

TITLE 2: NATURAL RESOURCES  
DIVISION 4: LAND RESOURCES

**§ 40112. Enforcement by the Attorney General.**

(a) *Pattern or practice cases.* Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this chapter, or that any group of persons has been denied any of the rights granted by this chapter and such denial raises an issue of general public importance, the Attorney General may commence a civil action in the Commonwealth Superior Court.

(b) *On referral of discriminatory housing practice or conciliation agreement for enforcement.*

(1)(i) The Attorney General may commence a civil action in the Commonwealth Superior Court for appropriate relief with respect to a discriminatory housing practice referred to the Attorney General by the Corporate Director under 2 CMC § 40108(e) or 2 CMC § 40108(g).

(ii) A civil action under this subsection may be commenced not later than the expiration of 18 months after the date of the occurrence or the termination of the alleged discriminatory housing practice.

(2)(i) The Attorney General may commence a civil action in the Commonwealth Superior Court for appropriate relief with respect to breach of a conciliation agreement referred to the Attorney General by the Corporate Director under 2 CMC § 40108(c).

(ii) A civil action may be commenced under this paragraph not later than the expiration of 90 days after the referral of the alleged breach under 2 CMC § 40108(c).

(c) *Enforcement of subpoenas.* The Attorney General, on behalf of the Corporate Director, or other party at whose request a subpoena is issued, under this chapter, may enforce such subpoena in appropriate proceedings in the Commonwealth Superior Court.

(d) Relief which may be granted in civil actions under subsections (a) and (b) of this section.

(1) In a civil action under subsection (a) or (b) of this section, the court:

(i) May award such preventive relief, including a permanent or temporary injunction, restraining order, or other order against the person responsible for a violation of this chapter as is necessary to assure the full enjoyment of the rights granted by this chapter;

(ii) May award such other relief as the court deems appropriate, including monetary damages to persons aggrieved; and

(iii) May, to vindicate the public interest, assess a civil penalty against the respondent:

(A) In an amount not exceeding \$50,000, for a first violation; and

(B) In an amount not exceeding \$100,000, for any subsequent violation.

(2) In a civil action under this section, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee and costs.

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(e) *Intervention in civil actions.* Upon timely application, any person may intervene in a civil action commenced by the Attorney General under subsection (a) or (b) of this section which involves an alleged discriminatory housing practice with respect to which such person is an aggrieved person or a conciliation agreement to which such person is a party. The court may grant such appropriate relief to any such intervening party as is authorized to be granted to a plaintiff in a civil action under 2 CMC § 40111.

**Source:** PL 11-38, § 15, modified.

**Commission Comment:** Subsection designations using capital letters changed to lower case roman numerals and subsection designations using lower case roman numerals changed to capital letters to comply with standard code formatting.