00-H-82 (Mar. 17, 2004)

Source of Income Discrimination

The Board found source of income discrimination where a landlord refused to show an available apartment to Complainant after learning that she was not working but instead receiving Social Security Disability Income, repeatedly telling Complainant had to be working in order to rent the apartment. The Board awarded \$3,000 in emotional distress damages and \$1,500 in punitive damages. It imposed a fine of \$500.

*Sellers v. Outland*, CCHR No. 02-H-37 (Oct. 15, 2003), aff'd in part & vacated in part, Cir. Ct. Cook Co. No. 04 1 06429 (Sep. 22, 2004), aff'd in part & vacated in part Ill. App. Ct. No. 1-04-3599 (Sept. 15, 2008), PLA denied Ill. St. Ct. No. 107392 (Jan. 28, 009)

Sex Discrimination (Sexual Harassment)

After an order of default, the Board found that Complainant established a *prima facie* case of sexual harassment by her landlord, who repeatedly demanded sexual favors from her after she moved into her unit, offered to reduce her security deposit in return for sex, sexually assaulted her, and then, in retaliation for resisting his sexual advances, attempted to evict her and her children by issuing unfounded termination notices. Out-of-pocket damage awards of moving expenses, security deposit on new housing, and higher heating expenses were reversed by the Circuit Court as too speculative. A punitive damages award of \$120,000 was reversed by the Illinois Appellate Court due to inadequate notice of the potential for these damages in the default process. Remedies sustained in state court were emotional distress damages of \$40,000; a fine of \$500, and injunctive relief including prohibition of further sex discrimination in housing terms and conditions, fair housing training, public notice of non-discrimination policies, record-keeping concerning rental applications and leases, and notice of the Board's ruling to the Section 8 program administrator.

- *Sellers v. Outland*, CCHR No. 02-H-73 (Mar. 17, 2004)

The Board awarded attorney fees of \$32,597.50 and costs of \$275.72 for the adjudication before the Commission.

- *Sellers v. Outland*, CCHR No. 02-H-37 (Apr. 20, 2005)

The Board awarded an additional \$2,225 in attorney fees after Complainant successfully defended the Commission's rulings in a *certiorari* proceeding filed by Respondent in the Circuit Court of Cook County, where the court affirmed the default and liability findings and the awards of relief except for out-of-pocket damages.

- *Sellers v. Outland*, CCHR No. 02-H-037 (Apr. 15, 2009)

The Board awarded additional attorney fees of \$67,915.27 and costs of \$75 on a second supplemental petition, ruling that it had jurisdiction to award supplemental fees regardless of whether the state court remanded the case for that purpose. Although Complainant did not prevail on appeal, she remained the prevailing party on all issues except punitive damages and so was entitled to reasonable attorney fees and costs associated with the generally successful appellate review.

*Hoskins v. Campbell*, CCHR No. 01-H-101 (Apr. 16, 2003)

Source of Income Discrimination

After an order of default, the Board found that Complainant presented a *prima facie* case of source of income discrimination. When Complainant called the phone number in a newspaper advertisement for an available apartment at the property owned by Respondent, a woman answered and asked Complainant how she would pay the rent. When Complainant explained she would use her Section 8 voucher, the woman said, "No, we don't take Section 8. We don't take Section 8. We only take working people. We want working people in the place." Then she slammed down the phone. The Board awarded \$750 for emotional distress and punitive damages of \$250. The Board fined Respondent \$500.

- *Hoskins v. Campbell*, CCHR No. 01-H-101 (Oct. 15, 2003)

The Board awarded attorney fees of \$5,656.50 and costs of \$85.86.

*Brennan v. Zeman*, CCHR No. 00-H-5 (Feb. 19, 2003)

Sexual Orientation Discrimination

After an order of default, the Board ruled that a landlord engaged in sexual orientation discrimination against a gay tenant. The landlord harassed Complainant and his roommate by making derogatory comments such as calling them "faggot" and "queer." The landlord refused to renew the lease after doubling the rent, then rented the unit to a heterosexual tenant at a lower price. The Board awarded out-of-pocket damages of \$1,250 for moving expenses and \$884.77 for the unreturned security deposit and statutory interest on it, as well as emotional distress damages of \$5,000 and punitive damages of \$6,000. The Board fined Respondent \$500.

*Rogers & Slomba v. Diaz*, CCHR No. 01-H-33/34 (Apr. 17, 2002)

National Origin and Ancestry Discrimination

After an order of default, the Board ruled that Complainants established a *prima facie* case of discrimination based on their Polish national origin and ancestry. Each Complainant was living in an apartment building when it was sold to Respondents, a Hispanic couple. After the sale, one Respondent told Complainants and a Hispanic tenant that he planned to remove the Polish tenants from the building. Respondents refused to make repairs requested by Complainants although they responded to repair requests of a Hispanic tenant. Respondents threatened Complainants when they reported lack of heat to City agencies, raised Complainant's rents, and in other ways created a hostile environment for them and other Polish tenants. Each Complainant was awarded emotional distress damages of \$1,500 and punitive damages of \$3,000. A fine of \$500 was imposed for each violation, plus a fine of \$85 for failing to attend the pre-hearing conference.

## **PUBLIC ACCOMMODATION DISCRIMINATION**

*Manzanares v. Lalo's Restaurant*, CCHR No. 10-P-18 (May 16, 2012)

Gender Identity Discrimination

After an order of default, a transsexual woman proved a *prima facie* case of gender identity discrimination where she sought to use Respondent's restaurant and entertainment services but was subjected to greater scrutiny and harassment. The guard at the door inspected her identification and refused her entry because he did not know which bathroom she would use. The manager let her enter, but said she would be ejected at the first sign of any "disturbance." Complainant's companions, who were not transsexual or transgender, were allowed entry without incident. The Board awarded \$3,500 in damages for emotional distress and \$2,500 in punitive damages, and imposed a \$500 fine. The Board ordered Respondent to promulgate an anti-discrimination policy and provide staff training designed to prevent further gender identity discrimination.

*Burford v. Complete Roofing and Tuck Pointing et al.*, CCHR No. 09-P-109 (Oct. 19, 2011)

Race Discrimination

After an order of default, an African-American mother and daughter proved a *prima facie* case of race discrimination where the owner of a roofing company delivered incomplete service when asked to give an estimate for roofing repairs then subjected Complainants to racially derogatory insults when they complained. The Board ordered payment of a fine of \$500, plus \$1,000 in emotional distress damages and \$3,000 in punitive damages to each Complainant.

*Scott & Lyke v. Owner of Club 720*, CCHR No. 09-P-2/9 (Feb. 16, 2011)

Race and Religious Discrimination

The Board found that a nightclub discriminated against two African-American men by restricting their access based on policies barring admission of patrons wearing braids or hats. Complainant Scott was subjected to race discrimination when he arrived to attend a pre-arranged party but was denied entry because he wore a braided hairstyle. Respondent was ordered to pay him emotional distress damages of \$1,500 plus \$15 for the loss of his non-refundable parking charge. Complainant Lyke was subjected to discrimination based on religion when, after being allowed entry wearing a braided hairstyle despite mention of the no-braids policy, he was later required to leave after refusing to remove his kufi head covering, even though club personnel were informed the kufi was worn as a Muslim religious practice. Respondent was ordered to pay him \$1,000 in emotional distress damages. Respondent was also fined \$500 for each violation, for a total of \$1,000. The Commission held that a no-braids policy under these circumstances is not race-neutral and not justifiable.

*Cotten v. Top Notch Beefburger, Inc.*, CCHR No. 09-P-31 (Feb. 16, 2011)

Disability Discrimination

After an order of default, the Board found that a wheelchair user proved a *prima facie* case of disability discrimination where he asked to use a restroom while patronizing the respondent restaurant but was unable to enter and close the restroom door. The Board ordered payment of emotional distress damages of \$500 and a fine of \$500, and as injunctive relief ordered the respondent either to make the restrooms accessible or to document any undue hardship and provide reasonable alternative restroom accommodations as feasible without undue hardship. Attorney fees are pending.

- *Cotten v. Top Notch Beefburger, Inc.*, CCHR No. 09-P-31 (June 15, 2011)

The Board awarded attorney fees of \$2,400 and costs of \$22.03.

*Cotten v. Arnold's Restaurant*, CCHR No. 08-P-24, (Aug. 18, 2010)

Disability Discrimination

The Board found disability discrimination where a restaurant's restrooms were not accessible to a wheelchair user who visited the restaurant and purchased food, due to narrow entrance doors. Undue hardship was not proved and no alternative accommodation or prior notice was provided. The Board ordered emotional distress damages of \$500 and a fine of \$250, and as injunctive relief ordered the respondent either to make the restrooms accessible or to document any undue hardship and provide reasonable alternative restroom accommodations as feasible without undue hardship.

- *Cotten v. Arnold's Restaurant*, CCHR No. 08-P-24, (Feb. 16, 2011)

The Board awarded attorney fees of \$1,435.

*Cotten v. La Luce Restaurant, Inc.*, CCHR No. 08-P-34 (Apr. 21, 2010)

Disability Discrimination

The Board found disability discrimination where a wheelchair user could not enter a restaurant due to a step, the only alternative offered was for staff to lift his wheelchair over the barrier, and the restaurant did not present sufficient evidence of undue hardship. The Board awarded emotional distress damages of \$800, imposed a fine of \$500, and ordered the business to take action to become accessible to wheelchair users and document any undue hardship if unable to be fully accessible.

