

Commission on Human Rights

Kentucky Human Rights Commission Board makes rulings on discrimination complaints at February meeting

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February 10, 2012 – Frankfort, Ky. – The Kentucky Commission on Human Rights Board of Commissioners met this week at the state capitol in Frankfort to rule on discrimination complaints for the Commonwealth.

The board ruled to accept five conciliation agreements. It ruled to dismiss 17 complaints with findings of no probable cause to believe that discrimination occurred. It accepted one case withdrawal with private settlement. It ruled to accept three complaint withdrawals without settlement and that gave the complainants the right to file private suits.

Conciliation agreements are similar to settlements and are negotiated by commission discrimination complaint investigators and attorneys. The agreements do not constitute admission by respondents of any violation of the law. All respondents agree to comply with civil rights law.

Conciliation Agreements

Complaint number 1597-H, Mary Bargo v. Billy Caldwell, complaint number 1598-H, Penny Rasberry v. Billy Caldwell, and complaint number 1612-H, Leslie Lively v. Billy Caldwell, in Coldiron, Ky.: Complainants Mary Bargo, Penny Rasberry, and Leslie Lively, in three separate complaints, alleged that Billy Caldwell discriminated against them based on sex. Specifically, the complainants alleged that Caldwell, a property owner from whom they rented housing, sexually harassed them. This would be in violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. The respondent denied all allegations and asserted that he did not violate the law. Before the commission completed its investigations, the parties agreed to conciliate the complaints in three separate conciliation agreements. The respondent affirmed that his housing policies and practices comply with civil rights law. He agreed to offer the opportunity to inspect, select, purchase and lease real estate without regard to race, color, religion, sex, disability, national origin, or familial status. He agreed not to discriminate on the basis of sex including committing any acts of sexual harassment toward current or prospective tenants. He agreed to pay \$4,000 to Bargo, \$4,000 to Rasberry, and \$4,000 to Lively, in exchange for mutual releases among the parties and the commission. He agreed that he and any employees will undergo civil rights compliance training and compliance monitoring by the commission for three years.

Case number 1608-H, Jayd Crossley v. MOHAR Investments Inc. and Charlotte Moore, in Owensboro, Ky.: Jayd Crossley alleged that MOHAR Investments and Charlotte Moore discriminated against her based on familial status in housing, a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. Crossley rented from the respondents under a one-year lease term. She claimed that after she became pregnant, the respondents informed her before her lease term was ended that they would not renew her lease because they do not allow children in their rental units. Crossley claimed she was then forced to vacate her apartment. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act, which in the area of housing prohibits discrimination against families with children under the age of 18, and includes protection for pregnant women. After its investigation, the commission prepared to issue a finding of probable cause that discrimination had taken place. Before the finding was issued, the parties agreed to resolve the complaint with a conciliation agreement. The respondents denied any violation of the law and affirmed that they comply with civil rights and fair housing laws and that they do not discriminate against prospective or current renters of their properties on the basis of family status. The respondents agreed to pay \$8,000 to Crossley in exchange for mutual releases among the parties and the commission, and agreed to act as a reference in her future efforts to acquire housing. The respondents agreed to undergo civil rights compliance training and compliance monitoring by the commission for three years.

Complaint number 1622-H, Adam Conklin v. Hogg Rentals and Emogene Hogg, in Berea, Ky.: Adam Conklin alleged that Hogg Rentals and Emogene Hogg discriminated against him on the basis of familial status in the area of housing, a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. He claimed that his housing provider required him to pay more in rent because he had children in his home under the age of 18. Hogg Rentals denied all allegations and asserted that it did not discriminate against Conklin because he had children under 18. Before the commission completed its investigation, the parties agreed to resolve the complaint with a conciliation agreement. The respondent affirmed that it complies with fair housing law and that it does not discriminate based on any protected class including that of family status. Hogg Rentals agreed to pay the complainant \$155.83, and to modify Conklin's lease agreement to include a monthly rental amount that does not reflect an increase due to the presence of children in the home. The respondent agreed to undergo compliance training and compliance monitoring by the commission for three years.

The Kentucky Commission on Human Rights is the state government agency that enforces the Kentucky Civil Rights Act and the U.S. Civil Rights Act. These laws make discrimination illegal. The Kentucky Civil Rights Act protects people from discrimination based on the protected classes of race, color, sex, religion, national origin, age, disability, family status, and tobacco-smoking status. These are protected with varying stipulations in the areas of employment, public accommodations, housing, and financial transactions.

For more information or to ask for help regarding discrimination, contact the Kentucky Commission on Human Rights at 1.800.292.5566. Visit the website at www.kchr.ky.gov to learn

more about civil rights. From this web site, access the commission's Facebook and Twitter pages where civil rights-related news from a wide variety of media is published.