

367.484 Attorney General's ability to obtain restraining order -- Availability of remedies of Consumer Protection Act -- Authority to promulgate administrative regulations.

- (1) When the Attorney General has reason to believe that any person is offering recreational and retirement use land for sale in violation of KRS 367.470 to 367.486 or any administrative regulations issued by the Attorney General pursuant to KRS 367.480, and that proceedings would be in the public interest, he may move in the name of the Commonwealth in a Circuit Court for a restraining order or temporary or permanent injunction to prohibit the offer. The action may be brought in the Circuit Court in the county in which the person resides or has his principal place of business or in the Circuit Court of the county in which the unlawful offer or sale has been or is about to be committed, or in the county in which the land is situated.
- (2) A violation of KRS 367.472, 367.474, 367.477, 367.4774, 367.4776, and 367.4778 shall be deemed to be an unfair, false, misleading, or deceptive act or practice in the conduct of trade or commerce in violation of KRS 367.170.
- (3) All the remedies, powers, and duties provided for the Attorney General by KRS 367.190 to 367.300 and 367.990, pertaining to acts declared unlawful by KRS 367.170, shall apply with equal force and effect to acts declared unlawful by KRS 367.470 to 367.486.
- (4) Nothing in KRS 367.470 to 367.486 shall be construed to limit or restrict the exercise of powers or the performance of the duties of the Attorney General which he is authorized to exercise or perform under any other provision of law.
- (5) The Attorney General shall have the authority to adopt other administrative regulations he deems necessary for the proper administration of this chapter.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 209, sec. 7, effective July 14, 1992. -- Created 1978 Ky. Acts ch. 316, sec. 8, effective June 17, 1978.