- *Cotten v. La Luce Restaurant, Inc.*, CCHR No. 08-P-34 (Oct. 20, 2010)

The Board awarded attorney fees of \$2,915.

*Cotten v. CCI Industries, Inc.*, CCHR No. 07-P-109 (Dec. 16, 2009)

Disability Discrimination

The Board found disability discrimination where a wheelchair user sought to enter a showroom to discuss a possible purchase but could not do so due to a flight of stairs, and no alternative means of service was offered. The Board awarded emotional distress damages of \$1, finding that Complainant failed to prove any substantial emotional distress, and imposed a fine of \$100, and ordered the business to take steps to become accessible to wheelchair users and to document any undue hardship if unable to be fully accessible.

- *Cotten v. CCI Industries, Inc.*, CCHR No. 07-P-109 (May 19, 2010)

The Board awarded attorney fees of \$4541.25 and costs of \$7.36.

*Cotten v. Addiction Sports Bar & Lounge*, CCHR No. 08-P-68 (Oct. 21, 2009)

Disability Discrimination

The Board found disability discrimination where a wheelchair user sought to enter a restaurant to eat lunch but could not do so due to the presence of stairs, and the Respondent failed to prove that it was an undue hardship to be fully accessible. The Board awarded emotional distress damages of \$1, finding that Complainant failed to prove any substantial emotional distress, and imposed a fine of \$500. No injunctive relief was ordered because Respondent no longer operates the business.

- *Cotten v. Addiction Sports Bar & Lounge*, CCHR No. 08-P-68 (Feb. 17, 2010)

The Board awarded attorney fees of \$2,156.25 and costs of \$52.58.

*Cotten v. 162 N. Franklin, LLC d/b/a Eppy's Deli and Café*, CCHR No. 08-P-35 (Sept. 16, 2009)

Disability Discrimination

After an order of default, the Board found that a wheelchair user established a *prima facie* case of disability discrimination where he sought to enter a restaurant to eat but could not do so due to the presence of stairs, and no alternative means of service was offered. The Board awarded emotional distress damages of \$500, imposed a fine of \$500, and ordered the business to take steps to become accessible to wheelchair users and to document any undue hardship if unable to be fully accessible.

- *Cotten v. 162 N. Franklin, LLC d/b/a Eppy's Deli and Café*, CCHR No. 08-P-35 (Dec. 16, 2009)

The Board awarded attorney fees of \$2,520.83 and costs of \$82.61.

*Warren and Elbert v. Lofton & Lofton Management d/b/a McDonald's, et al.*, CCHR No. 07-P-62/63/92 (July 24, 2009)

Sexual Orientation and Gender Identity Discrimination

The Board found sexual orientation and gender identity discrimination where a restaurant security guard (found in default) audibly discussed and ridiculed the attire and sexual orientation of three customers. The Board found the restaurant owner vicariously liable for the security guard's actions where an agency relationship was proved and his

actions were foreseeable. The manager on duty was not found liable because she did not endorse or participate in the discriminatory conduct. The Board awarded emotional distress damages to each Complainant of \$3,500, \$1,500, and \$1,000 respectively, plus punitive damages of \$1,500, \$1,500, and \$1,000 respectively, and imposed fines of \$500 against the guard and \$100 against the business.

- *Warren and Elbert v. Lofton & Lofton Management d/b/a McDonald's, et al.*, CCHR No. 07-P-62/63/92 (May 19, 2010)  
The Board awarded attorney fees of \$9,750 and costs of \$846.50.

*Cotten v. Eat-A-Pita*, CCHR No. 07-P-108 (May 20, 2009)

#### Disability Discrimination

The Board found disability discrimination where a wheelchair user sought to enter a restaurant to eat lunch but could not do so due to the presence of stairs, and the Respondent failed to prove that it was an undue hardship to be fully accessible. The Board awarded emotional distress damages \$500, imposed a fine of \$500, and ordered the business to take steps to become accessible to wheelchair users and to document any undue hardship if unable to be fully accessible.

- *Cotten v. Eat-A-Pita*, CCHR No. 07-P-108 (Sept. 16, 2009)  
The Board awarded attorney fees of \$2,135 and costs in the amount of \$52.31.

*Cotten v. Taylor Street Food and Liquor*, CCHR No. 07-P-12 (July 16, 2008)

#### Disability Discrimination

After an order of default, the Board found that a wheelchair user established *prima facie* case of disability discrimination through testimony that he sought to enter a storefront liquor store to make a purchase but could not do so due to the presence of two stairs. The Board awarded \$1,000 as emotional distress damages and imposed a fine of \$500. As injunctive relief, the Board ordered Respondent to eliminate physical barriers to access to its business premises or, if unable due to undue hardship, to provide alternative reasonable accommodations and a conspicuous notice informing wheelchair users approaching its entrance how to access the same services.

*Williams v. Funky Buddha Lounge*, CCHR No. 04-P-82 (July 16, 2008)

#### Sex and Sexual Orientation Discrimination

After an order of default, the Board ruled that Complainant established a *prima facie* case of sex and sexual orientation discrimination where he was denied entry to Respondent's establishment because he was not a gay woman. The Board awarded emotional distress damages of \$500 and imposed a fine of \$500.

*Maat v. String-a-Strand*, CCHR No. 05-P-05 (Feb. 20, 2008)

#### Disability Discrimination

After an order of default, the Board ruled that Complainant established a *prima facie* case of disability discrimination where a business did not have a wheelchair accessible ramp or aisles wide enough for wheelchairs, and the business owner behaved rudely and disrespectfully toward Complainant after she sought accommodation. The Board awarded emotional distress damages of \$1,500 and imposed a fine of \$500. As injunctive relief, the Board ordered Respondent to install or maintain a ramp and to volunteer at a governmental or non-profit organization which assists persons with disabilities.

*Morrow v. Tumala*, CCHR No. 03-P-2 (Apr. 18, 2007)

#### Race and Sex Discrimination

After an order of default, the Board found a *prima facie* case of race and sex discrimination where a taxicab driver told his female, African-American taxicab passenger that she must pay at the rate of a meter and a half to travel from downtown Chicago to Oak Park. After she refused, exited the cab, and hailed another cab to take her to her Oak Park home, she told the driver of the second cab what happened. The second driver observed the cab with the number Complainant mentioned right in front of them, with a passenger inside. Complainant saw the cab drop off the white, male passenger in Oak Park, one block from Complainant's home. The passenger told Complainant he was asked to pay only straight meter, not a meter and a half. The Board awarded Complainant \$50 in out-of-pocket damages for travel costs to pursue her claim at the Commission, \$5,000 as emotional distress damages, and \$3,000 as punitive damages. The Board imposed a fine of \$500.

*Blakemore, Evans, Shepard, and Turner v. Bitritto Enterprises, Inc. d/b/a Cold Stone Creamery #0430 and Ernst*, CCHR Nos. 06-P-12, 13, 14, 15, 24 (Mar. 21, 2007)

#### Race Discrimination

After an order of default, the Board found a *prima facie* case of race discrimination where African-American

customers of an ice cream shop were not given coupons the store manager was dispensing to similarly-situated white customers, then were told to leave and never return by the store manager, who stated they made her feel uncomfortable and threatened to call police. The Board also found a *prima facie* case of retaliation where, after receiving notice of filing of the race discrimination complaint, the store manager refused to allow one Complainant to re-enter the store and threatened to call police. The Board imposed fines of \$300 against the business and \$400 against the store manager. The Board awarded \$1,000 each in emotional distress damages to the three prevailing Complainants for the race discrimination, apportioned 50% against the business and 50% against the store manager, plus an additional \$1,000 to the Complainant who experienced retaliation, assessed against the store manager. One Complainant's case was dismissed due to arriving at the hearing two hours late, responding rudely and profanely to the hearing officer and refusing to comply with her instructions, and showing disrespect for Commission rules and procedures.

*Lapa v. Polish Army Veterans Association et al.*, CCHR No. 02-PA-27 (Mar. 21, 2007)

#### Sexual Orientation

The Board found sexual orientation discrimination where officers of the Respondent organization, in whose building Complainant rented office space, created a hostile environment by repeatedly directing pejorative and vulgar references to him as homosexual and/or failed to take corrective action after Complainant complained about this treatment. The Board found no violation in connection with the termination of Complainant's lease because he had a long history of failure to pay rent and issuing rent checks returned for insufficient funds, so his tenancy would have been terminated even if his sexual orientation had not been considered. The Board awarded \$2,400 in emotional distress damages and \$4,000 in punitive damages for the harassment, apportioned among the Respondents based on their level of culpability, and imposed fines ranging from \$100-\$500 against each Respondent.

- *Lapa v. Polish Army Veterans Association*, CCHR No. 02-PA-27 (Feb. 20, 2008)

The Board awarded attorney fees of \$2,874 after re-calculating the number of hours from the First Recommended Decision and deducting the hours that were unnecessary or a result of Complainant's failure to comply with the Commission's orders.

