

# Kentucky Commission on Human

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## **Kentucky Commission on Human Rights issues rulings on discrimination complaints for January 2016**

January 27, 2016

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For help with discrimination, contact commission headquarters-1.800.292.5566

The Kentucky Commission on Human Rights Board of Commissioners at its regular meeting on January 26 in Lexington, Ky., ruled upon discrimination complaints for the people of the Commonwealth of Kentucky. The commission held its meeting outside Louisville headquarters to also hold a legal symposium at the University of Kentucky in commemoration of the Kentucky Civil Rights Act 50th Anniversary.

The commission ruled to approve two conciliation agreements. The board accepted four case withdrawals giving complainants the right to file private suits and ruled to dismiss 18 complaints with findings of no probable cause to evidence discrimination may have occurred. The commission resolved three cases through mediation with private agreements. Mediations are legally private sessions held face-to-face between complainants and respondents and led by a commission attorney. Mediation terms are private similar to settlements.

Conciliation agreements are similar to settlements and are negotiated by commission officials during the course of investigation of charges of alleged discrimination. The following are conciliations agreements ruled upon and accepted during the Jan. 26 meeting:

Lexington Fair Housing Council Inc. v. Travis Keller, agent/owner of Glenwood Apartments, in Bowling Green, Ky.: In July 2015, the Lexington Fair Housing Council complained to the commission, alleging that Travis Keller, owner/agent of Greenwood Apartments located at 1303 East 13th Ave., in Bowling Green, discriminated against individuals with disabilities in the area of housing. This would be a violation of the Kentucky Civil Rights Act (KRS Chapter 344) and the U.S. Fair Housing Act. The Lexington Fair Housing Council claimed it conducted an investigation that revealed the respondent refused to rent to individuals with emotional support animals. Keller denied any violation of the law. Prior to the commission issuing a determination of probable cause, which indicates a belief that discrimination may have occurred, the parties chose to resolve the complaint with a conciliation agreement. The respondent agreed to compensate the Lexington Fair Housing Council in the amount

of \$250. He agreed to undergo fair housing law compliance training and submit to commission compliance monitoring for one year. He affirmed that his real estate and housing policies and practices currently and in the future will comply with the Kentucky Civil Rights Act. He agreed to adopt and implement a written policy stating that he will provide reasonable accommodations as necessary for people with disabilities, including but not limited to reasonable accommodations to his "no-pet" policy for individual renters requiring support or service animals. The Lexington Fair Housing Council is a fair housing organization that operates to promote equal housing opportunities in Kentucky. The conciliation 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 the conciliation is a compromise of disputed claims.

Earlene Conner v. Summerfield Realty LLC and John Delaney , in Winchester, Ky.: In July 2015, Earlene Conner complained to the commission that her landlord discriminated against her 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. Conner claimed her landlord denied her a reasonable accommodation for her disability. She claimed her request was to have excluded from a new lease agreement a requirement of her to be responsible for cutting the grass where she rented at 526 E. Broadway in Winchester. She claimed she was informed if she did not sign a new lease agreement that included a requirement for her to be responsible for cutting the grass she would be required to vacate. It was discovered that Summerfield Realty was not a proper respondent in the complaint as Summerfield had relinquished management of the property to John Delaney, who the conciliation agreement states as owner and manager of the subject property through Buffalo Trace Homes LLC. The complaint was amended to add John Delaney as a respondent. The complaint against Summerfield was dismissed. Delaney denied any allegations of violation of the law and asserted that Conner did not make a reasonable accommodation request and vacated the property voluntarily. Prior to a commission determination, Conner and Delaney chose to resolve the matter with a conciliation agreement. Delaney agreed to compensate Conner in the amount of \$1,000, admitted no wrong-doing, agreed to attend fair housing training and submit to compliance monitoring by the commission. The conciliation 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 the conciliation is 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.

For help with discrimination, contact the commission at 1.800.292.5566. For information about the commission and civil rights, visit the website at [www.kchr.ky.gov](http://www.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. Directly link to the sites from the commission website address listed above.