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# King County Public Rules

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Title

Standard Operating Procedures for Fair Housing Ordinance Enforcement

Document Code No

CPM 14-1 (P-R)  
KCC 12.20


Department/Issuing Agency

Executive Administration/Office of Civil Rights and Compliance

Effective Date

4/5/93



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Department/Issuing Agency Executive Administration/Office of Civil Rights and Compliance	Effective Date
Approved:  3/4/93	

- 1.0 **SUBJECT TITLE:** Standard Operating Procedures for Fair Housing Ordinance Enforcement
  - 1.1 **EFFECTIVE DATE:** April 5, 1993
    - 1.1.1 **FILE DATE:** March 5, 1993
  - 1.2 **TYPE OF ACTION:** Superseding Standard Operating Procedures, Fair Housing Section, Affirmative Action Office dated 8/7/82 and Summary Sheet, CPM 14 (PR).
  - 1.3 **KEY WORDS:** 1) Fair Housing; 2) Open Housing; 3) Discrimination; 4) Real Estate Transactions; 5) Housing Industry.
- 2.0 **PURPOSE:** To establish uniform procedures through which King County can implement and administer the King County Fair Housing Ordinance, King County Code (K.C.C.) 12.20, as amended.
- 3.0 **ORGANIZATIONS/PERSONS AFFECTED:**
  - 3.1 The Enforcement Section of the King County Office of Civil Rights and Compliance.
  - 3.2 King County Department of Executive Administration.
  - 3.3 Landowners, builders, developers, real estate brokers and agents, property managers and management firms, any public government - funded public housing, real estate schools dealing with housing accommodations in unincorporated King County, banks, mortgage lenders and brokers, the media, and other members of the housing industry.
  - 3.4 Tenants, potential tenants, buyers and potential buyers involved in the rental, sale or financing of any real estate in unincorporated King County.

4.0 REFERENCES:

- 4.1 K.C.C. 12.20, King County Fair Housing Ordinance.
- 4.2 All pertinent federal and state laws pertaining to fair housing, particularly Title VIII of the Civil Rights Act of 1968, as amended, 24 Code of Federal Regulations (C.F.R.) Part 103 et seq and Section 49.60 of the Revised Code of Washington (R.C.W.).

5.0 DEFINITIONS:

- 5.1 "Administrator" means the Administrator of the County Office of Civil Rights and Compliance.
- 5.2 "Aggrieved person" includes any person who claims to have been injured by a discriminatory housing practice, and/or who believes that he or she will be injured by a discriminatory housing practice that is about to occur.
- 5.3 "Case" means the entire proceedings following from the filing of a complaint pursuant to K.C.C. 12.20.
- 5.4 "Charging Party" means any person alleging an unfair housing practice in violation of K.C.C. 12.20. This term can include "Aggrieved Person", as defined by K.C.C. 12.20, where the terms are both used in K.C.C. 12.20.
- 5.5 "Complaint" means a formal complaint filed with the County Office of Civil Rights and Compliance pursuant to K.C.C. 12.20.
- 5.6 "Conference, conciliation and persuasion" and "settlement discussions" mean the attempted resolution of issues raised by a complaint or by the investigation of such complaint through informal negotiations involving the Charging Party, the Respondent, and the Administrator.
- 5.7 "Director" means the director of the County Department of Executive Administration or his or her designee.