*Blakemore v. Dominick's Finer Foods*, CCHR No. 01-P-51 (Oct. 18, 2006)

#### Race Discrimination

The Board found race discrimination had occurred where an African-American supermarket customer was closely followed by a store security guard as he shopped, even though store policy required the guard to use a video surveillance system to monitor customer activity and prohibited following customers. The Board found that the store failed to articulate a legitimate, non-discriminatory reason for the guard's conduct, and this supported an inference that Complainant's race was a factor. Case settled prior to entry of decision on relief.

*Maat v. Villareal Agencia de Viajes*, CCHR No. 05-P-28 (Aug. 16, 2006)

#### Disability Discrimination

After an order of default, the Board found that a wheelchair user established a *prima facie* case of disability discrimination through testimony that she sought to enter the storefront travel agency to utilize its services after hearing it had good rates, but could not do so due to steps at the entrance. She had traveled to the area via a paratransit service that was not due to pick her up for two hours, and the 90-degree heat on that day aggravated her respiratory condition. The Board awarded \$1,000 as emotional distress damages and imposed a fine of \$500. As injunctive relief, the Board ordered Respondent to eliminate physical barriers to access to its business premises or, if unable due to undue hardship, to provide alternative reasonable accommodations and a conspicuous notice informing wheelchair users approaching its entrance how to access the same services.

*Maat v. El Novillo Steak House*, CCHR No. 05-P-31 (Aug. 16, 2006)

#### Disability Discrimination

After an order of default, the Board found that a wheelchair user established a *prima facie* case of disability discrimination through testimony that she sought to enter the storefront restaurant to eat while waiting for a ride home but could not do so due to a step at the entrance. The Board awarded \$1,000 as emotional distress damages and imposed a fine of \$500. As injunctive relief, the Board ordered Respondent to eliminate physical barriers to access to its business premises or, if unable due to undue hardship, to provide alternative reasonable accommodations and a conspicuous notice informing wheelchair users approaching its entrance how to access the same services.

*Jordan v. National Railroad Passenger Corp. (Amtrak)*, CCHR No. 99-PA-34 (Feb. 19, 2003)

#### Race Discrimination

The Board ruled that Amtrak engaged in race discrimination against an African-American man who was in the Amtrak waiting room in Union Station waiting to pick up his employer. Amtrak security officers, acting under

procedures designed to keep homeless people out of the waiting room, were approaching certain individuals and demanding that they provide legitimate reasons for their presence. They stated that they approached Complainant because he appeared to be sleeping and looked like a drug dealer they previously observed. When Complainant refused to explain, the officers ordered him to leave the station or face arrest. Complainant refused. While arresting him, one officer struck Complainant with a baton or “asp,” causing injury. The Board found the explanation for this use of force not credible and not a legitimate non-discriminatory reason for using the baton. The Board also found that Amtrak’s security policy was implemented in a racially discriminatory manner. The Board awarded out-of-pocket damages of \$304.35 for medical expenses, emotional distress damages of \$10,000, and punitive damages of \$2,000. The Board imposed a fine of \$500 and allowed attorney fees; however, the parties settled the case after the liability ruling, so no fee ruling was needed.

*Trujillo v. Cuauhtemoc Restaurant*, CCHR No. 01-PA-52 (May 15, 2002)

Race and National Origin Discrimination

After an order of default, the Board ruled that Complainant, who is Afro-Hispanic, established a *prima facie* case of discrimination where he was left unattended in the Respondent restaurant for about 45 minutes while customers of Mexican ancestry were immediately and politely assisted. The server and the restaurant owner were seen whispering to each other and looking in Complainant’s direction. After Complainant complained, a server took his order from the center of the room rather than coming to his table, then served his food by pushing it across the table to him. The Board ordered \$1,000 in emotional distress damages and a fine of \$500.

## **Part II**

### **RULINGS FOR RESPONDENTS**

In the following cases, the Board of Commissioners ruled that no violation of the Chicago Human Rights Ordinance or Chicago Fair Housing Ordinance occurred. Therefore, no relief was awarded.

Decisions since January 2002 are summarized with a short narrative. Earlier decisions are listed with their citations, the discrimination claimed, and information about court review.

#### **EMPLOYMENT**

*Mendez v. El Rey del Taco & Burrito*, CCHR No. 09-E-16 (Oct. 20, 2010)

Discrimination Claimed: Race, Ancestry

The Board found no discrimination against a Puerto Rican woman who sought an advertised waitress position at a Mexican restaurant but failed to prove she was treated differently in the application process. Specifically, Complainant did not prove that another woman she observed when she went to the restaurant to apply was completing an application form for the position even though she was told there were no written applications and she should leave her name. The testimony of the restaurant’s owner and the waitresses on duty credibly established that written job applications were not used and none were available; rather, staff were instructed to take an interested person’s name and number if the owner was not present.

*Johnson v. Anthony Gowder Designs, Inc.*, CCHR No. 05-E-17 (June 16, 2010)

Discrimination Claimed: Age

The Board found that a floral designer failed to prove his age was a factor in the decision to reduce his status from full time to freelance after hip replacement surgery. The owners’ explanations that the decision was reluctantly made due to the financial condition of the business and need to reduce costs were found credible and not pretextual, as were their decisions to retain full time staff who had managerial skills. Age-related comments of the business owners were held insufficient to establish age-based animus or show that the employee’s age motivated their decisions.

*Sian v. Rod’s Auto & Transmission Center*, CCHR No. 07-E-46 (June 16, 2010)

Discrimination Claimed: Disability

The Board found that a maintenance worker failed to prove his employment was terminated due to disability after he was injured on the job. The employee failed to prove the business owner knew or believed the employee had an ongoing medical condition. The Board found credible the owner’s explanation that the employee failed to return to work or call in for two weeks, and the employee did not prove that other employees were not discharged under these circumstances. The owner also proved he was downsizing due to loss of business and did not replace the employee.

*Ramirez v. Mexicana Airlines and Pliego*, CCHR No. 04-E-159 (Mar. 17, 2010)

Discrimination Claimed: Sexual Orientation

Based on the hearing officer's assessment of witness credibility as well as lack of sufficient severity or pervasiveness, the Board found no hostile environment based on sexual orientation where a gay employee claimed his supervisor made seven disparaging comments over an eight month period and gave another employee, but not Complainant, tickets to a soccer game. The Board also determined that the employee failed to prove he was laid off because of his sexual orientation where he did not show he was known or perceived by the decision-makers to be homosexual and where the employer provided a non-discriminatory explanation why he was the one selected for layoff.

*Harper v. Cambridge Systematics, Inc. et al.*, CCHR No. 04-E-86 (Feb. 17, 2010)

Discrimination Claimed: Sexual Harassment

Based on the hearing officer's assessment of witness credibility, the Board found no sexual harassment where an employee failed to prove that her male co-workers grabbed their genitals in her presence in an inappropriate and offensive way and that she was prohibited by management from reporting any such problems. The Board added that, even if these incidents were credible, such conduct was not sufficiently severe or pervasive to have create a hostile working environment.

*Glowacz v. Angelastri*, CCHR No. 06-E-70 (Dec. 16, 2009)

Discrimination Claimed: Age

The Board found no age discrimination against a 56-year-old store clerk who was laid off, in that a younger employee was also laid off, Respondent showed cost reductions were needed due to declining business, and other employees but not Complainant were willing to work less than full time.

*Van Dyck v. Old Time Tap*, CCHR No. 04-E-103 (Apr. 15, 2009)

Discrimination Claimed: Disability

The Board found no disability discrimination where a fill-in bartender failed to establish that she was fired because of a disability or perceived disability. The Board determined that Complainant did not establish that she had an actual disability or that the bar owner perceived her to have a disability, and noted that she also did not establish differential treatment.

*Miller v. Stony Sub et al.*, CCHR No. 05-E-150 (Jan. 21, 2009)

Discrimination Claimed: Sex

The Board found no ordinance violation where Complainant, a female minor represented by her mother, claimed she was sexually harassed and constructively discharged from employment. Complainant failed to establish that she was in an employment relationship as defined in the Human Right Ordinance.

*Hernandez v. Colonial Medical Center and Correa*, CCHR No. 05-E-14 (Nov. 28, 2007)

Discrimination Claimed: Color

The Board found no harassment based on color where Complainant, who is black and Panamanian, claimed that a co-worker had treated her rudely and called her derogatory names referencing her dark skin color. Based on the hearing officer's assessment of witness credibility, Complainant failed to prove that the derogatory slurs occurred or that when she complained about the co-worker to management, she had complained of harassment based on her skin color.

*Ingram v. Got Pizza*, CCHR No. 05-E-94 (Oct. 18, 2006)

Discrimination Claimed: Race, Age

After an order of default, the Board found that a 45-year-old African-American pizza delivery driver did not establish a *prima facie* case of discrimination because he failed to prove his discharge was due to either his race or his age. After Complainant's car broke down while making deliveries, the white manager became angry and did not pay Complainant the extra money he had promised for working that day, then failed to respond to Complainant's calls seeking to be returned to the work schedule. Complainant acknowledged that other delivery drivers were of all ages and provided no evidence to show that he was treated less favorably than other drivers in similar circumstances due to his race or age.

*Poole v. Perry & Associates*, CCHR No. 02-E-161 (Feb. 15, 2006)

Discrimination Claimed: Sex (Pregnancy)

The Board found no pregnancy-related sex discrimination where the evidence did not establish that Respondent knew Complainant was pregnant when it decided to discharge her. Complainant's corroborating witness was found not credible and Respondent provided documentation that it began a search for Complainant's replacement before she became pregnant, due to dissatisfaction with her work performance. There was no evidence Respondent treated Complainant differently or intensified its search for her replacement after allegedly being informed of the pregnancy.

