

AN ACT relating to notice of required accommodation of disabilities in home construction.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 344 IS CREATED TO READ AS FOLLOWS:

(1) A construction professional, as defined in KRS 411.252, shall provide written notice to each homeowner, upon entering into a contract for the construction of a residence, that:

(a) Reasonable accommodations for persons with disabilities are permitted by KRS 344.360(11); and

(b) Failure to allow reasonable accommodations is a discriminatory housing practice as defined in KRS 344.010(16) for which:

1. A complaint may be filed with the Kentucky Commission on Human Rights under KRS 344.600; or

2. A civil action for damages and injunctive relief may commence under KRS 344.650 or 344.450.

(2) (a) A homeowner may bring an action to enforce a right granted or obligation imposed by subsection (1) of this section.

(b) A court may award injunctive relief, monetary damages, reasonable attorney fees, and costs to any homeowner in an action to enforce this section and punitive damages may be awarded for a willful failure to comply.

(c) Failure to provide notice as required in subsection (1) of this section does not void a deed to a purchaser.