- 5.8 "Enforcement Section" means the Enforcement Section of the County Office of Civil Rights and Compliance.
- 5.9 "Fair Housing Ordinance" means King County K.C.C. 12.20, as amended.
- 5.10 "Person" means one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers or any group of persons; it includes any owner, lessee, proprietor, manager, agent or employee whether one or more natural persons; and further includes any political or civil subdivisions of the state and any agency or instrumentality of the state or of any political or civil subdivision thereof.
- 5.11 "Protected classes" means the classes of race, color, religion, national origin, age, sex, marital status, parental status, participation in the Section 8 program, sexual orientation, disability, and the use of a trained dog guide by a person with a disability as defined in the Fair Housing Ordinance.
- 5.12 "Party" means the person charging or making a complaint or upon whose behalf a complaint is made alleging an unfair practice, the person alleged or found to have committed an unfair practice, or the Office of Civil Rights and Compliance.
- 5.13 "Respondent" means any person or persons against whom a complaint alleging unfair housing practices in violation of K.C.C. 12.20 has been filed.
- 5.14 "Staff" or "Fair Housing staff" means the staff person(s) assigned by the Administrator of the Office of Civil Rights and Compliance to official duties with respect to the enforcement of K.C.C. 12.20.

## 6.0 POLICIES:

- 6.1 **GENERAL STATEMENT:** It is the policy of King County that practices of housing discrimination against any persons on the basis of race, color, religion, national origin, age, sex, marital status, parental status, sexual orientation, participation in the Section 8 program,

disability, or the use of a trained dog guide by a person with a disability constitute matters of local concern and are contrary to the public welfare, health, peace and safety of the citizens of King County.

- 6.2 **AUTHORIZATION:** K.C.C. 12.20 authorizes the implementation of such forms, administrative processes, and operational procedures as are necessary to comply with the provisions of the chapter.
- 6.3 **ETHICS AND CONFLICT OF INTEREST:**
- 6.3.1 It is the duty of the Fair Housing staff and other assigned staff to maintain the highest standard of ethics in all official actions, and specifically to comply strictly with the requirements of the Employee Code of Ethics, K.C.C. 3.04, and any other applicable legislation.
- 6.4 **PUBLIC DISCLOSURE:** Records and files maintained by the County in connection with complaints and investigations are specific investigative records compiled by an investigative agency. As such, these records and files are not subject to public disclosure and fall within the exemption to disclosure created by R.C.W. 42.17.310(1)(d), so long as nondisclosure is essential for effective enforcement or for the protection of any person's right to privacy. As a general rule, such records will not be made available for public inspection. The Administrator may limit or deny access to records provided by persons, including parties, on the basis stated above.
- 6.5 **SERVICE OF PROCESS:** Service by the County of any document or notification required by K.C.C. 12.20 to be served on any party, including copies of complaints and orders, shall be made either personally or by mailing a copy by certified mail, postage prepaid, return receipt requested. If the address of any such person cannot reasonably be ascertained, a copy of the notice or document shall be mailed to such person at his or her last known address or at the location of the alleged violation. Failure of any such person to receive such notice shall not affect the validity of any proceedings under K.C.C. 12.20. Service by certified mail as provided in this section shall be effective on the date of postmark.

## 6.6 CONCURRENT REMEDIES:

6.6.1 Nothing in the K.C.C. 12.20 prevents a person from pursuing other remedies or from filing a lawsuit in court. Persons should be aware, however, that general rules of law prevent recovering more than once for the same item of injury.

6.6.2 When a Charging Party has filed the same or similar claim in federal or state court, or with other enforcement agencies, his or her complaint may be closed for administrative reasons or held in abeyance unless the Administrator orders that the complaint continue to be processed.

## 6.7 FILING OF COMPLAINT

6.7.1 A complaint alleging an unfair housing practice may be filed by:

6.7.1.1 Any person who has reason to believe that an unfair housing practice is about to be committed or has been committed against him or her;

6.7.1.2 Any state, local or federal agency concerned with discrimination in housing, including the Administrator, whenever it or he or she has reason to believe that an unfair housing practice has been or is being committed.

6.7.2 A complaint alleging an unfair housing practice shall be made in accordance with the requirements of K.C.C. 12.20.070 (A) and (B).

6.7.3 A person who wishes to file a complaint may contact the Office of Civil Rights and Compliance who will assist him or her in drafting a formal complaint or may write a letter of complaint fulfilling the requirements set forth in K.C.C. 12.20.070 (B).