*Jackson v. MYS Development, Inc. et al.*, CCHR No. 01-E-41 (Jan. 18, 2006)

Discrimination Claimed: Race

The Board found no race discrimination where an African-American construction worker claimed he was not recalled from layoff because of his race but failed to establish a *prima facie* case of discrimination including that he was not recalled, that there was an open position for which he qualified at the time he sought re-employment, that at the time of layoff his performance met the employer's legitimate expectations, or that similarly-situated non-African-American employees were rehired.

*Guy v. First Chicago Futures*, CCHR No. 97-E-32 (Nov. 17, 2004)

Discrimination Claimed: Race

The Board found no race discrimination where an African-American phone clerk for a futures brokerage was discharged after failing to properly cover a trading error and trying to hide the error from his supervisor. The employee claimed he was subjected to a racially-hostile work environment in that his new supervisor scrutinized and criticized him more severely than non-African-American co-workers, and the company failed to advance him to officer status and overstated the seriousness of the trading error. The Board determined that the incidents cited by the employee were not sufficiently severe or pervasive to constitute harassment and could not be connected to a racial character or purpose. As to discharge, the Board determined that the employee had not established that he was meeting his employer's legitimate expectations or that similarly-situated non-African-American employees were treated more favorably; also, the employer was applying established policies and procedures to the trading error and had discharged a white employee for similar violations.

*Bahena v. Adjustable Clamp Company*, CCHR No. 99-E-111 (July 16, 2003)

Discrimination Claimed: Sexual Orientation

The Board found no sexual orientation discrimination where Complainant did not prove that the stated reason for his discharge was a pretext for discrimination. The company stated it discharged Complainant because he violated its anti-fighting policy by physically participating in a fight with a co-worker. The Commission found that company decision-makers were not aware of the co-worker's prior anti-gay comments to Complainant and so had no notice that an anti-gay motivation may have played a role in causing the fight. Nor was there credible evidence that any decision-makers were biased against Complainant based on his sexual orientation. Examples of non-gay workers who were not discharged after a fight did not present situations comparable to Complainant's.

*Richardson v. Chicago Area Council of Boy Scouts of America & Carter*, CCHR No. 92-E-80 (Feb. 19, 2003)

Discrimination Claimed: Sexual Orientation

Concluding a long-standing case, the Board ruled that a gay man acting as an employment discrimination tester did not adequately complete a test of the Boy Scouts' hiring practices for "non-expressive" positions, and so dismissed his claim. The Board had found sexual orientation discrimination based on the Boy Scouts' explicit statement that it would not give a job to a gay man. However, pursuant to the U.S. Supreme Court decision in *Boy Scouts of America v. Dale*, 530 U.S. 640, 120 S.Ct. 2446, 147 L.Ed.2d 554 (2000), the Illinois Appellate Court reversed because, for "expressive" positions as a role model or leader within Scouting, the City of Chicago's interest in eradicating employment discrimination would not justify intrusion on the Boy Scouts' freedom of expressive association guaranteed by the First Amendment to the U.S. Constitution. The Supreme Court in *Dale* held that an expressive position is one in which the presence of a person affects in a significant way the group's ability to advocate its public or private viewpoints. The Boy Scouts' opposition to hiring homosexuals for professional Scouting positions was found by the Appellate Court to be protected under these First Amendment principles. Thus the only remaining issue for the Commission was whether Complainant had sought any "non-expressive" position (such as back-office work). The Board found he had not done so, because he did not respond to Respondents' request to submit details of his educational and employment history and so had not established standing to test Respondents' hiring practices as to non-expressive positions.

*Little v. Tommy Gun's Garage, Inc.*, CCHR No. 99-E-11 (Jan. 23, 2002)

Discrimination Claimed: Sex and Race

Based on the credibility of parties and witnesses, the Board found that Complainant did not prove Respondent subjected her to racial or sexual harassment or terminated her due to race or sex. Although Complainant cited several incidents she deemed racial, she did not report them to management and so did not show that Respondent subjected her to discrimination or failed to correct actions of co-workers. Respondent showed a legitimate, nondiscriminatory basis for taking Complainant off the work schedule—she disrupted co-workers and customers and missed meetings with management to discuss this—and Complainant did not show this explanation was a pretext for race or sex discrimination. Decision was upheld in Circuit Court and Appellate Court; Supreme Court appeal was dismissed.

*Thomas v. Chicago Dept. of Public Health*, CCHR No. 97-E-221 (July 18, 2001) (race)

*Mathews v. Hinckley & Schmitt*, CCHR No. 98-E-206 (Jan. 17, 2001) (disability)

*Prewitt v. John O. Butler Co. et al.*, CCHR No. 97-E-42 (Dec. 6, 2000) (race)

*Williams v. Norm's Automotive Ctr.*, CCHR No. 99-E-151 (Dec. 6, 2000) (race)

*Luckett v. Chicago Dept. of Aviation*, CCHR No. 97-E-115 (Oct. 18, 2000) (disability & sexual orientation)

*Chimpoulis/Richardson v. J & O Corp. et al.*, CCHR No. 97-E-123/127 (Sep. 20, 2000) (age & sex)

*Walton v. Chicago Department of Streets & Sanitation*, CCHR No. 95-E-271 (May 17, 2000) (race)

*Bovino v. Worldwide Tobacco, et al.*, CCHR No. 98-E-5 (Sep. 15, 1999) (sexual harassment)

*Moore v. Northwestern Memorial Hospital*, CCHR No. 96-E-224 (Jan. 20, 1999) (disability)

*Mahaffey v. University of Chicago Hospitals, et al.*, CCHR No. 93-E-221 (July 22, 1998) (age & race)

*Mally v. Alzheimer's Association*, CCHR No. 96-E-41 (Sept. 17, 1997) (sexual orientation)

*Scadron/Zuberbier v. Martini's of Chicago*, CCHR No. 94-E-195/196 (Feb. 19, 1997) (sexual harassment)

*Green v. Altheimer & Gray*, CCHR No. 94-E-57 (Jan. 29, 1997) (race & sex)

*Escobedo v. Homak Mfg.*, CCHR No. 93-E-7 (May 15, 1996) (sexual orientation)

*Alceguiere v. Cook County MIS & Yaeger*, CCHR No. 91-E-137 (Mar. 20, 1996) (race & disability)

*Bray v. Sandpiper Too et al.*, CCHR No. 94-E-43 (Jan. 10, 1996) (sexual harassment)

*Adams v. Chicago Fire Dept.*, CCHR No. 92-E-72 (Sep. 20, 1995) (source of income & retaliation)

*Bosh v. CNA et al.*, CCHR No. 92-E-83 (Apr. 19, 1995) (disability)  
 Remanded by Circuit Court as to Respondent's knowledge of disability B Apr. 1996  
 Ruling for Respondent after remand B Oct. 22, 1997, Upheld by Circuit Court B May 1999

*Deegan v. Falasz*, CCHR No. 93-E-204 (Feb. 22, 1995) (age)

*Minor v. Habilitative Systems, et al.*, CCHR No. 92-E-46 (Aug. 31, 1994) (sex)

*Flax-Jeter v. Chicago Dept. of Aviation*, CCHR No. 91-E-146 (June 15, 1994) (retaliation)

*Hruban v. William Wrigley Co.*, CCHR No. 91-E-63 (Apr. 20, 1994) (disability)  
 Upheld by Circuit Court but findings of fact not about jurisdiction struck B Mar. 1995  
 Upheld by Appellate Court but findings of fact not about jurisdiction struck B July 1997

*Audette v. Simko Provisions*, CCHR No. 92-E-39 (June 16, 1993) (age)

*Klimek v. Haymarket/Maryville*, CCHR No. 91-E-117 (June 16, 1993) (sexual orientation)

*Wilkins v. Little Village Discount Mall*, CCHR No. 91-E-82 (Mar. 17, 1993) (race, sex, national origin)

*Barr v. Blue Cross-Blue Shield/Tennenbaum*, CCHR No. 91-E-54 (Feb. 18, 1993) (sexual orientation)

*Williams v. United Air Lines*, CCHR No. 91-E-90 (Feb. 18, 1993) (sexual orientation)  
 Request for Review on Liability Denied B May 19, 1993

*Brown v. Chicago Midway Airport Inn*, CCHR No. 90-E-137 (Nov. 18, 1992) (race)

*Barber v. Chicago Dept. of Buildings*, CCHR No. 91-E-35 (Oct. 21, 1992) (sex)  
Request for Review on Liability Denied B May 19, 1993

*Mark v. Truman College*, CCHR No. 91-E-7 (Aug. 26, 1992) (national origin)

*Brown v. Chicago Department of Aviation*, CCHR No. 90-E-82 (June 16, 1992) (race & retaliation)

## **HOUSING**

*McGhee v. MADO Management LP*, CCHR No. 11-H-10 (Apr. 18, 2012)

Discrimination Claimed: Race

The Board found no discrimination where an African-American Complainant responded to a classified ad for an apartment but was told there was nothing available. At the time Complainant first contacted the property owner, the apartment had already been rented and there were no vacant units at that location.

