

344.665 Institution of civil actions by commission or Attorney General -- Powers of court.

- (1) The commission or the Attorney General may file a civil action in Circuit Court for appropriate relief if the commission or Attorney General has probable cause to believe that:
- (a) Any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any housing right granted by this chapter; or
 - (b) Any group of persons has been denied any housing right granted by this chapter and the denial raises an issue of general public importance; or
 - (c) Any state or local zoning or land use law is a discriminatory housing practice. The action shall be brought within eighteen (18) months of the occurrence or termination of the alleged discriminatory practice; or
 - (d) A conciliation agreement has been breached.

The action shall be brought within ninety (90) days of the commission or Attorney General receiving notice of the breach.

- (2) In an action under this section, the court:
- (a) May award preventive relief, including a permanent or temporary injunction, restraining order, or other order against the person responsible for a violation to assure the full enjoyment of the rights granted by this chapter;
 - (b) May award other appropriate relief, including compensatory and punitive damages;
 - (c) May award a reasonable attorney's fee and costs to the prevailing party to the same extent allowed in KRS 344.660. The state shall not be liable in any event for fees and costs; and
 - (d) May, to vindicate the public interest, assess a civil penalty against the respondent in an amount that does not exceed:
 - 1. Fifty thousand dollars (\$50,000) for a first violation; and
 - 2. One hundred thousand dollars (\$100,000) for a second or subsequent violation.
 - (e) A person may intervene in an action under this section if the person is:
 - 1. An aggrieved person to the discriminatory housing practice; or
 - 2. A party to a conciliation agreement concerning the discriminatory housing practice.

Effective: July 14, 1992

History: Created 1992 Ky. Acts ch. 282, sec. 31, effective July 14, 1992.