



Commonwealth of Kentucky

Kentucky Commission on Human Rights

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Press Release

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For help with discrimination, contact commission headquarters: 1.800.292.5566

Kentucky Commission on Human Rights issues discrimination complaint rulings for April 2017

LOUISVILLE, Ky. – The Kentucky Commission on Human Rights Board of Commissioners at its April 20 regular meeting ruled on discrimination complaints for the people of the Commonwealth of Kentucky. The public meeting was held at commission headquarters in downtown Louisville.

The commission approved: one conciliation agreement between a complainant and respondents, four cases in which private settlements were reached during the course of investigation or after respondents learned that complaints had been filed with the commission, six cases withdrawn without settlement and for which the complainants were given the right to file private suits against the respondents, and, 15 complaint dismissals with findings of no probable cause to evidence that discrimination may have occurred. During the last month, the commission mediated four cases.

Conciliation agreements may occur at any point after a complaint is filed and are similar to settlements. The agreements are negotiated by the commission. The commission mediates cases for complainants and respondents who choose to do so rather than undergo a commission investigation. The sessions consist of face-to-face discussion and negotiation with the presence and under the guidance of a commission mediator.

The following conciliation agreement was approved at the meeting:

Shawn West v. James Village Townhomes LP and Pacific GP-James Village LLC, in Hopkinsville, Ky.: Shawn West on May 4, 2016, complained to the Kentucky Commission on Human Rights, alleging discrimination 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 acts, including the state fair housing law and the federal fair housing act.

West alleged that he asked for a reasonable accommodation from his landlord to have service animals at his residence and that the landlord denied the request. The respondents denied any violation of the law and asserted West was in violation of the apartment pet policy and had not provided sufficient information to support his need for a service animal. Before the commission made a determination, the parties chose to resolve the matter with a conciliation agreement.

The respondents will: compensate West in the amount of \$3,500, revise their property reasonable accommodations policy, enter into a rental lease with Wood, undergo fair housing compliance training, and submit to commission compliance monitoring for a specified period. 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 Act (Kentucky Revised Statutes Chapter 344), and through its affiliations with the U.S. Dept. of Housing and Urban Development and the U.S. Equal Employment Opportunity Commission, enforces federal civil rights law. These laws make discrimination illegal.

A person who believes he or she may be a victim of unlawful discrimination should contact the commission and ask to make a discrimination complaint. The commission investigates, mediates, reaches settlement-type agreements called conciliation agreements, and rules upon and issues final orders on complaints with the authority of a court of law.

The Kentucky Civil Rights Act makes it unlawful to discriminate against people in the areas of employment, financial credit 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 reporting or alleging discrimination.

For help with discrimination or to make a discrimination complaint, contact the commission at 800.292.5566. To learn more about civil rights, read the brochures that provide further information by following this link: <http://kchr.ky.gov/reports/Pages/brochures.aspx>

The commission also provides civil rights compliance or awareness training to employers, housing providers, organizations, community groups, and others. Call to ask for a training session. For news about civil rights and information pertaining to protected classes, visit the Kentucky Commission on Human Rights Facebook or Twitter sites.