6.7.4 The completed complaint or letter of complaint may be

filed in person by bringing it to the Office of Civil Rights and Compliance or may be mailed to the Office of Civil Rights and Compliance. If mailed, the date of postmark will be used to determine timeliness as set forth by K.C.C. 12.20.

- 6.7.5 Staff will review a complaint within twenty (20) days of filing or within twenty (20) days of the date when the complaint has been sworn to, whichever is later. The complaint will be reviewed for basic jurisdictional requirements of K.C.C. 12.20 which include, but are not limited to, the following:
- (a) The housing accommodation in question must be located in unincorporated King County.
  - (b) The complaint must be filed in a timely manner as outlined in K.C.C. 12.20.
  - (c) The complaint must involve an unfair housing practice within the meaning of K.C.C. 12.20.
- 6.7.6 A complaint that fails to meet the basic jurisdictional requirements of K.C.C. 12.20 may be closed without further investigation and staff shall notify the Charging Party of the closure in writing. If the information contained in the complaint is not sufficient to determine whether or not jurisdiction exists, further information shall be requested from the Charging Party.
- 6.8 WITHDRAWAL OF COMPLAINT:
- 6.8.1 A complaint or any part thereof may be withdrawn only with the consent of the Administrator.
  - 6.8.2 A request for withdrawal of complaint must be in writing and must state the reason why the withdrawal is requested. Forms may be obtained from the Enforcement Section of the Office of Civil Rights and Compliance.
  - 6.8.3 A complaint that is withdrawn with the consent of the

Administrator will be administratively closed as provided by Section 6.10, below.

- 6.8.4 In general, a Charging Party will be allowed to withdraw his or her complaint when there is a valid reason for such a request. However, if the Administrator has reason to believe that the Charging Party is being coerced into requesting withdrawal, or if the Administrator believes that the purposes of K.C.C. 12.20 would be best served by continuing to process the complaint, such a request may be denied.

## 6.9 INVESTIGATION

- 6.9.1 The Enforcement Section is responsible for conducting impartial investigations of the complaints that have been filed. It has no predisposition in favor of either Charging Parties or Respondents.
- 6.9.2 The investigation will comply with time limits and notification requirements specified in the K.C.C. 12.20.080.
- 6.9.3 The main focus of the investigation will be to ascertain the facts concerning the unfair practices alleged in the complaint. This may include the examination of all applicable policies or practices and the comparison of the treatment of the Charging Party and others of the Charging Party's protected class with other individuals not in the Charging Party's protected class.
- 6.9.4 The investigation may consist of interviews with Respondents and Charging Parties, written inquiries, inspection of books and records, on-site inspections of housing accommodations, interviews with witnesses and requests for legal opinions, among others. Other methods of gathering information are specified in the K.C.C. 12.20.080 (F) and include the issuance of subpoenas after consultation with the Prosecuting Attorney.
- 6.9.5 When supported by the facts, it is a defense to a charge



of discrimination that a Respondent was unaware or did not perceive that the Charging Party or Aggrieved Person was a member of the alleged protected class and because of that did not discriminate against him or her on that basis.

- 6.9.6 If the Administrator concludes at any time after the filing of a complaint that prompt judicial action is necessary to carry out the purposes of this title, the Administrator may invoke the aid of the prosecuting attorney who shall file a civil action for appropriate temporary, injunctive or preliminary relief pending final disposition of the complaint.
- 6.9.7 A person who is not named as a Respondent in a complaint, but who is identified as a Respondent in the course of investigation, may be joined as an additional or substitute Respondent pursuant to the procedure set out in K.C.C. 12.20.080 (D).
- 6.9.8 If in the course of investigation staff finds evidence of other unfair housing practices in violation of K.C.C. 12.20 which were not specified in the original complaint, such evidence may be included in the findings after the Respondent has been given notice of the intention to do so and after the Respondent has been given a chance to respond to the additional allegations. The investigation may include ascertaining whether an unfair housing practice is part of a pattern.
- 6.9.9 During the course of the investigation, Fair Housing staff shall engage in settlement discussions with respect to the complaint as specified by the K.C.C. 12.20.080. Requirements for pre-finding settlement agreements are set out in the K.C.C. 12.20.080 (E).
- 6.9.10 The results of the investigation shall be reduced to written findings of fact and a finding shall be made that there either is or is not reasonable cause for believing that an unfair housing practice has been or is being committed, or other appropriate findings as specified under Section 6.10, below.