*Rivera v. Pera et al.*, CCHR No. 08-H-13 (June 15, 2011)

Discrimination Claimed: Race, Ancestry

The Board found no race or ancestry discrimination where property owners established that they refused to rent to Complainant not because he is Puerto Rican but because he opposed the late fee included in the proposed lease, which Respondents proved they had used in leases of both Hispanic and non-Hispanic tenants.

*Hodges v. Hua and Chao*, CCHR No. 06-H-11 (May 21, 2008)

Discrimination Claimed: Source of Income

The Board found no source of income discrimination where Complainant claimed that a landlord refused to rent to her because she would have used a Section 8 voucher. The Board found that Respondents did not lease the apartment to Complainant because she failed to visit the property and complete a rental application as Respondents' policy required.

*Cunningham v. Bui and Phan*, CCHR No. 01-H-36 (Mar. 19, 2008)

Discrimination Claimed: Parental Status, Race

The Board found no race or parental status discrimination due to insufficient evidence that these were reasons Complainant was told he could not rent the apartment, noting that language difficulties were a factor in the communication which occurred.

*McPhee v. Novovic*, CCHR No. 00-H-69 (Sep. 15, 2004)

Discrimination Claimed: Race

The Board found no indirect race discrimination where a white tenant claimed her landlord, after refusing to let her rent single room occupancy (SRO) units to blacks or Puerto Ricans, then interfered with her plans to provide residential foster care to children who may be black or Puerto Rican. The Board determined that much of the alleged conduct did not implicate the Chicago Fair Housing Ordinance but rather involved business transactions. The actions related to refusal to allow rental of SRO units were determined to have occurred more than one year outside the filing deadline and thus outside Commission jurisdiction. Also, Complainant did not prove that she would have qualified for a foster care license in the absence of the landlord's actions, and thus the landlord's racial animus did not cause her injuries. Finally, Complainant did not prove the existence of the contract terms she claimed required the landlord to make certain repairs, forbear on rent collection, and in other respects support her foster care plans. The Board emphasized, however, that it thoroughly condemns the racially-biased statements and animus of this landlord as brought out in the hearing.

*Marshall v. Gleason*, CCHR No. 00-H-1 (Apr. 21, 2004)

Discrimination Claimed: Source of Income

The Board found no source of income discrimination where Complainant claimed a landlord refused to rent to her because she had a Section 8 voucher. The Board determined that the landlord articulated legitimate non-discriminatory reasons for his action: that the apartment was not on the market and not habitable when Complainant viewed it at her request; and that it never went on the market because, due to financial problems, the landlord sold his home and moved into the apartment himself. The Commission found that Complainant had not shown these reasons were pretextual or that the refusal was otherwise due to her source of income.

*Thomas v. Prudential Biros Real Estate et al.*, CCHR Nos. 97-H-59 and 97-H-60 (Feb. 18, 2004)

Discrimination Claimed: Race

The Board found no race discrimination where an African-American couple alleged that a real estate company, its managing broker, and two real estate agents had acted to deny them the opportunity to purchase a house listed with the firm. The Board determined that Complainants, who were real estate agents for another firm, had initially caused the delayed processing of their offer by submitting it with a split commission provision although the Respondent firm had explained that this was an exclusive listing and it would not split the commission. The Commission found that no racial motivation had been proved in connection with the exclusive listing arrangement or the decision to negotiate a purchase agreement with a white couple (one of whom was also a real estate agent) who submitted a better offer as to purchase price and other terms.

*Belcastro v. 860 N. Lake Shore Drive Trust*, CCHR No. 95-H-160 (Feb. 20, 2002)

Discrimination Claimed: Disability

The Board found that the building where Complainant lived did not fail to accommodate his disability even though he could not enter the front door using his wheelchair, because the second, accessible entrance was not stigmatizing, Complainant had full use of all areas but the front door, and his claims about problems with the other entrance were not credible. The second entrance was used by other residents and not limited to those with disabilities; it opened onto a plaza and was guarded by the same security guard as the front entrance.

*Byrd v. Hyman*, CCHR No. 97-H-2 (race)

Liability Found B Dec. 12, 2001(\$3,500 damages; \$250 fine)

Reversed by Circuit Court, Appeal to Appellate Court Dismissed, Reinstatement Denied.

*Lopez v. Arias*, CCHR No. 99-H-12 (Sept. 20, 2000) (source of income)

*Anderson v. Stavropoulos*, CCHR No. 98-H-14 (Feb. 16, 2000) (race & sexual orientation)

*Wiles v. The Woodlawn Org. & McNeal*, CCHR No. 96-H-1 (Mar. 17, 1999) (sexual harassment)

*Smith v. Nikolic, Nikolic & Chavez*, CCHR No. 95-H-130 (Apr. 15, 1998) (sexual harassment)

*Crenshaw v. Harvey*, CCHR No. 95-H-82 (May 21, 1997) (parental status)

*Jackson v. Midland Mgt. et al.*, CCHR No. 95-H-49 (Jan. 29, 1997) (sexual harassment)

*Sokoya v.4343 Clarendon Condo. Assoc.*, CCHR No. 94-H-180 (Oct. 16, 1996) (national origin)

*Stovall v. Metroplex et al.*, CCHR No. 94-H-87 (Oct. 16, 1996) (sexual harassment)

Circuit Court Remand as to expert witness B Mar. 1998, Affirmed after Remand B Nov. 18, 1998

*McGavock v. Burchett*, CCHR No. 95-H-22 (July 17, 1996) (parental status)

*McGee v. Sims*, CCHR No. 94-H-131 (Oct. 18, 1995) (source of income)

*Pryor v. Carbonara*, CCHR No. 93-H-29 (May 17, 1995) (marital status)

*Reid v. F.J. Williams Realty et al.*, CCHR No. 93-H-42 (Feb. 22, 1995) (sexual harassment)

*Benitez v. Marquez*, CCHR No. 93-H-73 (Nov. 16, 1994) (religion)

*Harris v. Craddieth*, CCHR No. 92-H-179 (Apr. 20, 1994) (sexual harassment)

*Ojukwu v. Baum Management*, 91-FHO-74-5659 (Nov. 18, 1992) (national origin)

*Cooper & Ashmon v. Parkview Realty*, 91-FHO-48-5633 (Aug. 26, 1992) (source of income)

*Gilun v. Tomasinski*, 91-FHO-85-5670 (July 29, 1992) (sexual orientation, disability, race)

*McClinton v. Antioch Haven Homes*, 91-FHO-42-5627 (Feb. 26, 1992) (parental status)

Request for Review on Liability Denied B Aug. 26, 1992

## **PUBLIC ACCOMMODATION**

*Johnson v. Hyde Park Corporation d/b/a Hyde Park Citgo*, CCHR No. 08-P-95/96 (Feb. 15 2012)

Discrimination Claimed: Race

The Board found no discrimination where gas station employees used a pen designed to identify counterfeit currency to test \$100 bills proffered by an African-American couple, then refused to accept the bills after they were found suspect. The Board found that this was a legitimate, long-standing policy applied to all customers regardless of race. References to “your friends” or “your brother” were deemed insufficient to establish direct evidence of racial animus in the context of the incident, particularly given the employees’ limited English proficiency.

*Robinson v. American Security Services*, CCHR No. 08-P-69 (Jan. 19, 2011)

Discrimination Claimed: Gender Identity

The Board found no discrimination against a transvestite male who lives as a female, arising from alleged incidents in a food store. Complainant alleged that she was subjected to harassing treatment by security guards while shopping. Based on credibility determinations by the hearing officer as to conflicting testimony at the administrative hearing, the Board found that Complainant had not proved the incidents occurred as alleged.

*Stephens v. L & P Foods et al.*, CCHR No. 08-P-43 (Dec. 15, 2010)

Discrimination Claimed: Race, Parental Status

The Board found no discrimination against an African-American woman whose minor daughter was barred from a store’s showroom. The store consistently applied its posted policy prohibiting children under 18 from entering the showroom unless small enough to be placed in a shopping cart and providing seating for children near the entrance under supervision of security officers. A no-children policy in these circumstances does not discriminate against parents with children. Complainant’s white friend was allowed into the showroom with her daughter because she had placed her in a shopping cart; the store’s customers were predominantly African-American; and Respondents’ testimony that Complainant was offered the shopping cart option but refused was found credible.

*Sturgies v. Target Department Store*, CCHR No. 08-P-57 (Dec. 16, 2009)

Discrimination Claimed: Race

The Board found no race discrimination where a security guard told an African-American customer she could not bring her dog into a store. The store proved it enforced a no-animals policy except for service animals. Ambiguous evidence that another customer had a dog in the store was held not sufficient to show the store selectively enforced the policy against African-Americans.

*Cotten v. Lou Mitchell’s*, CCHR No. 06-P-09 (Dec. 16, 2009)

Discrimination Claimed: Disability

The Board found no disability discrimination where a wheelchair user was unable to use a restaurant’s restroom located in a basement with no elevator. Respondent proved it would be an undue hardship to add an accessible restroom on the ground floor because of the financial losses which would result from reduced table space and the likelihood that the only feasible location for the restroom would be unacceptable under City codes.

