

# Commission on Human Rights

## Kentucky Human Rights Commission April 2015 Rulings on Discrimination Complaints

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The Kentucky Commission on Human Rights Board of Commissioners at its April 2015 meeting in Louisville, Ky., headquarters ruled upon discrimination complaints for the people of the Commonwealth of Kentucky.

The commission ruled to accept three conciliation agreements and accept five case withdrawals that were resolved with private settlements after respondents were made aware complaints had been filed with the commission. The board accepted 10 case withdrawals giving complainants the right to file private suits and ruled to dismiss 16 complaints with findings of no probable cause to evidence discrimination may have occurred.

Conciliation agreements are similar to settlements and are negotiated by commission officials. The following are conciliations agreements ruled upon and accepted during the April meeting:

**Sandra Burton v. Roy Lewis in Frankfort, Ky.:** In February 2014, Sandra Burton complained to the commission, alleging she was a victim of discrimination based on **sex in the area of housing**. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. She alleged that Roy Lewis, her landlord, sexually harassed her. Upon investigation, the commission issued a finding of probable cause to believe discrimination may have occurred. Prior to the matter proceeding to a hearing or trial, the parties chose to resolve the matter with a conciliation agreement. The respondent denied any violation of the law. He affirmed his real estate and housing policies and practices comply with the federal and state Fair Housing Acts. He agreed that he will not discriminate on the basis of sex, including committing any acts of sexual harassment towards tenants or prospective tenants. He agreed he will not interact directly with any tenant or prospective tenant without the presence of a third-party adult. He compensated Burton in the amount of \$10,000. He agreed to undergo fair housing training and submit to commission compliance monitoring for three years.

The agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that these conciliations are a compromise of disputed claims.

**Janice Bradberry v. Central Christian Church Apts. Inc. and Steve Harp in Lexington, Ky.:** In July 31 2014, Janice Bradberry complained to the commission, alleging she was a victim of discrimination based on **disability in the area of housing**. This would be a

violation of the U.S. and Kentucky Civil Rights acts. Prior to a determination, the parties chose to resolve the matter with a conciliation agreement. This was a voluntary conciliation agreement by the parties. The parties understand and agree that the agreement does not constitute an admission by respondents of any violation of the KCRA, the FHA, or any other statute or regulation. The respondents specifically deny any such violation. They affirmed their real estate and housing policies and practices comply with the Fair Housing Acts, and the conciliation agreement. The respondents compensated Bradberry in the amount of \$10,000. They will undergo fair housing training and submit to commission compliance monitoring for three years.

The agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that these conciliations are a compromise of disputed claims.

**Mark Wilson v. Dosker Manor Apts. et. al in Louisville, Ky.:** In October 2014, Mark Wilson complained to the commission, alleging he was a victim of discrimination based on **disability in the area of housing**. This would be a violation of the U.S. and Kentucky Fair Housing acts. He alleged that his landlord Dosker Manor Apts. et. al by failing to provide him an accessible parking space was in violation of the law. Prior to a determination, the parties chose to resolve the matter with a conciliation agreement. The respondents denied any violation of the law. They agreed to create two permitted parking spaces accessible to vehicles with side lifts or ramps; to only issue permits to vehicles owned, registered and insured by a lawful resident with a disability who uses a side lift or ramp in the vehicle; to strictly enforce a policy that only those with “side lift vehicle” parking permits may park in the spaces; and to immediately issue a permit to Wilson. They agreed to undergo fair housing training and submit to commission compliance monitoring for three years.

The agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that these conciliations are a compromise of disputed claims.

The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344), and, through its affiliations with the U.S. Equal Employment Opportunity Commission and the U.S. Dept. of Housing and Urban Development, enforces federal civil rights laws.

The Kentucky Civil Rights Act makes it unlawful to discriminate against people in the areas of employment, financial transactions, housing and public accommodations. Discrimination is prohibited in the aforementioned areas 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 on the basis of 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 it protects women who are pregnant. It is also a violation of the law to retaliate against a person for complaining of discrimination to the commission.

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