

### **344.365 Exemptions from housing provisions.**

- (1) Nothing in KRS 344.360 shall apply:
  - (a) To the rental of a housing accommodation in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the owner or a member of his family resides in one of the housing accommodations;
  - (b) To the rental of one (1) room or one (1) rooming unit in a housing accommodation by an individual if he or a member of his family resides therein;
  - (c) To a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, which limits the sale, lease, rental, occupancy, assignment, or sublease of a housing accommodation which it owns or operates for other than commercial purpose to persons of the same religion, or from giving preference to those persons, unless membership in the religion is restricted on account of race, color, or national origin. Nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of the lodgings to its members or from giving preference to its members.
  - (d) To a private individual homeowner disposing of his property through private sale without the aid of any real estate operator, broker, or salesman and without advertising or public display except that attorneys, escrow agents, abstractors, title companies, and other professional assistance may be utilized as necessary to perfect or transfer the title.
- (2) Nothing in this chapter shall require a real estate operator to negotiate with any individual who has not shown evidence of financial ability to consummate the purchase or rental of a housing accommodation.
- (3) Nothing in this chapter shall limit the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a housing accommodation. No provision in this chapter regarding familial status shall apply with respect to "housing for older persons," as defined in the Federal Fair Housing Act, 42 U.S.C. 3607.
- (4) Nothing in this section prohibits conduct against a person because the person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802) or KRS Chapter 218A.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 282, sec. 38, effective July 14, 1992. -- Amended 1974 Ky. Acts ch. 187, sec. 4. -- Amended 1972 Ky. Acts ch. 255, sec. 13. -- Created 1968 Ky. Acts ch. 167, sec. 6.