*Anguiano v. Abdi*, CCHR No. 07-P-30 (Sept. 16, 2009)

Discrimination Claimed: Race and Age

The Board found no race and age discrimination where, in the course of an argument during a cab ride, the driver called Complainant “old,” “unable to get a job,” and “unable to support himself,” because in the context of both sides exchanging personal insults, the statements were not sufficiently separating or belittling to create a hostile environment. Complainant’s statements that the cab driver insulted him for being Mexican were found not credible.

*Williams v. Bally Total Fitness*, CCHR No. 06-P-48 (Jan. 21, 2009)

Discrimination Claimed: Race

The Board found no race discrimination where cleaning personnel at a health club allegedly refused to unlock the door and allow Complainant to leave after closing. Complainant’s testimony was found not credible because his hearing testimony contradicted the sworn complaint and because of complainant’s demeanor while testifying. The Board imposed a fine of \$500 against the Complainant for false testimony.

*Harris v. Dunkin’ Donuts*, CCHR No. 05-P-97 (July 16, 2008)

Discrimination Claimed: Race, Sex

The Board found no race or sex discrimination where a customer was denied access to Respondent’s restroom but a

Caucasian woman was allowed to enter the restroom to look for her keys. Although Complainant established a *prima facie* case of race and sex discrimination, Respondent established that the restroom was out of order at the time and not usable by any member of public.

*Williams v. First American Bank*, CCHR No. 05-P-130 (July 16, 2008)

Discrimination Claimed: Sex

The Board found no sex discrimination where a bank employee initially did not allow Complainant to use its restroom thinking he was not a bank patron, but a manager told Complainant he was welcome to use the restroom after confirming he actually was a customer. The Board found that Complainant failed to prove that similarly-situated women were treated more favorably. The Board ordered Complainant to pay Respondent \$600 in attorney fees for misrepresenting facts at the pre-hearing conference and non-compliance with a Commission order.

*Holman v. Funky Buddha, Inc.*, CCHR No. 06-P-62 (May 21, 2008)

Discrimination Claimed: Sexual Orientation

The Board found no sexual orientation discrimination where a security guard at a club struck and ejected Complainant. The Board found that the club had a legitimate non-discriminatory reason for removing Complainant, namely that he was under the influence of alcohol and acting aggressively. Respondent also established that the security guard had no knowledge that Complainant is gay.

*Williams v. Bally Total Fitness Corp.*, CCHR No. 05-P-94 (May 16, 2007)

Discrimination Claimed: Race

Based on the hearing officer's assessment of the credibility of Complainant and Respondent's witnesses, the Board found that Complainant failed to establish that the actions of an employee of a health club facility which Complainant frequented had curtailed his use of that public accommodation because of his race in connection with an incident when the employee attempted to enforce the club's closing policy by standing near Complainant and telling him it was time to leave.

*Long v. Chicago Public Library et al.*, CCHR No. 00-PA-13 (Jan. 18, 2006)

Discrimination Claimed: Religion

The Board found no discrimination based on religion where Complainant was ejected from a branch library after being discovered sleeping there contrary to posted rules. Complainant's testimony that the head librarian told him, "We don't want any Jews like you in the library" was found not credible and no other evidence established that Respondents knew Complainant to be Jewish.

*Blakemore v. Antojitos Guatemaltecos Restaurant*, CCHR No. 01-P-5 (Apr. 20, 2005)

Discrimination Claimed: Race

The Board found no race discrimination where an African-American restaurant patron claimed he was subjected to unequal terms and conditions of service when he ate at a small restaurant operated by persons of Guatemalan ancestry. Complainant was the only African-American in the restaurant and the only patron presented with the check for his meal before he finished eating and then asked more than once whether he was ready to pay. He admitted that staff did not address him rudely or refer to his race, and that he was able to eat his meal and pay when ready. The Board held that this conduct did not curtail his use of the restaurant in a material way; moreover, the restaurant provided a legitimate, non-discriminatory explanation, namely that the other patrons were well-known to staff and customarily came to the cash register on their own to receive their checks and pay. The Commission found no evidence of intentional discrimination based on race.

*Schell v. United Center*, CCHR No. 98-PA-30 (Mar. 20, 2002)

Discrimination Claimed: Disability

The Board found no disability discrimination where Complainant, who uses crutches, was not allowed to keep his crutches with him in regular seating while attending a Bulls game at the United Center. The United Center explained that safety issues were presented by allowing crutches to be kept in regular seating areas. The United Center provided a seating area for individuals needing disability accommodations, where Complainant could have kept his crutches with him, but Complainant preferred to sit in regular seating. The Commission saw no violation of the Human Rights Ordinance under these circumstances.

*Doxy v. Chicago Public Library*, CCHR No. 99-PA-31 (Apr. 18, 2001) (sexual orientation)

*Robinson v. Crazy Horse Too*, CCHR No. 97-PA-89 (Oct. 20, 1999) (race)

*Bell/Parks/Barnes v. 7-Eleven Convenience Store et al.*, CCHR No. 97-PA-68/70/72 (July 18, 1999) (race)  
Upheld by Circuit Court B June 23, 2000, Upheld by Appellate Court B Mar. 1, 2002

*Blakemore v. Starbucks Coffee Co.*, CCHR No. 97-PA-60 (Feb. 24, 1999) (race & sex)

*Brown v. Emil Denemark Cadillac*, CCHR No. 96-PA-76 (Nov. 18, 1998) (race & sex)

*Lawrence v. Multicorp Company*, CCHR No. 97-PA-65 (July 22, 1998) (race)

*Perez v. Kmart Auto Service, et al.*, CCHR No. 95-PA-19/28 (Nov. 20, 1996) (national origin)

*Parker v. American Airport Limousine Corp.*, CCHR No. 93-PA-36 (Feb. 21, 1996) (disability)  
Upheld by Circuit Court B July 1997

*Sohn & Cohen v. Costello & Horwich*, CCHR No. 91-PA-19 (Oct. 20, 1993) (race & source of income)

## Part III TABLE OF RELIEF AWARDS

- # Within each category of discrimination, rulings are listed from the *latest to earliest*.
- # Rulings on attorney fees and costs are not charted, as they are routinely allowed if a prevailing complainant had an attorney, and amounts are case-specific.
- # Rulings on interest are not charted, as interest is routinely awarded on damages.
- # The table lists types but not amounts of out-of-pocket losses for which damages were awarded, because amounts are case-specific.
- # When emotional distress or punitive damages are awarded to more than one complainant, each individual award is listed rather than a total.
- # Multiple fines are described as follows: \$500x2 = \$500 for each of two violations found; \$500/Cp = \$500 per Complainant; \$500/Rp = \$500 per Respondent; \$85  
# PHC = fine for failure to attend Pre-Hearing Conference.

Case Name	Case Number	Ruling Date	Discrimination Found	Fines	Out-of-Pocket Losses	Emotional Distress	Punitive Damages	Injunctive Relief
<b>EMPLOYMENT</b>								
Sleper v. Maduff & Maduff LLC	06-E-90	5/16/12	Sex (Pregnancy)	\$500	Back pay	\$2,500		
Tarpein v. Polk Street Co. et al.	09-E-23	10/19/11	Sex (Pregnancy)	\$500	Back pay		\$4,800	
Williams v. RCJ Inc. et al.	10-E-91	10/19/11	Sexual Harassment	\$500		\$2,000	\$4,000	
Roe v. Chicago Transit Authority et al.	05-E-115	10/20/10	Sexual Orientation	\$500/Rp	Medical expenses	\$75,000	\$6,000	Staff training
Flores v. A Taste of Heaven et al.	06-E-32	8/18/10	Age, Nat'l Origin, Sex	\$250/Rp	Back pay	\$20,000	\$25,000	
Shores v. Charles Nelson d/b/a Black Hawk Plumbing	07-E-87	2/17/10	Sexual Harassment	\$500	Back pay	\$2,000		
Lockwood v. Professional Neurological Services, Ltd.	06-E-89	06/17/09	Parental Status	\$500x3	Back pay	\$35,000	\$100,000	
Alexander v. 1212 Rest. Group et al.	00-E-110	10/16/08	Sexual Orientation	\$500/Rp		\$35,000	\$140,000	
Hawkins v. Ward and Hall	03-E-114	5/21/08	Sexual Harassment	\$400 \$200	Back pay	\$2,000	\$2,000	
Manning v. AQ Pizza LLC & Alhakim	06-E-17	9/19/07	Sexual Harassment, Race, Retaliation	\$500x2 per Rp	Back pay	\$15,000	\$30,000	
Bellamy v. Neopolitan Lighthouse	03-E-190	4/18/07	Sexual Orientation	\$100		\$25,000		
Feinstein v. Premiere Connections et al.	02-E-215	1/17/07	Sexual Harassment	\$500x2	Back pay	\$2,500	\$7,500	
Hampton v. Financial Strategy Network	01-E-2	4/19/06	Retaliation	\$500	Unpaid severance			
Mullins v. AP Enterprises et al.	03-E-164	1/19/05	Disability	\$500/Rp	Back pay	\$20,000	\$1,000	
Carroll v. Riley	03-E-172	11/17/04	Sexual Harassment	\$500	Back pay	\$2,000		
Arrellano & Alvarez v. Plastic Recovery Technologies	03-E-37 03-E-44	7/21/04	Sexual Orientation	\$500/Cp	Back pay	\$10,000 \$15,000	\$2,000 \$2,000	
Martin v. Glen Scott Multi-Media	03-E-34	4/21/04	Sex (Pregnancy)	\$500 \$85 PHC	Back pay, costs to attend failed pre-hearing conference	\$6,000	\$2,000	

