RESOLUTION FROM GREATER TALLAHASSEE CHAMBER OF COMMERCE
ON THE REMOVAL OF RACIALLY RESTRICTIVE LANGUAGE IN ALL
RESIDENTIAL RECORDING INSTRUMENTS ON REAL PROPERTY IN THE
CITY OF TALLAHASSEE AND LEON COUNTY, FLORIDA

WHEREAS, the Federal Housing Administration created a program in 1934 that
required racially restrictive language in restrictive covenants for developers to
receive financial incentives for residential development.

WHEREAS, in 1948 in the landmark United States Supreme Court case, Shelley v.
Kraemer, the Court held that enforcement of racially restrictive covenants violated
the Equal Protection Clause of the 14th Amendment of the United States
Constitution and, therefore, ruled that those covenants are unenforceable.

WHEREAS, in 1968, the Federal Fair Housing Act made the practice of writing
racially restrictive covenants into recording instruments on residential property
illegal.

WHEREAS, despite their unenforceability, racially restrictive covenants and
instruments are still common and are being provided to prospective purchasers of
real property.

WHEREAS, racially restrictive language is offensive and is a painful reminder of this
country’s shadow of racial inequality and division.

WHEREAS, many homeowners and business owners still see the offensive
language in the recorded instruments because the language runs with the land and
there are currently no laws in place to remove or redact the racially restrictive
language.

WHEREAS, no one in this community should experience this reminder of racism
and discrimination, when they purchase real estate in the City of Tallahassee and
Leon County.

WHEREAS, the Greater Tallahassee Chamber of Commerce deems it to be in the
best interest of the citizens and residents of the City of Tallahassee to adopt this
resolution.

NOW, therefore, be it resolved by the Greater Tallahassee Chamber of Commerce
Board of Directors that racially restrictive language found in all recording
instruments on real property in Tallahassee is offensive, unenforceable, illegal,
unconstitutional, and hereby disavowed.

Date September 24, 2019