



[Another Judge Rules Farmers Branch Rental Ban Is Unconstitutional](#)

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For the second time, a federal judge has declared a Farmers Branch ordinance banning illegal immigrants from renting in the city to be unconstitutional. Here are excerpts from a [Dallas Morning News](#) article reporting this decision:

U.S. District Judge Jane Boyle of Dallas ruled Wednesday that the ordinance was an attempt to enforce U.S. immigration laws – something the judge said only the federal government can do.

The judge also issued a permanent injunction to stop Farmers Branch from enforcing Ordinance 2952.

Mayor Tim O'Hare, the driving force behind the ordinances, said he wants to appeal.

"The American people are tired of judges legislating from the bench," he said. "This decision is not unexpected but welcomed, because it allows us to get closer to this ordinance becoming reality."

But O'Hare said the City Council would have to vote on whether to continue a fight that has cost the city nearly \$3.2 million since September 2006. And the city may need to spend an additional \$623,000 in legal fees in the year ahead, city finance director Charles Cox said Wednesday.

About one-quarter of the estimated 30,000 people who live in Farmers Branch were born outside the United States. About 47 percent of the city's population is Hispanic.

In the past four years, the city has proposed a series of ordinances that would make it illegal for landlords to rent to illegal immigrants. A version approved by the council in 2006 was repealed in early 2007 to make way for another ordinance.

That ordinance, No. 2903, was approved by two-thirds of voters in 2007 but later declared unconstitutional by U.S. District Judge Sam Lindsay. The city abandoned an appeal of that ordinance in favor of Ordinance 2952. No. 2952 added all rental units, including houses, to the ban on renting to illegal immigrants.

Kraft & Associates
2777 Stemmons Freeway
Suite 1300
Dallas, Texas 75207
Toll Free: (800) 989-9999
FAX: (214) 637-2118
E-mail: info@kraftlaw.com