Case Name	Case Number	Ruling Date	Discrimination Found	Fines	Out-of-Pocket Losses	Emotional Distress	Punitive Damages	Injunctive Relief
Brooks v. Hyde Park Realty	02-E-116	12/17/03	Age	\$500	Back pay, vacation pay	\$2,000		
Salwierak v. MRI of Chicago et al.	99-E-107	7/16/03	Sexual Harassment	\$500/Rp		\$30,000	\$30,000 \$30,000	
Nuspl v. Marchetti	98-E-207	9/25/02	Sexual Orientation	\$500		\$3,500	\$3,000	
Claudio v. Chicago Baking Co.	99-E-76	7/17/02	Race	\$500	Back pay	\$1,000		
Griffiths v. DePaul University	95-E-224	4/19/00	Sex (Pregnancy)	\$500		\$8,000		
Houck v. Inner City Horticultural Foundation	97-E-93	10/21/98	Sexual Orientation	\$500	Back pay	\$5,000	\$1,000	Reinstatement, training
Moulden v. Frontier Communications et al.	97-E-156	8/19/98	Race		Bonus & raise differentials	\$3,500		
Blacher v. Eugene Washington Youth & Family Services	95-E-261	8/19/98	Disability	\$500	Back pay	\$2,000		
Austin v. Harrington	94-E-237	10/22/97						
Steward v. Campbell's Cleaning Svcs et al.	96-E-170	6/18/97	Disability	\$500/Rp	Unpaid wages, back pay, front pay	\$15,000	\$5,000 \$5,000	
Wehbe v. Contacts & Specs et al.	93-E-232	11/20/96	Ancestry, Religion	\$500	Back pay			
Richardson v. CAC, Boy Scouts of America (violation finding reversed)	92-E-80	2/21/96	Sexual Orientation	\$100		\$500		Cease & desist
Osswald v. Yvette Wintergarden Restaurant et al.	93-E-93	7/19/95	Sexual Orientation	\$200		\$10,000	\$8,000 \$3,000	
Hackett v. Judeh Brothers et al.	93-E-111	1/18/95	Sexual Harassment	\$500x3		\$2,000		
McCall v. Cook County Sheriff's Office et al.	92-E-122	12/21/94	Sexual Harassment	\$500x4 per Rp		\$10,000	\$9,000 \$6,000	
Barnes v. Page	92-E-1	9/23/93	Sexual Harassment	\$500		\$5,000	\$1,000	Neutral reference
Ordon v. Al-Harman Animal Hospital	92-E-139	7/22/93	Sexual Harassment	\$500	Back pay	\$10,000	\$10,000	
Diaz v. Prairie Builders	91-E-204	10/21/92	Sexual Harassment	\$500	Lost raise	\$500		
Antonich v. Midwest Building Mgmt.	91-E-150	10/21/92	Sexual Harassment	\$500	Back pay & perquisites	\$300		Hire complainant
Pearson v. NJW Personnel	91-E-126	9/16/92	Sexual Orientation	\$500	Lost pay			
Huezo v. St. James Properties	91-E-44	7/11/91	Retaliation	\$500				

Case Name	Case Number	Ruling Date	Discrimination Found	Fines	Out-of-Pocket Losses	Emotional Distress	Punitive Damages	Injunctive Relief
<b>HOUSING</b>								
Montelongo v. Azarpira	09-H-23	2/15/12	Disability	\$500	Lost wages	\$2,500	\$3,000	
Gilbert & Gray v. 7355 South Shore Drive Condominium Association et al.	01-H-18 01-H-27	7/20/11	Sexual Orientation	\$500x2 \$100x2		\$2,000 \$100		
Gray v. Scott	06-H-10	4/20/11	Sexual Harassment	\$500		\$5,000		
Pierce & Parker v. New Jerusalem Christian Development Corp.	07-H-12 07-H-13	2/16/11	Source of Income	\$500/Cp		\$20,000 \$20,000	\$60,000 \$10,000	Notice to City of Chicago
Rankin v. 6954 N. Sheridan, Inc., DLG Mgmt. et al	08-H-49	8/18/10	Source of Income	\$500/Rp	Increased heating costs	\$1,500	\$1,000x3Rp	Non-discrimination notices in ads
Hutchison v. Iftekaruddin	08-H-21	2/17/10	Source of Income	\$500		\$2,500	\$1,500	
Diaz v. Wykurz et. al.	07-H-28	12/16/09	Source of Income	\$250		\$2,500		
Sercye v. Reppen and Wilson	08-H-42	10/21/09	Source of Income	\$500x2		\$15,000		Notice to licensing agency
Draft v. Jercich	05-H-20	7/16/08	Source of Income	\$500		\$5,000		
Marshall v. Borouch	05-H-39	8/16/06	Race	\$500	Security deposit refund			
Torres v. Gonzales	01-H-47	1/18/06	Source of Income	\$500	Storage, housing search & moving costs, rent differential	\$5,000	\$5,000	
Edwards v. Larkin	01-H-35	2/16/05	Disability	\$500		\$12,500	\$5,000	
Fox v. Hinojosa	99-H-116	6/16/04	Sexual Orientation	\$400x3 \$500x2	Moving costs, rent differential	\$10,000	\$2,000	
Jones v. Shaheed	00-H-82	3/17/04	Source of Income	\$500		\$3,000	\$1,500	
Sellers v. Outland (as modified by Circuit and Appellate Courts)	02-H-37	10/15/03	Sexual Harassment	\$500		\$40,000		Cease & desist, training, notices, reporting
Hoskins v. Campbell	01-H-101	4/16/03	Source of Income	\$500		\$750	\$250	
Brennan v. Zeman	00-H-5	2/19/03	Sexual Orientation	\$500	Moving costs, unreturned security deposit	\$5,000	\$6,000	
Rogers & Slomba v. Diaz	01-H-33 01-H-34	4/17/02	National Origin, Ancestry	\$500/Cp \$85 PHC		\$1,500 \$1,500	\$3,000 \$3,000	
Byrd v. Hyman (violation finding reversed)	97-H-2	12/12/01	Race	\$250		\$3,500		
Sullivan-Lackey v. Godinez	99-H-89	7/18/01	Source of Income	\$250	Lost application fee, storage, rent differential	\$2,500		
Pudelek & Weinmann v. Bridgeview Garden Condominium Association et al.	99-H-39 99-H-53	4/18/01	Parental Status	\$500	Costs to furnish lost unit, claim costs including lost wages & babysitting	\$4,500 \$3,500 \$1,500 \$1,500		Training

Leadership Council for Metropolitan Open Communities v. Souchet	98-H-107	1/17/01	Race	\$500	Frustration of mission, testing costs		\$500	Cease & desist, new practices, testing, training, record-keeping, monitoring
Godard v. McConnell	97-H-64	1/17/01	Parental Status	\$25		\$400		
Barnett v. T.E.M.R. Realty & Jackson	97-H-31	12/6/00	Disability	\$500	Lost security deposit, moving costs, travel costs	\$15,000	\$5,000	
Puryear v. Hank	98-H-169	9/15/99	Race	\$500	Housing search cost incl. cab, credit check, application fee	\$500		
Huff v. American Mgmt & Rental Svc.	97-H-187	1/20/99	Source of Income	\$500	Rent differential	\$750	\$1,000	
Figueroa v. Fell	97-H-5	10/21/98	Ancestry	\$500		\$15,000	\$35,000	
McCutchen v. Robinson	95-H-84	5/20/98	Source of Income	\$500	Rent differential, unusable property costs	\$2,000		
Novak v. Padlan	96-H-133	11/19/97	Parental Status	\$500	Rent & utility differentials	\$11,000	\$4,500	
Shontz v. Milosavljevic	94-H-1	9/17/97	Race	\$250		\$15,000		
Sheppard v. Jacobs	94-H-162	7/16/97	Race	\$500		\$50,000		
Williams v. O'Neal	96-H-73	6/18/97	Sex	\$500	Lost security deposit, moving costs, claim costs	\$1,000		
Metropolitan Tenants Organization v. Looney	96-H-16	6/18/97	Parental Status	\$500	Training costs		\$500	Cease & desist, training
Buckner v. Verbon	94-H-82	5/21/97	Race	\$500	Lost wages, rent differential, transportation differential	\$7,500	\$10,000	
Wright v. Mims	95-H-12	3/19/97	Parental Status		Lost security deposit, gas bills	\$15,000	\$5,000	
Cruz v. Fonseca	94-H-141	10/16/96	Parental Status	\$500	Rent differential	\$2,000	\$4,500	
Matias v. Zachariah	95-H-110	9/18/96	Ancestry	\$250	Utility costs	\$3,500		
Soria v. Kern	95-H-13	7/17/96	Race	\$500		\$15,000	\$10,000	
Rottman v. Spaniola	93-H-21	3/20/96	Sexual Harassment	\$500	Moving costs, rent differential	\$3,000	\$3,500	
Tate v. Briciu	94-H-96	1/10/96	Parental Status	\$500		\$2,500		
Hussian v. Decker	93-H-13	11/15/95	Sex	\$300	Moving costs	\$5,000 \$1,000		
Mitchell v. Kocan	93-H-108	10/18/95	Race	\$500		\$2,000		
Hall v. Becovic	94-H-39	6/21/95	Disability	\$250		\$2,500		
Nash & Demby v. Sallas Realty et al. (as modified on remand 4/19/00)	92-H-128	5/17/95	Race	\$500	Rent differential	\$15,000	\$2,500 \$29,000	Monitoring, notice to licensing agency
Williams v. Banks	92-H-169	3/15/95	Sexual Harassment	\$500	Moving costs	\$1,500	\$2,000	
Janicke v. Badrov	93-H-46	1/18/95	Race, Color	\$500	Rent & utility costs	\$7,500	\$7,500	
Reed v. Strange	92-H-139	10/19/94	Sexual Harassment	\$500x2	Moving & therapy costs	\$10,000		

