

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST)	
FOR REVIEW BY:)	CHARGE NO.: 2011CH1619
)	HUD NO.: 05-11-0311-8
GLORIA J. KASEY,)	ALS NO.: 12-0005
)	
)	
Petitioner.)	

ORDER

This matter coming before the Commission by a panel of three, Commissioners Lauren Beth Gash, David J. Walsh, and Diane M. Viverito¹ presiding, upon the Request for Review (“Request”) of Gloria J. Kasey (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)² of Charge No. 2011CH1619 and the Commission having reviewed all pleadings filed in accordance with 56 Ill. Admin. Code, Ch. XI, Subpt. D, § 5300.400, and the Commission being fully advised upon the premises;

NOW, THEREFORE, it is hereby **ORDERED** that the Respondent’s dismissal of Petitioner’s charge for **LACK OF SUBSTANTIAL EVIDENCE** is **SUSTAINED**.

DISCUSSION

On November 30, 2010, Petitioner filed a charge with the Respondent alleging that the Parkway Condominium Association (“Association”) and Theresa and Russ Schindehette (“Owners”) subjected her to discriminatory terms, conditions, privileges or services and facilities, and subjected her to interference in the enjoyment of facilities due to her race, in violation of Sections 3-102(B) and 3-105.1 of the Act.

On October 6, 2011, the Respondent dismissed the Petitioner’s charge in its entirety. The Petitioner filed a timely Request.

Petitioner, a condominium unit owner, alleges that the Owners rented out their condominium unit to two tenants who blocked Petitioner’s access to the back gate. When Petitioner objected to this, the Owners and the Association did nothing, and the tenants had Petitioner arrested for damaging their cars and obtained an order of protection against her. The Association also failed to address Petitioner’s complaints about another tenant’s barking dogs.

Section 3-102(B) prohibits altering the “terms, conditions, or privileges” of a real estate transaction based on racial discrimination, and Section 3-105.1 prohibits interference in enjoyment of facilities on account of having exercised a right to nondiscrimination in housing. Petitioner must show

¹ This Order is in accordance with votes cast by Commissioners Gash, Walsh, and Viverito prior to the expiration of their terms.
² In a request for review proceeding, the Illinois Department of Human Rights is the “Respondent.” The party to the underlying charge requesting review of the Illinois Department of Human Rights’s action shall be referred to as the “Petitioner.”

