

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST	)	
FOR REVIEW BY:	)	CHARGE NO.: <b>2011CH2302</b>
	)	HUD NO.: <b>05-11-0599-8</b>
<b>CARL LI PETRI and JEAN LI PETRI,</b>	)	ALS NO.: <b>12-0228</b>
	)	
	)	
Petitioner.	)	

**ORDER**

This matter coming before the Commission by a panel of three, Commissioners Lauren Beth Gash<sup>1</sup>, Hermene Hartman, and Nabi R. Fakroddin presiding, upon the Request for Review (“Request”) of Carl Li Petri and Jean Li Petri (“Petitioners”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)<sup>2</sup> of Charge No. 2011CH2302 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 February 10, 2011, Petitioners filed a charge of discrimination with the Respondent alleging that Rozina and Badruddin Gaulani (“Sellers”) refused to sell a home to the Petitioners because of their religion, in violation of Section 3-102(A) of the Illinois Human Rights Act (“Act”). Petitioners allege that, after they made an offer on the Sellers’ home, the Sellers instead sold the home to another buyer of the same religion as the Sellers.

On January 10, 2012, the Respondent dismissed the Petitioner’s charge in its entirety. The Petitioner filed a timely Request.

In order to establish a *prima facie* case, a petitioner is generally required to show that: 1) the petitioner is a member of a protected group; 2) the petitioner applied for an opportunity and was qualified for the opportunity; 3) the opportunity was denied to the petitioner; and 4) after the opportunity was denied, the opportunity was offered to others not in the protected group. Turner v. Human Rights Comm’n, 177 Ill. App. 3d 476, 487–88 (1988). Even if Petitioners could make such a case, the Sellers rebutted it with documentary evidence showing that the eventual buyer of the home made an offer before Petitioners did, negotiations on that offer concluded before Sellers rejected Petitioners’ offer, and the eventual sale price was higher than that offered by Petitioners. This constitutes a legitimate, nondiscriminatory reason for accepting one offer over another. Id. at 488-89.

---

<sup>1</sup> This Order is in accordance with a vote cast by Commissioner Gash prior to the expiration of her term.  
<sup>2</sup> 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.”