Walters & Leadership Council for Metropolitan Open Communities v. Koumbis	93-H-25	5/18/94	Race	\$500	Lost wages, frustration of mission, monitoring costs	\$2,500 \$2,500	\$5,000	Cease & desist, record-keeping, posting, training
Rushing v. Jasniowski	92-H-127	5/18/94	Marital Status	\$1	Lost wages	\$500		
Starrett v. Duda & Sorice	93-H-6	4/20/94	Sexual Harassment			\$350		
Sanders v. Onnezi	93-H-32	3/16/94	Race	\$500		\$1,500		
Khoshaba v. Kontalonis	92-H-171	3/16/94	National Origin	\$500		\$3,000	\$2,500	
King v. Houston & Taylor	92-H-162	3/16/94	Parental Status	\$500		\$1,500		
Boyd v. Williams	92-H-72	6/16/93	Sexual Harassment	\$500	Lost security deposit, costs after eviction	\$5,000	\$2,500	
McDuffy v. Jarrett	92-H-28	5/19/93	Sexual Harassment	\$250		\$5,000		
Friday v. Dykes (as modified on remand 1/18/95)	92-H-23	4/22/93	Parental Status	\$300	Lost rent & security deposit, rent & security differentials	\$3,000 \$3,500		
Johnson v. City Realty & Development	91-H-165	3/7/93	Race			\$1,000		
White v. Ison	91-H-126	2/18/93	Sexual Harassment	\$500	Lost wages	\$1,500	\$2,400	
Blake v. Bosnjakovski	91-H-149	1/27/93	Race	\$250	Rent differential	\$2,000		Training
Campbell v. Brown & Dearborn Parkway	92-H-18	12/16/92	Parental Status	\$500	Rent differential	\$3,500 \$3,500		
Collins & Ali v. Magdenovski (as modified 3/17/03, 3/19/97, 4/16/97)	91-H-70	9/16/92	Race, Religion	\$500x8	Stolen items, rent differential, atty. fees for eviction defense	\$8,500 \$9,000	\$5,000 \$5,000	
Fulgern v. Pence	91-H-65	9/16/92	Race	\$500	Lost income, rent differential. unreimbursed gas bill	\$2,000		
Lawrence v. Atkins	91-H-17	7/29/92	Race, Sex, Marital Status	\$300		\$500		
Garcia v. Vazquez	91-H-61	6/17/92	Sexual Harassment	\$500	Rent differential	\$2,040		
Jones v. Zvizdic	91-H-78	5/26/92	Race	\$400	Lost security deposit, moving costs, rent differential, costs of noncompliance with orders	\$2,500		Rent a unit to Cp
Santiago v. Soto	91-H-54	5/26/92	Disability	\$500		\$25,000		Allow dog in unit
Akangbe v. 1428 W. Fargo Condominium Association	91-H-7	3/25/92	National Origin	\$500	Moving costs, mortgage application costs	\$500	\$7,000	
Eltogbi v. Martinez	91-H-15	2/26/92	National Origin	\$300	Rent differential	\$1,000		
Gould v. Rozdilsky (Affirmed 5/4/92)	91-H-25	1/15/92	Race	\$500	Rent differential, search costs	\$6,600		
Castro v. Georgeopoulos	91-H-6	12/18/91	Race, Color	\$500/day	Lost wages	\$1,000	\$5,000	

Case Name	Case Number	Ruling Date	Discrimination Found	Fines	Out-of-Pocket Losses	Emotional Distress	Punitive Damages	Injunctive Relief
<b>PUBLIC ACCOMMODATIONS</b>								
Manzanares v. Lalo's Restaurant	10-P-18	5/16/12	Gender Identity	\$500		\$3,500	\$2,500	Staff training
Burford v. Complete Roofing & Tuck Pointing et al.	09-P-109	10/19/11	Race	\$500		\$1,000 \$1,000	\$3,000 \$3,000	
Scott & Lyke v. Owner of Club 720	09-P-2 09-P-9	2/16/11	Race, Religion	\$500/Cp	Non-refundable parking charge	\$1,500 \$1,000		
Cotten v. Top Notch Beefburger, Inc.	09-P-31	2/16/11	Disability	\$500		\$500		Make accessible
Cotten v. Arnold's Restaurant	08-P-24	8/18/10	Disability	\$250		\$500		Make accessible
Cotten v. La Luce Restaurant, Inc.	08-P-34	4/21/10	Disability	\$500		\$800		Make accessible
Cotten v. CCI Industries, Inc.	07-P-109	12/16/09	Disability	\$100		\$1		Make accessible
Cotten v. Addiction Sports Bar and Lounge	08-P-68	10/21/09	Disability	\$500		\$1		
Cotten v. Eppy's Café and Deli	08-P-35	09/16/09	Disability	\$500		\$500		Make accessible
Warren & Elbert v. Lofton & Lofton Mgmt d/b/a McDonald's, et al.	07-P-62 07-P-63 07-P-92	07/15/09	Sexual Orientation, Gender Identity	\$500 \$100		\$3,500 \$1,500 \$1,000	\$1,500 \$1,500 \$1,000	
Cotten v. Eat-a-Pita	07-P-108	05/20/09	Disability	\$500		\$500		Make accessible
Cotten v. Taylor Street Food and Liquor	07-P-12	7/16/08	Disability	\$500		\$1,000		Make accessible
Williams v. Funky Buddha Lounge	04-P-82	7/16/08	Sex, Sexual Orientation	\$500		\$500		
Maat v. String-a-Strand	05-P-05	2/20/08	Disability	\$500		\$1,500		Make accessible, volunteer
Morrow v. Tumala	03-P-2	4/18/07	Race	\$500	Travel costs to pursue claim	\$5,000	\$3,000	
Blakemore et al. v. Bitritto Enterprises d/b/a Cold Stone Creamery et al.	06-P-12 et al.	3/21/07	Race, Retaliation	\$300 \$400		\$2,000 \$1,000 \$1,000		Provide contact info. for 1 Respondent
Lapa v. Polish American Veterans Assn. et al.	02-PA-27	3/21/07	Sexual Orientation	\$500/2Rp \$250/2Rp \$100/1Rp		\$2,400	\$2,000 \$1,000 \$600 \$400	
Blakemore v. Dominick's Finer Foods	01-P-41	10/18/06	Race					
Maat v. Villareal Agencia de Viajes	05-P-28	8/16/06	Disability	\$500		\$1,000		Make accessible
Maat v. El Novillo Steak House	05-P-31	8/16/06	Disability	\$500		\$1,000		Make accessible
Jordan v. National Railroad Passenger Corporation (Amtrak)	99-PA-34	2/19/03	Race	\$500	Medical expenses	\$10,000	\$2,000	
Trujillo v. Cuauhtemoc Restaurant	01-PA-52	5/15/02	Race, Nat'l Origin	\$500		\$1,000		

Case Name	Case Number	Ruling Date	Discrimination Found	Fines	Out-of-Pocket Losses	Emotional Distress	Punitive Damages	Injunctive Relief
Blakemore v. General Parking	99-PA-120	2/21/01	Race	\$500		\$1,000		
Winter v. Chicago Park District	97-PA-55	10/18/00	Disability	\$500		\$50,000		
Horn v. A-Aero 24 Hour Locksmith et al.	99-PA-32	7/19/00	Race	\$500	Service cost differential, claim costs including lost wages	\$1,000	\$3,000	
Carter v. CV Snack Shop	98-PA-3	11/18/98	Race	\$500		\$1,000		
Hanson v. Association of Volleyball Professionals	97-PA-62	10/21/98	Disability	\$500		\$3,500	\$5,000	Full access
Miller v. Drain Experts et al.	97-PA-29	4/15/98	Race	\$500	Service cost differential	\$1,250	\$2,500	
Efstathiou v. Café Kallisto	95-PA-1	5/21/97	Race	\$500		\$1,000		Full access
Macklin v. F & R Concrete et al.	95-PA-35	11/20/96	Race	\$500	Lost contract benefits	\$1,000		
Craig v. New Crystal Restaurant	92-PA-40	10/18/95	Sexual Orientation	\$100		\$750		
Ross v. Chicago Park District	93-PA-31	9/20/95	Sexual Harassment	\$500x2		\$10,000		
Pryor & Boney v. Echevarria	92-PA-62 92-PA-63	10/19/94	Race	\$300		\$1,000 \$500	\$1,000	Full access
Jenkins v. Artists Restaurant	90-PA-14	8/14/91	Race	\$500		\$1,000		