

# What Kentucky's Fair Housing Law Means

## *Rights & Responsibilities of Property Managers, Owners & Housing Customers Under Kentucky's Civil Rights Act*

Kentucky's Fair Housing Law forbids discrimination in housing because of a person's color, religion, race, sex, national origin, familial status, or disability and Metro Louisville also forbids discrimination because of sexual orientation and gender identity.

It is unlawful for a real estate operator, broker, or sales agent:

- To refuse to sell, rent, lease or exchange real property for discriminatory reason.
- To refuse to receive or transmit good faith offers to purchase or rent.
- To deny any services or facilities relating to real property transactions.
- To represent that real property is not available for inspection, sale or rental when in fact it is.
- To retain a listing with the understanding that the seller plans to discriminate.
- To discriminate in the terms or conditions of sale or rental.

It is unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of any housing rights.

It is unlawful for a financial institution:

- To discriminate in the granting, rates, terms, conditions or services of financial assistance in real estate transactions.
- To discriminate in the making or purchasing of loans.

It is unlawful for a real estate operator or final institution:

- To engage in the tactics and practices of panic-selling; to represent that the racial composition of a neighborhood is going to change or that property values will lower; or make similar false and misleading statements.

It is unlawful for an Insurance agent:

- To discriminate in terms, conditions, or privileges of insurance against hazards to a housing accommodation.

It is unlawful for a multiple listing service/real estate organization:

- To deny access or restrict membership or participation for discriminatory reasons.

What housing is covered?

All real property, (home, apartments, lots, etc.) rented or sold, whether by or through a real estate broker, sales agent or operator, or directly by the owner.

Exemptions Include:

--The rental of an owner occupied duplex or one room in a private home; the sale of property without help from a real estate dealer and without public advertising; and rental of church-owned housing to the extent of giving preference to those of that religion.

--Refusal to rent on the basis of sex if:

A single sex dormitory; the landlord chooses not to rent to unmarried couples; or the landlord rents fewer than 10 units or to fewer than 10 persons in a owner-occupied facility; it can be demonstrated that gender-based exclusions are necessary for reasons of personal modesty or privacy.

--Refusal to rent on the basis of familial status if:

--Refusal to rent on the basis of sex if:

A single sex dormitory; the landlord chooses not to rent to unmarried couples; or the landlord rents fewer than 10 units or to fewer than 10 persons in a owner-occupied facility; it can be demonstrated that gender-based exclusions are necessary for reasons of personal modesty or privacy.

--Refusal to rent on the basis of familial status if:

Housing is intended for or occupied by occupants 62 years of age or older: 80 percent of all units in a facility have occupants 55 years of age or older and special services for older persons are provided.

Who is covered:

- Real Estate Operators, Brokers, and Agents
- Savings & Loan Associations, Mortgage Lenders, Banks, or Other Financial Institutions
- Apartment House Agents
- Rental Agents
- Builders, Contractors and Developers
- Owners of Building Lots
- Advertising Media
- Home owners advertising and selling their own home
- Multiple Listing Services/Real Estate Related Organizations
- Insurers and Agents

## Enforcement

### Kentucky Commission on Human Rights

- Receives complaints which must be filed within one year of the alleged discrimination.
- Investigates the complaints and determines whether discrimination has occurred.
- Attempts to eliminate discriminatory acts through conference, persuasion, and conciliation.
- Enters into conciliation agreements which are enforceable in court.
- Holds public hearings on complaints where discrimination has occurred if conciliation attempts fail.
- Issues court-enforceable cease and desist and affirmative action orders.
- Awards damages for embarrassment and humiliation when appropriate.
- Assesses civil penalties when appropriate.

## Complaints

If you believe you have been discriminated against on the basis of race, sex, color, religion, national origin, disability or familial status:

1. Contact the offices of the Kentucky Commission on Human Rights. Heyburn Building, Suite 700, 332 W. Broadway, Louisville, Kentucky 40202. (502) 595-4024 or toll free 1-800-292-5566; or TTD Line (502) 595-4084. Kentucky Relay Services 800-648-6056 (TTY/TTD).
2. Record your experiences. Write down names of individuals involved, all significant conversation, and any incidents that might indicate discrimination.
3. Keep copies of advertisements, letters, notes, or other relevant information.

Incidents of discriminatory treatment or attempts to promote panic-selling should be reported to the Commission.



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