

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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Landlord to Pay \$100,000 to Settle Fair Housing Case Involving Emotional Support Animals

Tenants with disabilities faced eviction when landlord refused to modify no-pets policy

SACRAMENTO- The Department of Fair Employment and Housing (DFEH) has reached a settlement with the owner of several apartment complexes and rental homes in San Jose who was discriminating against tenants with disabilities by refusing to allow them to have emotional support animals.

Weng-Lung Chow will pay \$100,000, undergo annual fair housing training for three years and develop written reasonable accommodation policies. As part of the settlement, he must also report reasonable accommodation requests to DFEH for three years.

“It is unlawful to harass or retaliate against tenants who make requests to live with emotional support or companion animals.” said Kevin Kish, Director of the DFEH. “The law requires landlords to modify policies, including no-pet policies, to reasonably accommodate people with disabilities.”

In the civil complaint filed in Santa Clara County, DFEH alleged that soon after Weng-Lung Chow purchased an apartment complex, he sent a letter to tenants stating he did “not like to deal with pets of any kind” and that they could not “introduce any new pet or replacement pet.” The letter made no exception for emotional support or companion animals as reasonable accommodations for tenants with disabilities. Mr. Chow further wrote a series of letters alleging there was a flea problem and the solution was to get rid of the pets. Alternatively, Mr. Chow required that the tenants provide a letter from a veterinarian, on a specified schedule, verifying that the animals did not have fleas. Mr. Chow issued a “three-day notice to perform or quit” to one of the tenants for allegedly violating the lease by having a “pet/animal in the apartment.” Ultimately, Mr. Chow evicted two tenants with emotional support animals.

As part of the settlement, Mr. Chow will undergo in person fair housing training about the rights and responsibilities of housing providers under the FEHA and Unruh Act annually for three years. He will develop a reasonable accommodation policy and distribute it to all current and prospective tenants. And for three years, Mr. Chow will provide semi-annual reports to the DFEH about the number of requests for accommodation, and the nature and outcome of those requests.

The monetary settlement includes compensation for the tenants, as well as attorney fees and costs to the DFEH and Project Sentinel, who filed complaints with the U.S. Department of Housing and Urban Development (HUD on behalf of tenants. HUD referred the complaints to DFEH for investigation and potential prosecution.

The Department of Fair Employment and Housing is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking.