

GENERAL ASSEMBLY OF NORTH CAROLINA  
1987 SESSION

CHAPTER 931  
HOUSE BILL 2348

AN ACT TO AMEND THE GASTONIA FAIR HOUSING ACT.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 902, Session Laws of 1985, reads as rewritten:

"Section 1. The City Council of Gastonia may adopt ordinances to prohibit discrimination in ~~housing~~ real estate transactions based on race, color, national origin, religion, ~~age, sex, handicap, or attained age between 40 and 70 years, inclusive.~~ sex or handicap. To assist in the enforcement of the ordinances, the Council may authorize or create an agency or commission of the City of Gastonia, hereinafter referred to as 'the agency,' to take such actions and to have such powers as might be appropriate and necessary to implement the ordinances, including the power to:

- (1) receive, initiate, investigate, seek to conciliate, hold hearings on, and pass upon complaints;
- (2) mediate alleged violations of the ordinances;
- (3) issue orders against persons it finds, after notice and hearing, to have violated the ordinances; and
- (4) seek court enforcement of its orders."

Sec. 2. Section 5 of Chapter 902, Session Laws of 1985, reads as rewritten:

"Sec. 5. An ordinance adopted pursuant to this act may permit a complainant dissatisfied with the agency's final disposition of a matter to bring a civil action in the Superior Court Division of the General Court of Justice of Gaston County against the person allegedly engaging in the unlawful practice. A civil action for an unlawful ~~housing practice~~ practice involving a real estate transaction may not be brought more than one year after the charge was filed with the agency or more than 60 days after the complainant's receipt of notification of the agency's final disposition of the matter, whichever is later.

If the court finds that the respondent has engaged in or is engaging in an unlawful ~~housing practice~~ practice involving a real estate transaction charged in the complaint, the court may enjoin the respondent from engaging in the unlawful ~~housing practice,~~ practice involving a real estate transaction, and order any other action that may be ~~appropriate.~~ appropriate including monetary damages.

In an action or proceeding under an ordinance adopted pursuant to this act, the court may in its discretion allow the prevailing party, ~~other than the agency,~~ a reasonable attorney's fee as part of the costs, and the agency shall be liable for costs the same as a private person."

Sec. 3. Section 7 of Chapter 902, Session Laws of 1985, reads as rewritten:

"Sec. 7. The agency may at all reasonable times, have access to and copy any evidence of a person being investigated that relates to an unlawful ~~housing practice~~ practice involving a real estate transaction under an ordinance adopted pursuant to this act and relevant to the charge under investigation. Information discovered during such an investigation may not be made public by the agency until offered into evidence in an administrative hearing or judicial proceeding."

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 23rd day of June, 1988.