

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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DFEH Settles Case against Landlords, Property Management Company, and Homeowners Association for Familial Status Discrimination

Family was Harassed and Faced Eviction under a Condominium's Discriminatory Rule Prohibiting Minor Children from Using the Common Areas without Direct Adult Supervision

Sacramento – The California Department of Fair Employment and Housing (DFEH) has reached a settlement with Seabreeze Homeowners Association and Farrell Smyth Property Management involving a San Luis Obispo family who alleged that they faced a retaliatory eviction after complaining about rules that discriminated against families with children.

“It is unlawful for a housing provider to adopt and enforce overly restrictive rules that limit minor children’s use of common areas,” said DFEH Director Kevin Kish. “It is also unlawful for them to retaliate or threaten to retaliate against someone who opposes the housing provider’s unlawful housing practices.”

The family, a mother and her three minor children, represented by California Rural Legal Assistance, Inc. (CRLA), filed a complaint with DFEH in September 2016 alleging the homeowners association and property management company adopted a rule prohibiting children from using the common areas without adult supervision shortly after they moved to the rental property. According to the complaint, board members of the homeowners association and employees of the property management company threatened to fine the complainant for violating the rule. After the mother sent a letter opposing the rule the landlords filed an eviction action, which was dismissed after DFEH obtained a temporary restraining order.

DFEH’s investigation found cause to believe a violation of the Fair Employment and Housing Act had occurred. The case was referred to DFEH’s Dispute Resolution Division, which provides no-cost mandatory dispute resolution services in cases DFEH intends to prosecute in court. As part of the settlement the complainant will receive \$10,000 and twelve months’ rent credit, valued at \$11,400, in addition to a 24-month lease at \$950 monthly rent. The landlords, homeowners association and property management company must undergo fair housing training; develop, implement, and distribute a written anti-discrimination policy and distribute DFEH fair housing brochures to current and future tenants in all rental properties they own and/or manage in California; and post fair housing posters in their rental and management offices in California. CRLA will also receive \$10,000 for attorney’s fees and costs.

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The DFEH 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. For more information, visit the DFEH's web site at www.dfeh.ca.gov.

