

57-21-11 Relief granted -- Civil penalties -- Enforcement of final order.

- (1) Under Sections 57-21-9 and 57-21-10, if the director, presiding officer, commissioner, Appeals Board, or court finds reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur, the director, presiding officer, commissioner, Appeals Board, or court may order, as considered appropriate:
 - (a) the respondent to cease any discriminatory housing practice;
 - (b) actual damages, reasonable attorneys' fees and costs to the aggrieved person; and
 - (c) any permanent or temporary injunction, temporary restraining order, or other appropriate order.
- (2) In addition to the relief granted to an aggrieved person under Subsection (1), in order to vindicate the public interest, the director, presiding officer, or court may also assess civil penalties against the respondent in an amount not exceeding:
 - (a) \$10,000 if the respondent has not been adjudged to have committed any prior discriminatory housing practice;
 - (b) \$25,000 if the respondent has been adjudged to have committed one other discriminatory housing practice during the five-year period ending on the date of the filing of the complaint; or
 - (c) \$50,000 if the respondent has been adjudged to have committed two or more discriminatory housing practices during the seven-year period ending on the date of the filing of this complaint.
- (3) The time periods in Subsections (2)(b) and (c) may be disregarded if the acts constituting the discriminatory housing practice are committed by the same natural person who has previously been adjudged to have committed a discriminatory housing practice.
- (4) The division may file a petition in a district court of competent jurisdiction for:
 - (a) the enforcement of a final department order; and
 - (b) for any appropriate temporary relief or restraining order necessary for the enforcement of a final commission order.

Amended by Chapter 375, 1997 General Session