## 6.10 TERMINATION OF A CASE WITHOUT FINDINGS OF FACT

6.10.1 The Enforcement Section, in appropriate circumstances, may terminate its action on a case without making findings of fact pursuant to K.C.C. 12.20, as amended. Such circumstances may include, but shall not be limited to, the following:

- (a) Withdrawal of complaint. No findings or other procedures are necessary when the Charging Party has requested withdrawal of the complaint and the Administrator has consented to the withdrawal pursuant to Section 6.8 above.
- (b) Settled before finding. A case may be settled before findings of fact are made when the Administrator, Charging Party and the Respondent have entered into a written pre-finding settlement agreement. The Administrator shall sign the pre-finding settlement agreement. Copies of such agreement shall be delivered to all affected parties.
- (c) Other circumstances under which a case may be administratively closed include cases when the complaint has been resolved informally, or has been adjudicated in another forum, or has become moot, or cannot be investigated because the Charging Party cannot proceed or the Respondent cannot be found.

6.10.2 A case that has been administratively closed may be administratively reopened by the Administrator when there are compelling reasons for reopening the case, such as discovery of new evidence.

## 6.11 RECONSIDERATION OF A FINDING OF NO REASONABLE CAUSE

6.11.1 A finding of no reasonable cause means the evidence obtained through investigation does not show or is not sufficient to show that an unfair housing practice in

violation of K.C.C. 12.20 has been or is being committed. When such a finding of no reasonable cause is made, said finding shall be served on the Charging Party and the Respondent.

- 6.11.2 Within thirty (30) days after service of a finding of no reasonable cause, the Charging Party may file a written request with the Administrator asking for a reconsideration of the finding. If the finding is mailed by certified mail, service shall be effective on the date of the postmark. The written request for reconsideration shall state specifically the grounds on which it is based.
- 6.11.3 Staff shall furnish the Respondent with a copy of the request for reconsideration and the Respondent shall be given opportunity to provide written comments to the Administrator.
- 6.11.4 The decision on whether or not to grant a request for reconsideration of a finding of no reasonable cause shall be made by the Administrator. The decision shall be based on whether the finding of no reasonable cause is supported by the facts and whether all relevant matters were investigated. The burden is on the Charging Party to convince the Administrator to set aside the prior action.
- 6.11.5 The request for reconsideration shall be granted or denied by the Administrator.
- (a) Reconsideration granted. If reconsideration is granted the finding shall be set aside and the case shall be returned to the staff for reinvestigation and entry of a new finding based on the facts as ascertained in reinvestigation and initial investigation.
  - (b) Reconsideration denied. If reconsideration is denied, the finding of no reasonable cause stands as the final disposition of the case.

## 6.12 CONCILIATION

- 6.12.1 If a finding is made initially or on request for reconsideration that reasonable cause exists to believe that an unfair housing practice has occurred, the Administrator shall endeavor to eliminate the unfair practice by conference, conciliation and persuasion, which may include as a condition of settlement the elimination of the unfair housing practice and other remedies set out in K.C.C. 12.20.090 (A). Requirements relating to such a settlement are set out in K.C.C. 12.20.090.
- 6.12.2 The Administrator may delegate the responsibility for conference, conciliation and persuasion with the Respondent and Charging Party to the Fair Housing staff.
- 6.12.3 A Respondent and Charging Party shall be afforded a reasonable opportunity to negotiate a resolution when a finding is made that reasonable cause exists for believing that an unfair housing practice has been or is being committed. If a Respondent and Charging Party have been afforded a reasonable opportunity to negotiate, however, and it is apparent that agreement cannot be reached, it shall not be necessary to hold a conference.
- 6.12.4 If no agreement is possible, the Administrator shall issue a finding to that effect and an order pursuant to K.C.C. 12.20.090 (B).
- 6.12.5 The making and service of a finding that no agreement can be reached does not preclude renewing negotiations or reaching an agreement at a later time. The finding that no agreement can be reached is not affected by a renewal of negotiations, but it is superseded by an agreement that is thereafter reached.

