

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 1175  
Senate Judiciary II Committee Substitute Adopted 5/21/03

Short Title: Fair Housing Complaints.

(Public)

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Sponsors:

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Referred to:

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April 10, 2003

A BILL TO BE ENTITLED

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

3 The General Assembly of North Carolina enacts:

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

5 "(a) Any person who claims to have been injured by an unlawful discriminatory  
6 housing practice or who reasonably believes that he will be irrevocably injured by an  
7 unlawful discriminatory housing practice may file a complaint with the North Carolina  
8 Human Relations Commission. A fair housing enforcement organization, as defined in  
9 regulations adopted under 42 U.S.C. § 3602 (1968), may file a complaint with the  
10 Commission on behalf of a person who claims to have been injured by or reasonably  
11 believes he will be irrevocably injured by an unlawful discriminatory housing practice.

12 Complaints shall be in writing, shall state the facts upon which the allegation of an  
13 unlawful discriminatory housing practice is based, and shall contain such other  
14 information and be in such form as the Commission requires. Commission employees  
15 shall assist complainants in reducing complaints to writing and shall assist in setting  
16 forth the information in the complaint as may be required by the Commission. Within  
17 10 days after receipt of the complaint, the Director of the Commission shall serve on the  
18 respondent a copy of the complaint and a notice advising the respondent of his  
19 procedural rights and obligations under this Chapter. Within 10 days after receipt of the  
20 complaint, the Director of the Commission shall serve on the complainant a notice  
21 acknowledging the filing of the complaint and informing the complainant of his time  
22 limits and choice of forums under this Chapter.

23 No complaint may be filed with the Commission under this section during any  
24 period in which the Commission is not certified by the Secretary of the United States  
25 Department of Housing and Urban Development in accordance with 42 U.S.C. §  
26 3610(f) to have jurisdiction over the subject matter of the complaint. Provided,  
27 however, that during any such period in which the Commission is not certified, any  
28 person who claims to have been injured by an unlawful discriminatory practice or who  
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1 reasonably believes that he will be irrevocably injured by an unlawful discriminatory  
2 housing practice may bring a civil action directly in superior court in accordance with  
3 the provisions of subsection (j) of this section, except that any such civil action shall be  
4 commenced within one year after the occurrence or termination of the alleged unlawful  
5 discriminatory housing practice."

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