



Commonwealth of Kentucky

## Kentucky Commission on Human Rights

Matthew G. Bevin, Governor

John J. Johnson, Executive Director

George W. Stinson, Chair

Press Release

Date: September 15, 2016

Media Contact: Victoria Stephens

Mrs. Stephens's direct phone: 502.641.0760

For help with discrimination, contact commission headquarters: 1.800.292.5566

### **Kentucky Commission on Human Rights issues September 2016 Discrimination Complaint Rulings**

LOUISVILLE – The Kentucky Commission on Human Rights Board of Commissioners at its regular meeting on September 15, 2016, ruled upon discrimination complaints for the people of the Commonwealth of Kentucky. The public government meeting was held at commission headquarters in Louisville, Ky.

The commission ruled to approve three conciliation agreements. It ruled to approve six case withdrawals that were resolved with private settlements after respondents were made aware complaints had been filed with the commission or during and after commission investigation. The commission accepted 16 case withdrawals giving complainants the right to file private suits and ruled to dismiss 37 complaints with findings of no probable cause to evidence discrimination may have occurred. The commission resolved two 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.

Conciliation agreements are similar to settlements and are negotiated by commission officials. The following conciliation agreements were ruled upon and accepted during the September 15 meeting:

Lexington Fair Housing Council v. W & A Rental, in Radcliff, Ky.: The Lexington Fair Housing Council in August 2015 complained to the commission, alleging that W & A Rental discriminated against people 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. The Lexington Fair Housing Council claimed it conducted a disability discrimination investigation at 258 West Vine Street in Radcliff, which revealed W & A Rental charged a non-refundable pet fee for emotional support animals. The council is a fair housing

organization with the mission to promote equal housing opportunities in Kentucky. The commission investigated and as a result prepared to issue a finding of probable cause, which indicates there is sufficient evidence to believe discrimination may have occurred. Before the finding was issued, the parties chose to resolve the matter with a conciliation agreement. W & A Rental denied all allegations of violation of the law. W & A affirmed that it does and shall comply with fair housing civil rights law, that it will write and implement policy that includes reasonable accommodations for people with disabilities such as not charging pet fees for support animals. W & A agreed to compensate the Lexington Fair Housing Council in the amount of \$250. W & A will undergo fair housing law compliance training and submit to commission compliance monitoring for three years. 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.

Judy Carver v. Ronald Hines, in Elizabethtown, Ky.: Judy Carver in October 2015 complained to the commission that Ronald Hines discriminated against her 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. Carver alleged Hines charged her a monthly pet fee for an emotional support animal that resided with her on a rental lot owned by Hines at 1771 Hodenville Road in Elizabethtown. The commission conducted an investigation after which it prepared to issue a finding of probable cause, which indicates sufficient evidence to believe discrimination may have occurred. Prior to the probable cause determination, the parties chose to resolve the matter with a conciliation agreement. Hines denied all allegations of violation of the law and affirmed that he does and shall comply with fair housing civil rights law. He affirmed that he is aware that it is against the law for any respondent of a discrimination complaint to commit acts of retaliation, intimidation or coercion. He agreed to compensate Carver in the amount of \$1,500 in the form of a rent credit. Hines agreed to undergo fair housing law compliance training and will submit to commission compliance monitoring for one year. 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.

Courtney Milligan v. Campus Evolution Villages (CEV Gables LP), in Bowling Green, Ky.: Courtney Milligan in April 2016 complained to the commission, alleging that Campus Evolution Villages, officially named CEV Gables LP, discriminated against her on the basis of her race (African American) 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. After the complaint was filed it was discovered the name of the company is actually CEV Gables LP. Milligan claimed she was the only African American tenant among white tenants at the rentals at 1909 Creason Street in Bowling Green when an insect problem was discovered. Milligan claimed CEV Gables LP attempted to charge her \$750 for insect treatment and did

not charge an insect treatment fee to the white tenants. She said when she complained about this, the landlord gave her an eviction notice and said that Milligan had not paid rent for three months. She claimed she paid rent for two months and that during the third month, CEV Gables LP refused to accept her rental payment. CEV Gables denied any allegations of violation of the law and asserted that Milligan was responsible for the damages and costs resulting from pest control as described in the lease. Before the commission reached any determination, the parties chose to resolve the matter with a conciliation agreement. CEV Gables affirmed that it does and shall comply with fair housing civil rights law. The company agreed to dismiss the eviction notice filed against Milligan. It agreed to waive the \$750 pest control expense charged to her account. It agreed to renew her lease in accordance with its current lease offers at the time of renewal if she requests renewal and is not in default of the lease. CEV agreed to undergo fair housing law compliance training and to submit to commission compliance monitoring. 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, 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 these 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 or to make a discrimination complaint, 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.