

Effective 5/12/2015

57-21-2 Definitions.

As used in this chapter:

- (1) "Affiliate" means the same as that term is defined in Section 16-6a-102.
- (2) "Aggrieved person" includes a 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.
- (3) "Commission" means the Labor Commission.
- (4) "Complainant" means an aggrieved person, including the director, who has commenced a complaint with the division.
- (5) "Conciliation" means the attempted resolution of an issue raised in a complaint of discriminatory housing practices by the investigation of the complaint through informal negotiations involving the complainant, the respondent, and the division.
- (6) "Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation.
- (7) "Conciliation conference" means the attempted resolution of an issue raised in 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.
- (8) "Covered multifamily dwelling" means:
 - (a) a building consisting of four or more dwelling units if the building has one or more elevators; and
 - (b) the ground floor units in other buildings consisting of four or more dwelling units.
- (9) "Director" means the director of the division or a designee.
- (10)
 - (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.
- (11) "Discriminate" includes segregate or separate.
- (12) "Discriminatory housing practice" means an act that is unlawful under this chapter.
- (13) "Division" means the Division of Antidiscrimination and Labor established under the commission.
- (14) "Dwelling" means:
 - (a) a building or structure, or a portion of a building or structure, occupied as, designed as, or intended for occupancy as a residence of one or more families; or
 - (b) vacant land that is offered for sale or lease for the construction or location of a dwelling as described in Subsection (14)(a).
- (15)
 - (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 one or more 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 apply to a 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.
- (16) "Gender identity" has the meaning provided in the Diagnostic and Statistical Manual (DSM-5). A person's gender identity can be shown by providing evidence, including, but not limited to, medical history, care or treatment of the gender identity, consistent and uniform assertion of the gender identity, or other evidence that the gender identity is sincerely held, part of a person's core identity, and not being asserted for an improper purpose.
- (17) "National origin" means the place of birth of an individual or of any lineal ancestors.
- (18) "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.
- (19) "Presiding officer" has the same meaning as provided in Section 63G-4-103.
- (20) "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.
- (21) "Respondent" means a person against whom a complaint of housing discrimination has been initiated.
- (22) "Sex" means gender and includes pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
- (23) "Sexual orientation" means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual.
- (24) "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.

Amended by Chapter 13, 2015 General Session