### 6.13 MONITORING AND ENFORCEMENT OF SETTLEMENT AGREEMENTS

- 6.13.1 Staff shall monitor for compliance all conciliated and other settlement agreements to which the Office of Civil Rights and Compliance is a party.
- 6.13.2 In general, agreements shall be monitored for a period of one year from the date of the order setting forth the terms of the agreement, unless another period of time is deemed more appropriate for the elimination of the unfair practice and such period of time is included in the settlement agreement.
- 6.13.3 If an agreement and/or order for the elimination of an unfair housing practice under K.C.C. 12.20, as amended, is breached, the Administrator may take appropriate action under the circumstances, including but not limited to the following measures:
- (a) Recommending to the Office of the Prosecuting Attorney that civil and/or criminal action be initiated to remedy the violation. Such actions shall be brought under authority of King County Code Title 23 and may include misdemeanor prosecutions, civil penalties, injunctions and such other remedies as are legally available to the County in a court of law.
  - (b) Referring the matter to the Prosecuting Attorney pursuant to K.C.C. 12.20.120 (C).
  - (c) Notifying the party in violation of the breach and giving the party a definite time within which to cure the breach, subject to invoking specific enforcement measures should the party not comply.

### 6.14 APPEAL-GENERAL

- 6.14.1 In the case that no agreement is reached through the

conciliation process, pursuant to K.C.C. 12.20.100, any Charging Party, Respondent, or Aggrieved Person on whose behalf the finding was made, after an order of the Administrator is made pursuant to K.C.C. 12.20.090 (B), may elect to have the claims on which reasonable cause was found decided in a civil action or in a hearing before the hearing examiner.

- 6.14.2 The Charging Party, Respondent and Aggrieved Person on whose behalf the finding was made shall be provided with information regarding how to make the election. This election must be made not later than 30 days after service of the order. The person making such election shall give notice of the election stating which forum is elected to the Administrator and to all other Charging Parties and Respondents to whom the charge relates. Forms may be obtained from the Enforcement Section of the Office of Civil Rights and Compliance.

#### 6.15 APPEAL-HEARING

- 6.15.1 If no election of civil action is made, and an election for hearing is made, the complaint, any and all findings made and affirmative action measures and/or civil penalties required shall be certified by the Administrator to the office of the King County Hearing Examiner for hearing.
- 6.15.2 The administrative hearing shall be on the record, and the rights of the parties shall be as set forth in K.C.C. 12.20.100 (D). In addition, the Hearing Examiner may promulgate rules not inconsistent with K.C.C. 12.20, and such rules shall be considered as supplemental to rules set out in K.C.C. 12.20.100. Discovery of facts shall be consistent with the common practice before the Hearing Examiner and/or any rules on discovery adopted by the Examiner for purposes of implementing K.C.C. 12.20.
- 6.15.3 The Administrator or Fair Housing staff will ordinarily be called upon to assist the Hearing Examiner through the provision of testimony and relevant evidence. The County retains its right to be represented by the Office

of the Prosecuting Attorney in all such proceedings, although the Administrator may determine in a proper case that such representation is not necessary. In such cases, the Fair Housing staff will then represent the interests of the County in the hearing.

- 6.15.4 Parties have the right to be represented by counsel or by anyone of his or her choice who is lawfully permitted to do so. Representation by counsel is not, however, required in proceedings before the Hearing Examiner's Office.

