

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH70259-LM-104 (04/02)

Short Title: Fair Housing Complaints.

(Public)

Sponsors: Representative Michaux.

Referred to:

A BILL TO BE ENTITLED

AN ACT ALLOWING FAIR HOUSING ORGANIZATIONS TO FILE
COMPLAINTS WITH THE STATE HUMAN RELATIONS COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 41A-7(a) reads as rewritten:

"(a) Any person or fair housing organization that provides assistance to any person who claims to have been injured by an unlawful discriminatory housing practice or who reasonably believes that he will be irrevocably injured by an unlawful discriminatory housing practice may file a complaint with the North Carolina Human Relations Commission. Complaints shall be in writing, shall state the facts upon which the allegation of an unlawful discriminatory housing practice is based, and shall contain such other information and be in such form as the Commission requires. Commission employees shall assist complainants in reducing complaints to writing and shall assist in setting forth the information in the complaint as may be required by the Commission. Within 10 days after receipt of the complaint, the Director of the Commission shall serve on the respondent a copy of the complaint and a notice advising the respondent of his procedural rights and obligations under this Chapter. Within 10 days after receipt of the complaint, the Director of the Commission shall serve on the complainant a notice acknowledging the filing of the complaint and informing the complainant of his time limits and choice of forums under this Chapter.

No complaint may be filed with the Commission under this section during any period in which the Commission is not certified by the Secretary of the United States Department of Housing and Urban Development in accordance with 42 U.S.C. § 3610(f) to have jurisdiction over the subject matter of the complaint. Provided, however, that during any such period in which the Commission is not certified, any person who claims to have been injured by an unlawful discriminatory practice or who reasonably believes that he will be irrevocably injured by an unlawful discriminatory

1 housing practice may bring a civil action directly in superior court in accordance with
2 the provisions of subsection (j) of this section, except that any such civil action shall be
3 commenced within one year after the occurrence or termination of the alleged unlawful
4 discriminatory housing practice."

5 **SECTION 2.** This act is effective when it becomes law.