

# Commission on Human Rights

## **KY Human Rights Commission issues October 2014 discrimination complaint rulings**

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The Kentucky Commission on Human Rights Board of Commissioners ruled in October on discrimination complaints for the people of Kentucky. The meeting was held at Western Kentucky University in Bowling Green, Ky.

The commission ruled to approve two conciliation agreements. It approved two case withdrawals, giving complainants the right to file private suits. The board ruled to dismiss seven complaints with findings of no probable cause to evidence that discrimination occurred. The commission successfully resolved one complaint through private mediation.

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:

Juan Castillo v. Winding Brook Apartments, in Lexington, Ky.: Juan Castillo complained to the commission on Feb. 26, 2014, that he was discriminated against by his landlords 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. Fair Housing Act. Castillo claimed that at the rental property where he lived located at 1949 Cambridge Drive in Lexington, the respondents refused to allow him to install a disability ramp and refused to install for him a disability ramp to cover a four-inch drop from the parking lot to the sidewalk as a reasonable modification to allow him egress and ingress to his apartment building. The commission determined there was probable cause to believe that discrimination may have occurred. However, prior to the matter proceeding to a hearing or trial, the parties agreed to resolve the complaint with a conciliation agreement. Winding Brook Apartments denied any violation of the law and agreed it will not in the future discriminate on the basis of disability, including denying requests for reasonable accommodations or modifications by disabled tenants or prospective tenants. Winding Brook agreed to compensate Castillo in the amount of \$12,000, to undergo fair housing law compliance training, and to submit to compliance monitoring by the commission for three years.

Kate Smith v. the Housing Authority of Catlettsburg & Cheri James, in Catlettsburg, Ky.: Kate Smith complained to the commission on Feb. 6, 2014, that she was discriminated against by the Housing Authority of Catlettsburg and Cheri James based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. She claimed the respondents refused to provide her with a reasonable accommodation regarding a disability. The commission determined there was probable cause to believe that discrimination may have occurred. Before the matter proceeded to a hearing or trial, the parties agreed to resolve the complaint with a conciliation agreement. The Housing Authority of Catlettsburg and James denied any violation of the law. The respondents agreed to compensate Smith in the amount of \$6,000, to undergo fair housing law compliance training, and to submit to commission 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](http://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.