**344.665 Institution of civil actions by commission or Attorney General -- Powers of court.**

(1) The commission or the Attorney General may file a civil action in Circuit Court for appropriate relief if the commission or Attorney General has probable cause to believe that:

(a) Any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any housing right granted by this chapter; or

(b) Any group of persons has been denied any housing right granted by this chapter and the denial raises an issue of general public importance; or

(c) Any state or local zoning or land use law is a discriminatory housing practice. The action shall be brought within eighteen (18) months of the occurrence or termination of the alleged discriminatory practice; or

(d) A conciliation agreement has been breached.

The action shall be brought within ninety (90) days of the commission or Attorney General receiving notice of the breach.

(2) In an action under this section, the court:

(a) May award preventive relief, including a permanent or temporary injunction, restraining order, or other order against the person responsible for a violation to assure the full enjoyment of the rights granted by this chapter;

(b) May award other appropriate relief, including compensatory and punitive damages;

(c) May award a reasonable attorney's fee and costs to the prevailing party to the same extent allowed in KRS 344.660. The state shall not be liable in any event for fees and costs; and

(d) May, to vindicate the public interest, assess a civil penalty against the respondent in an amount that does not exceed:

1. Fifty thousand dollars ($50,000) for a first violation; and

2. One hundred thousand dollars ($100,000) for a second or subsequent violation.

(e) A person may intervene in an action under this section if the person is:

1. An aggrieved person to the discriminatory housing practice; or

2. A party to a conciliation agreement concerning the discriminatory housing practice.

**Effective:** July 14, 1992

**History:** Created 1992 Ky. Acts ch. 282, sec. 31, effective July 14, 1992.