

TO BE RESCINDED

4112-6-02 **Punitive damages.**

Division (G) of section 4112.05 of the Revised Code authorizes punitive damages up to fifty thousand dollars when there is finding of unlawful discrimination in housing. The purpose of an award of punitive damages is to deter unlawful conduct in the future.

It is the policy of the commission that punitive damages are appropriate whenever a respondent engages in intentional discrimination. The amount of punitive damages to be awarded depends on the circumstances of each case. The commission will look at the nature of the respondent's conduct, the respondent's prior history of discrimination, respondent's size and profitability, respondent's cooperation or lack of cooperation during the investigation of the charge and the effect respondent's actions had on the complainant.

The fact that an unlawful discriminatory act was committed by an agent, as opposed to a principal, shall not affect the amount of punitive damages.

Effective:

Five Year Review (FYR) Dates: 1/18/2019

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4112.04
Rule Amplifies: 4112.04; 4112.05
Prior Effective Dates: 07/12/1989, 09/01/1992 (Emer.), 10/02/1992,
10/21/2013