

344.660 Damages and injunctive relief available.

- (1) In a civil action under KRS 344.650, if the Circuit Court finds that a discriminatory housing practice has occurred or is about to occur, the Circuit Court may award to the plaintiff actual and punitive damages, and subject to subsection (3) of this section, may grant as relief, as the court deems appropriate any permanent or temporary injunction, restraining order, or other order including an order enjoining the defendant from engaging in the practice or ordering affirmative action as appropriate.
- (2) In a civil action under KRS 344.240, 344.650, or 344.665, the court, in its discretion, may award the prevailing complainant, a reasonable attorneys' fee and costs. The court, in its discretion, may award the prevailing respondent a reasonable attorneys' fee and costs if the respondent establishes that the complaint upon which the action was based was brought in bad faith. Whether a party has committed bad faith shall be determined in accordance with Rule 11 of the Kentucky Rules of Civil Procedure. The state shall not be liable in any event for fees and costs.
- (3) However, no relief provided under this section shall effect any contract, sale, encumbrance, or lease consummated before the granting of that relief, and involving a bona fide purchaser, encumbrancer, or tenant, without actual notice of the filing of the complaint of a discriminatory housing practice complaint with the commission or the filing of a civil action.

Effective: July 14, 1992

History: Created 1992 Ky. Acts ch. 282, sec. 30, effective July 14, 1992.