

Effective 5/10/2016

57-21-8 Jurisdiction -- Commission -- Division.

- (1) The commission has jurisdiction over the subject of housing discrimination under this chapter and may delegate the responsibility of receiving, processing, and investigating allegations of discriminatory housing practices and enforcing this chapter to the division.
- (2) The commission may:
 - (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules necessary to administer this chapter;
 - (b) appoint and prescribe the duties of investigators, legal counsel, and other employees and agents that it considers necessary for the enforcement of this chapter; and
 - (c) issue subpoenas to compel the attendance of witnesses or the production of evidence for use in any investigation, conference, or hearing conducted by the division, and if a person fails to comply with a subpoena, petition a court of competent jurisdiction for an order to show cause why that person should not be held in contempt.
- (3) The division:
 - (a) may receive, reject, investigate, and determine complaints alleging discriminatory housing practices prohibited by this chapter;
 - (b) shall attempt conciliation between the parties through informal efforts, conference, persuasion, or other reasonable methods for the purposes of resolving the complaint;
 - (c) may seek prompt judicial action for appropriate temporary or preliminary relief pending final disposition of a complaint if the division and the commission conclude that an action is necessary to carry out the purposes of this chapter;
 - (d) may, with the commission, initiate a civil action in a court of competent jurisdiction to:
 - (i) enforce the rights granted or protected under this chapter;
 - (ii) seek injunctive or other equitable relief, including temporary restraining orders, preliminary injunctions, or permanent injunctions;
 - (iii) seek damages;
 - (iv) enforce final commission orders on the division's own behalf or on behalf of another person in order to carry out the purposes of this chapter; and
 - (v) enforce the terms of a conciliation agreement in the event of a breach;
 - (e) may initiate formal agency action under Title 63G, Chapter 4, Administrative Procedures Act; and
 - (f) may promote public awareness of the rights and remedies under this chapter by implementing programs to increase the awareness of landlords, real estate agents, and other citizens of their rights and responsibilities under the Utah Fair Housing Act, but may not solicit fair housing complaints or cases.

Amended by Chapter 244, 2016 General Session