#### 6.16 APPEAL-CIVIL ACTION

- 6.16.1 If an election is made under Section 12.20.100 for the claims to be decided in a civil action, the Administrator shall authorize, and not later than 30 days after the election is made, shall commence, a civil action on behalf of the Charging Party in King County Superior Court seeking relief under this chapter.
- 6.16.2 Any Aggrieved Person with respect to the issues to be determined in a civil action under this subsection may intervene as of right in that civil action.

#### 6.17 MISCELLANEOUS PROVISIONS

- 6.17.1 **PROSPECTIVE BUYERS AND PROSPECTIVE RENTERS:** Prospective buyers and prospective renters who believe they have been discriminated against may file a complaint under the Fair Housing Ordinance and are entitled to the protections afforded tenants and buyers under that ordinance.

- 6.17.2 **DISCRIMINATION AGAINST PERSONS WITH A DISABILITY:**

a. It is illegal to refuse to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises, except that,

in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior and exterior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

b. The landlord may not increase for persons with disabilities any customarily required security deposit. However, where it is necessary in order to ensure with reasonable certainty that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of such a restoration agreement a provision requiring that the tenant pay into an interest bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant.

c. A landlord may condition permission for a modification on the renter providing a reasonable description of the proposed modifications as well as reasonable assurances that the work will be done in an industry acceptable manner and that any required building permits will be obtained.

d. The application of sections 6.17.2(a) and 6.17.2(b) may be illustrated with the following examples:

Example 1: A tenant with a disability asks his or her landlord for permission to install grab bars in the bathroom at his or her own expense. It is necessary to reinforce the walls with blocking between studs in order to affix the grab bars. It is unlawful for the landlord to refuse to permit the tenant, at the tenant's own expense, to make the modifications necessary to add the grab bars. However, the landlord may condition permission for the modification on the tenant agreeing to restore the bathroom to the condition that existed before the modification, reasonable wear and tear excepted. It would be reasonable for the landlord



to require the tenant to remove the grab bars at the end of the tenancy. The landlord may also reasonably require that the wall to which the grab bars are to be attached be repaired and restored to its original condition, reasonable wear and tear excepted. However, it would be unreasonable for the landlord to require the tenant to remove the blocking, since the reinforced walls will not interfere in any way with the landlord's or the next tenant's use and enjoyment of the premises and may be needed by some future tenant.

Example 2: An applicant for rental housing has a child who uses a wheelchair. The bathroom door in the dwelling unit is too narrow to permit the wheelchair to pass. The applicant asks the landlord for permission to widen the doorway at the applicant's own expense. It is unlawful for the landlord to refuse to permit the applicant to make the modification. Further, the landlord may not, in usual circumstances, condition permission for the modification on the applicant paying for the doorway to be narrowed at the end of the lease because a wider doorway will not interfere with the landlord's or the next tenant's use and enjoyment of the premises.

- 6.17.3 DISCRIMINATORY PRACTICES IN REAL ESTATE-RELATED TRANSACTIONS: Activities prohibited under K.C.C. 12.20.050 include activities listed in 24 C.F.R. 100.110 through 24 C.F.R. 100.135, the federal rules pertaining to the Federal Fair Housing Act.
- 6.17.4 ACCESSIBILITY: All proceedings under this section will comply with the requirements for accessibility of persons with disabilities set out in federal and state law.
- 6.17.5 FAVORABLE TREATMENT: K.C.C. 12.20.130 (A)(1) regarding permissible favorable treatment allows favorable treatment which otherwise might not be allowed by K.C.C. 12.20.040 (A)(6) so long as it does not discriminate against other protected classes as

prohibited. For example, advertisements of homes designed for persons with disabilities or families are permitted so long as the advertisements do not discriminate against other protected classes.

- 6.17.6 **JOINT ENFORCEMENT EFFORTS:** OCRC may engage in joint efforts with federal, state or other local governments to promote fair housing which may include educational, outreach, enforcement or other types of appropriate activities.

