

Superseded 5/12/2015

57-21-2 Definitions.

As used in this chapter:

- (1) "Aggrieved person" includes any person who:
 - (a) claims to have been injured by a discriminatory housing practice; or
 - (b) believes that the person will be injured by a discriminatory housing practice that is about to occur.
- (2) "Commission" means the Labor Commission.
- (3) "Complainant" means an aggrieved person, including the director, who has commenced a complaint with the division.
- (4) "Conciliation" means the attempted resolution of issues raised by a complaint of discriminatory housing practices by the investigation of the complaint through informal negotiations involving the complainant, the respondent, and the division.
- (5) "Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation.
- (6) "Conciliation conference" means the attempted resolution of issues raised by a complaint or by the investigation of a complaint through informal negotiations involving the complainant, the respondent, and the division. The conciliation conference is not subject to Title 63G, Chapter 4, Administrative Procedures Act.
- (7) "Covered multifamily dwellings" means:
 - (a) buildings consisting of four or more dwelling units if the buildings have one or more elevators; and
 - (b) ground floor units in other buildings consisting of four or more dwelling units.
- (8) "Director" means the director of the division or a designee.
- (9)
 - (a) "Disability" means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment.
 - (b) "Disability" does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. Sec. 802.
- (10) "Discriminate" includes segregate or separate.
- (11) "Discriminatory housing practice" means an act that is unlawful under this chapter.
- (12) "Division" means the Division of Antidiscrimination and Labor established under the commission.
- (13)
 - (a) "Dwelling" means any building or structure, or a portion of a building or structure, occupied as, or designed or intended for occupancy as, a residence of one or more families.
 - (b) "Dwelling" also includes vacant land that is offered for sale or lease for the construction or location of a dwelling as described in Subsection (13)(a).
- (14)
 - (a) "Familial status" means one or more individuals who have not attained the age of 18 years being domiciled with:
 - (i) a parent or another person having legal custody of the individual or individuals; or
 - (ii) the designee of the parent or other person having custody, with the written permission of the parent or other person.
 - (b) The protections afforded against discrimination on the basis of familial status shall apply to any person who:
 - (i) is pregnant;

- (ii) is in the process of securing legal custody of any individual who has not attained the age of 18 years; or
 - (iii) is a single individual.
- (15) "National origin" means the place of birth of an individual or of any lineal ancestors.
- (16) "Person" includes one or more individuals, corporations, limited liability companies, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under the United States Bankruptcy Code, receivers, and fiduciaries.
- (17) "Presiding officer" has the same meaning as provided in Section 63G-4-103.
- (18) "Real estate broker" or "salesperson" means a principal broker, an associate broker, or a sales agent as those terms are defined in Section 61-2f-102.
- (19) "Respondent" means a person against whom a complaint of housing discrimination has been initiated.
- (20) "Sex" means gender and includes pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
- (21) "Source of income" means the verifiable condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.