

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST)	
FOR REVIEW BY:)	CHARGE NO.: 2012CH0987
)	HUD NO.: 05-12-0028-8
BARBARA GREENE,)	ALS NO.: 12-0474
)	
)	
Petitioner.)	

ORDER

This matter coming before the Commission by a panel of three, Commissioners Hamilton Chang, Steve Kim, and Robert A. Cantone presiding, upon the Request for Review (“Request”) of Barbara Greene (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)¹ of Charge No. 2012CH0987 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 the Petitioner’s charge for **LACK OF SUBSTANTIAL EVIDENCE** is **SUSTAINED**.

DISCUSSION

On October 7, 2011, the Petitioner filed a charge of discrimination with the Respondent alleging that Interstate Realty Management Company (“Landlord”) subjected her to discriminatory terms, conditions, privileges, or services and facilities because of her race and mental disability, in violation of Sections 3-102(B) and 3-102.1(B) of the Illinois Human Rights Act (“Act”). Petitioner claims that Landlord failed to make timely repairs to her apartment, refused to pay for possessions damaged by flooding, did not treat her apartment for bedbugs, did not punish another tenant who insulted her, forced her to pay a deposit for her dog, and issued her a violation notice for being abusive to Landlord’s employees.

On March 6, 2012, the Respondent dismissed the Petitioner’s charge in its entirety. The Petitioner filed a timely Request.

Sections 3-102(B) and 3-102.1(B) prohibits altering the “terms, conditions, or privileges” of a real estate transaction based on racial or disability discrimination. Petitioner must show that she was a member of a protected class; Landlord was aware of her membership; Landlord subjected her to an adverse action; Landlord did so because of Petitioner’s membership in a protected class; and Landlord treated similarly situated tenants who were not members of that class more favorably under similar circumstances. Petitioner’s claims fail at the final prong: she cannot show that other tenants outside her racial group, without a disability, were treated more favorably.

¹ 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.”

Accordingly, the Petitioner has not presented any evidence to show that the Respondent's dismissal of the charge was not in accordance with the Act.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The dismissal of the Petitioner's charge is hereby **SUSTAINED**.
2. This is a final Order. A final Order may be appealed to the Appellate Court by filing a petition for review, naming the Illinois Human Rights Commission, the Illinois Department of Human Rights, and Interstate Realty Management Company as respondents, with the Clerk of the Appellate Court within 35 days after the date of service of this Order.

STATE OF ILLINOIS)
) **Entered this 2nd day of November 2018.**
HUMAN RIGHTS COMMISSION)

Commissioner Robert A. Cantone

Commissioner Hamilton Chang

Commissioner Steve Kim