7.0 PROCEDURES:

<u>Action by</u>	<u>Action</u>
Charging Party	7.1 Initiates case by contacting the Office of Civil Rights and Compliance, filing complaint or letter of complaint.
Staff	7.2 Assists Charging Party in filing complaint; reviews complaint for basic jurisdictional requirements; closes case if jurisdictional requirements are not met; if met, causes complaint to be sent to Respondent.
Respondent	7.3 Responds to complaint.
Staff	7.4 Attempts to resolve case by settlement.  If settlement is possible, finalizes settlement document and monitors settlement.  If settlement is not possible, conducts an objective and impartial investigation of the allegations set forth in the complaint and gathers information and evidence to ascertain facts and reach a recommendation of Reasonable Cause or No Reasonable Cause based on the evidence gathered.
Administrator	7.5 Issues finding of Reasonable Cause or No Reasonable Cause.
Charging Party	7.6 If finding is No Reasonable Cause, may file Request for Reconsideration.

- Staff                    7.7    Sends any Request for Reconsideration to the Respondent for response.
- Administrator        7.8    Issues decision on Request for Reconsideration.
- Administrator        7.9    If finding is Reasonable Cause; attempts settlement with Respondent, if not successful, issues Order; if successful, agreement is put in writing and an Order is issued and monitored.
- Charging Party      7.10   If s/he does not agree with Order, may elect to have case heard before hearing examiner or in court.
- Respondent            7.11   If s/he does not agree with Order, may elect to have case heard before hearing examiner or in court.
- Administrator        7.12   Sends case pursuant to ordinance procedures to hearing or court.
- Administrator or    7.13   Presents case at hearing.  
Staff
- Hearing                7.14   Presides at hearing and issues order.  
Examiner

8.0    RESPONSIBILITIES:

- 8.1    The Administrator of the Office of Civil Rights and Compliance is the official designated by the Director of the County Department of Executive Administration, as the "Director" within the meaning of K.C.C. 12.20, as amended, to assume all responsibilities ascribed to the Director by K.C.C. 12.20.
- 8.2    Unless otherwise specified, the Administrator of the Office of Civil Rights and Compliance assumes overall responsibilities for the enforcement of K.C.C. 12.20, and for the operations of personnel responsible for enforcing the Fair Housing Ordinance, K.C.C. 12.20.
- 8.3    The Enforcement Section Supervisor assumes supervisory responsibility for the Enforcement Section of the Office of Civil Rights and Compliance which is responsible for enforcement of the Fair Housing Ordinance, as well as the Fair Employment and Public

Accommodations Ordinances. The Enforcement Supervisor represents the Office of Civil Rights and Compliance in appearances before the public, other County offices, community organizations and outside agencies regarding enforcement issues, including fair housing.

- 8.4 The Fair Housing staff assumes primary responsibility for the day to day enforcement of K.C.C. 12.20, under the supervision of the Enforcement Section Supervisor and the Administrator of the Office of Civil Rights and Compliance. Such responsibility includes, but is not limited to, the filing of complaints, investigation of complaints, making written findings of fact, conciliation of cases where unfair housing practices were found to have occurred, and monitoring for compliance with settlement agreements. The Fair Housing staff represents the Office of Civil Rights and Compliance in appearances before the public, other County offices, community organizations and outside agencies regarding fair housing issues.
- 8.5 Other Civil Rights Specialists may also be assigned to fair housing enforcement duties, which may include, but not be limited to, the filing of complaints, investigation of complaints, making written findings of fact, conciliation of cases where unfair housing practices were found to have occurred, and monitoring for compliance with settlement agreements.
- 8.6 The Prosecutor's Office advises the Office of Civil Rights and Compliance on the issuance of subpoenas and other legal issues and may represent the Office of Civil Rights and Compliance at hearings and in court.
- 8.7 The Office of the Hearing Examiner holds hearings on fair housing appeals pursuant to K.C.C. 12.20.100.