

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST	)	
FOR REVIEW BY:	)	CHARGE NO.: <b>2012CH1992</b>
	)	HUD NO.: <b>05-12-0369-8</b>
<b>DOROTHY MURPHY,</b>	)	ALS NO.: <b>12-0530</b>
	)	
	)	
Petitioner.	)	

**ORDER**

This matter coming before the Commission by a panel of three, Commissioners Duke Alden, Patricia Bakalis Yadgir, and Terry Cosgrove<sup>1</sup> presiding, upon the Request for Review (“Request”) of Dorothy Murphy (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)<sup>2</sup> of Charge No. 2012CH1992 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 January 12, 2012, the Petitioner filed a charge of discrimination with the Respondent alleging that Chicago Housing Authority (“Landlord”) subjected her to unequal terms, conditions, privileges or services and facilities, and tried to intimidate her on account of having exercised her rights, in violation of Sections 3-102(B) and 3-105.1 of the Illinois Human Rights Act (“Act”).

On May 14, 2012, the Respondent dismissed the Petitioner’s charge in its entirety. The Petitioner filed a timely Request.

Petitioner, who had filed several HUD complaints against Landlord, informed Landlord in May 2011 that she had lost her job and needed to have her rent lowered. Landlord required Petitioner to submit documentation of unemployment benefits and child support. Petitioner did not immediately submit these documents; in the meantime, on October 28, 2011, Landlord informed Petitioner of its intent to terminate her from the housing voucher program. Petitioner eventually submitted the desired documents, Landlord lowered her rent, and Petitioner was not terminated from the voucher program.

Section 3-102(B) prohibits altering the “terms, conditions, or privileges” of a real estate transaction based on 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

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<sup>1</sup> This Order is in accordance with a vote cast by Commissioner Cosgrove prior to the expiration of his 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.”

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 did not meet the third or fifth elements. Since Landlord did not terminate her from the voucher program, and in fact lowered her rent, she did not suffer an adverse action. She also did not provide any evidence that similarly-situated tenants were treated more favorably.

Section 3-105.1 prohibits interference, coercion, or intimidation on account of having exercised rights under Article 3. A *prima facie* case of retaliation requires evidence that the Petitioner engaged in a protected activity, that they suffered an adverse action, and that there is evidence of a causal connection between the protected activity and the adverse action. See Welch v. Hoeh, 314 Ill. App. 3d 1027, 1035 (3rd Dist. 2000). Again, Petitioner did not show that she suffered an adverse action on account of having filed previous HUD complaints against Landlord.

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 Chicago Housing Authority, 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 Duke Alden

Commissioner Terry Cosgrove

Commissioner Patricia Bakalis Yadgir