

## TEN COMMONLY ASKED QUESTIONS

- 1) **Does the HRC represent me once the investigation starts?** No. The HRC is a neutral fact finding agency and does not represent either party while the investigation is taking place. The agency does not provide an attorney for parties.
- 2) **Can I hire an attorney to represent me while the investigation is taking place?** Yes, both the Complainant and Respondent have the right to hire their own attorney anytime during the process.
- 3) **I filed a complaint, does that mean I automatically get a monetary award?** No, it does not. If you enter into conciliation or a negotiated settlement agreement then you may receive a monetary award.
- 4) **How long will the investigation take?** According to the ordinance the investigation can take 100 business days however, investigations can be completed before that time or well after that time period. Shorter investigation periods take place when all of the parties are prompt with their information, witnesses and responses. When there are voluminous documents that need review, uncooperative witnesses/parties, or extensions granted the investigative process can take well over a year. Cases that are scheduled for public hearings or filed in Jefferson County Court can take years to resolve.
- 5) **How often will I hear from my investigator?** Your investigator will send you a status letter at least quarterly. This letter will let you know the stage of your investigation. Your investigator will contact you if there are questions regarding the investigation.
- 6) **The Respondent has asked for an extension in responding to my case how many are they allowed?** Responses are to be returned within 30 days and extensions are granted however, as of July 1, 2003 these will be limited to 5 days.
- 7) **My investigator has asked me what my damages are, how do I figure them out?** Your damages are actual and punitive i.e.: lost wages, back pay, additional expenses, higher rent, lost deposits, pain, suffering and emotional distress. You will be given a form to fill out and you will be asked to turn in receipts and or proof of these damages.

- 8) **I received a probable cause (PC) findings letter, what does it mean and what happens next?** A PC finding is a determination that there is reasonable cause to believe that an unlawful practice has been committed. The case will now either go to a public hearing or Jefferson Circuit Court (housing cases only). Either party may elect to take a housing case to circuit court at this point.
- 9) **I received a no probable cause (NPC) finding letter, what does it mean and what happens next?** A NPC cause finding is an indication that there is no reasonable cause that discrimination occurred. It is usually an indication that the elements of the prima facie case were not met. With that type of determination the complaint shall be dismissed. You may request that your determination be reconsidered.
- 10) **How do I request the reconsideration?** The reconsideration must be filed within ten (10) days of service. The person making the request must provide additional information that was not previously presented to the Commission. A dismissal after reconsideration is a final order by the Commission.