

344.645 Final order of commission -- Civil penalty.

- (1) If the commission finds that a respondent has engaged or is about to engage in a discriminatory housing practice, the commission shall promptly issue a final order for appropriate relief, which may include actual damages suffered by the aggrieved person and injunctive or other equitable relief. The final order may, to vindicate the public interest, assess a civil penalty against the respondent:
 - (a) In an amount not exceeding ten thousand dollars (\$10,000) if the respondent has not been adjudged to have committed any prior discriminatory housing practice;
 - (b) In an amount not exceeding twenty-five thousand dollars (\$25,000) if the respondent has been adjudged to have committed one (1) other discriminatory housing practice during the five (5) year period ending on the date of the filing of this charge; and
 - (c) In an amount not exceeding fifty thousand dollars (\$50,000) if the respondent has been adjudged to have committed two (2) or more discriminatory housing practices during the seven (7) year period ending on the date of the filing of this charge; except that if the acts constituting the discriminatory housing practice that is the object of the charge are committed by the same natural person who has been previously adjudged to have committed acts constituting a discriminatory housing practice, then the civil penalties set forth in paragraphs (b) or (c) of this subsection may be imposed without regard to the period of time within which any subsequent discriminatory housing practice occurred.
- (2) No final order shall affect any contract, sale, encumbrance, or lease consummated before the issuance of the final order and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the discriminatory housing charge.
- (3) If the commission finds that the respondent has not engaged or is not about to engage in a discriminatory housing practice, the commission shall enter a final order dismissing the charge. The commission shall make public disclosure of the dismissal.
- (4) The commission shall issue a final order in accordance with the provisions of KRS Chapter 13B.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 318, sec. 325, effective July 15, 1996. -- Created 1992 Ky. Acts ch. 282, sec. 25, effective July 14, 1992.