

**STATEMENT OF EMERGENCY**  
**104 KAR 1:010E.**

This emergency administrative regulation is being promulgated in order to meet an imminent threat to public health, safety, or welfare. 104 KAR 1:010, Section 4, requires that persons or entities engaged in real estate or real estate-related transactions to provide to owners and customers at the time of sale, purchase, rental, insuring, or financing of real property, a copy of the Fair Housing Brochure. The Fair Housing Brochure is a document published by the Kentucky Commission on Human Rights.

On July 18, 2025, the Commission received a letter from the United States Department of Housing and Urban Development (HUD) Office of Fair Housing and Equal Opportunity (FHEO), requesting that the Commission cease and desist from using any logos, marks, or names that are identical or similar to the official HUD seal, and to remove any references to HUD in its publications. This letter was sent to all organizations utilizing materials funded, at least in part, by HUD's National Media Campaign award. To comply with the request, the Commission has amended the Fair Housing Brochure to remove the aforementioned logos, seals, marks, and/or references.

This administrative regulation is being filed on an emergency basis in order to ensure that any and all regulated persons and entities have a clear understanding of the obligation imposed upon them by 104 KAR 1:010, Section 4. This emergency administrative regulation will be replaced by an ordinary administrative regulation because the requirement to provide the Fair Housing Brochure continues despite the HUD FHEO request. The companion ordinary administrative regulation is identical to this emergency administrative regulation and is filed simultaneously.

*ANDY BESHEAR, Governor*

*RAYMOND M. BURSE, Commission Chair*

**KENTUCKY COMMISSION ON HUMAN RIGHTS**  
**(Emergency Amendment)**

**104 KAR 1:010E. Posting, distribution and availability of notices and pamphlets.**

RELATES TO: KRS 344.010, 344.030, 344.130, 344.190, 344.367

STATUTORY AUTHORITY: KRS 13A.100, 344.190(14)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 344.190(14) requires the Kentucky Commission on Human Rights to promulgate administrative regulations to effect the purposes of KRS Chapter 344, including requiring the posting of notices prepared or approved by the commission. This administrative regulation establishes requirements for persons defined in KRS 344.010, 344.030, 344.130, and 344.367, to post, distribute, and make available notices and pamphlets.

**Section 1. Equal Employment Opportunity Notices.**

- (1) An employer, employment agency, licensing agency, and labor organization, shall post and maintain at its establishment equal employment opportunity notices such as the Equal Employment Opportunity Poster.
- (2) Equal employment opportunity notices shall be posted and shall be readily apparent to an employee and applicant for employment. They shall be posted:
  - (a) In easily-accessible and well-lighted places; and
  - (b) At or near each location where the employee's services are performed.
- (3) A Labor organization shall post "equal employment opportunity" notices in easily-accessible and well-lighted places. The notices shall be readily apparent to member and an applicant for membership.

**Section 2. Public Accommodations Welcome Notice.**

- (1) An owner, lessee, proprietor, or manager of a place of public accommodation, resort, or amusement, shall post and maintain at a place of public accommodation, resort, or amusement welcome notices such as the Public Accommodations Poster.
- (2) Public accommodation welcome notices shall be posted where they may be readily observed by those seeking or granting any of the accommodations, advantages, facilities, or privileges of places of public accommodations, resort, or amusement.

**Section 3. Equal Housing Opportunity Notices.**

- (1) A person or business entity engaged in a real estate or real estate-related transaction shall post and maintain at each location where services are regularly performed, the equal housing opportunity notices such as the Fair Housing Poster.
- (2) Equal housing opportunity notices shall be posted at each location where services are regularly performed, in an easily-accessible and well-lighted place. The notice shall be readily apparent to a person seeking services.

**Section 4. Fair Housing Law Brochure.** A person or entity engaged in real estate or real estate-related transactions shall provide to owners and customers at the time of sale, purchase, rental, insuring, or financing of real property, a copy of the Fair Housing Brochure.

**Section 5. Incorporation by Reference.**

- (1) The following material is incorporated by reference:
  - (a) "Equal Employment Opportunity Poster", August 2025;
  - (b) "Public Accommodations Poster", August 2025;
  - (c) "Fair Housing Poster", August 2025; and
  - (d) "Fair Housing Brochure", August 2025.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of the Kentucky Commission on Human Rights, 312 Whittington Parkway, Suite 020, Louisville, Kentucky 40222, Monday through Friday, 8:00 a.m. to 4:30 p.m.; or from the Kentucky Commission on Human Rights website at <https://kchr.ky.gov/Resources/Pages/Brochures-and-Posters.aspx>.

*This is to certify that the Commissioners of the Kentucky Commission on Human Rights have approved this administrative regulation as amended prior to its filing with the Legislative Research Commission, as required by KRS 344.190(14).*  
*RAYMOND M. BURSE, Chair*

APPROVED BY AGENCY: September 18, 2025

FILED WITH LRC: September 19, 2025 at 12:45 p.m.

**PUBLIC HEARING AND COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on November 21, 2025, at 10:00 a.m. Eastern Time at the office of the Kentucky Commission on Human Rights, 312 Whittington Parkway, Suite 020, Louisville, Kentucky 40222. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** Colt C. Sells, Staff Attorney Manager/Assistant General Counsel, Kentucky Commission on Human Rights, 312 Whittington Parkway, Suite 020, Louisville, Kentucky 40222, phone (502) 764-2757, email [colt.sells@ky.gov](mailto:colt.sells@ky.gov).