

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST)	
FOR REVIEW BY:)	CHARGE NO.: 2012CH2978
)	HUD NO.: 05-12-0686-8
JANE LONG,)	ALS NO.: 12-0614
)	
)	
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 Jane Long (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”) ¹ of Charge No. 2012CH2978 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 April 11, 2012, the Petitioner filed a charge of discrimination with the Respondent alleging that DK Condo, A Draper and Kramer Company d/b/a Lake Terrace Management (“Management”) subjected her to discriminatory terms, conditions, privileges or services and facilities because of her sex, in violation of Section 3-102(B) of the Illinois Human Rights Act (“Act”). Petitioner rented a condominium unit managed by Management. When she wanted to move to a different unit managed by a different company, Management allegedly gave Petitioner a bad reference by telling the new company that Petitioner had conflicts with Management’s security guards. Petitioner alleges that this poor reference led to her being denied the new rental.

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

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; Management was aware of her membership; Management subjected her to an adverse action; Management did so because of Petitioner’s membership in a protected class; and Management treated similarly situated tenants who were not members of that class more favorably under similar circumstances. Even assuming that Management’s reference led to Petitioner being denied the new rental (which the other company denies), Petitioner’s claim fails at the final prong: she has not

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.”

