

Commission on Human Rights

KY Human Rights Commission rules on discrimination complaints at June 2014 meeting

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Thursday, June 19, 2014, Louisville, Kentucky USA – The Kentucky Commission on Human Rights Board of Commissioners met today to rule on discrimination complaints for the people of Kentucky. The meeting was held at commission headquarters in downtown Louisville, Ky.

The commission ruled to approve two conciliation agreements. It ruled to accept three case withdrawals that were resolved with private settlements. It accepted three case withdrawals, in each, giving complainants the right to file private suits. The board ruled to dismiss 15 complaints with findings of no probable cause to evidence that discrimination occurred, and it ruled to dismiss one case without prejudice. Since the May commission meeting, the agency resolved three complaints with private mediations.

Conciliation agreements are similar to settlement agreements and are negotiated by commission representatives. Respondents participating in the agreements deny any allegations of unlawful discrimination and violations of civil rights law. Following is a summary of the conciliation agreements approved at the meeting:

Lexington Fair Housing Council Inc. v. Mt. Sterling Place Apartments II LLC and Williams Estates Apartments, in Mt. Sterling, Ky.: The Lexington Fair Housing Council complained to the commission on Nov. 13, 2013 that the Williams Estates Apartments located at 2005 John Stuart Drive, and its owners, discriminated against it based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344), the U.S. Civil Rights Act, and their respective Fair Housing acts. The council claimed that it is a fair housing organization with the mission of promoting equal housing opportunities in Kentucky. It claimed it conducted an investigation regarding the accessibility of the William Estates Apts. property, which revealed that certain common areas were inaccessible to people with disabilities. The owner, Mt. Sterling Place Apts. II LLC., denied any violation of the law. The Kentucky Commission on Human Rights during the course of its case investigation assisted the parties in resolving the complaint with a conciliation agreement. Sterling Place agreed to compensate the council in the amount of \$500, to bring into compliance property areas that

were not accessible to people with disabilities, to undergo fair housing compliance training, and to submit to commission compliance monitoring for three years.

Beverly Eversole v. Kimberly Hawkins and Alexandria Associates, in Alexandria, Ky.: Beverly Eversole complained on November 17, 2013 to the commission that a rental property representative of owner Kimberly Hawkins et al. discriminated against Eversole based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344) and the U.S. Civil Rights Act and their respective Fair Housing acts. Eversole claimed she was harassed based on a perceived disability and that she was unlawfully required to provide personal health-related information to the property owner's representative. The respondents denied any violation of the law. After the commission investigation, the commission prepared to issue a determination of probable cause, indicating there was evidence to believe discrimination may have occurred. Prior to the probable cause issuance, the parties chose to resolve the matter with a conciliation agreement rather than pursue further litigation. The commission negotiated the conciliation wherein the respondents agreed to compensate Eversole in the amount of \$1,000, to undergo fair housing compliance training, to comply with fair housing law, and to submit to compliance monitoring by the commission for three years.

The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act, and through its affiliations with the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Dept. of Housing and Urban Development (HUD), enforces the United States Civil Rights Act.

The Kentucky Civil Rights Act makes it illegal to discriminate against people in the areas of employment, financial transactions, housing and public accommodations. Discrimination is prohibited based on race, color, religion, national origin, gender, and disability. In employment, discrimination is further prohibited on the basis of age (40-years and over) and tobacco-smoking status. In housing, discrimination is further prohibited based on familial status, which protects people with children in the household under the age of 18-years old and protects women who are pregnant.

For more information, contact the commission at 1.800.292.5566. For details about civil rights and commission activities, visit the website at kchr.ky.gov. For news about civil rights and information pertaining to protected classes, visit the Kentucky Commission on Human Rights Facebook and Twitter sites.