

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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DFEH Settles Housing Discrimination Case Against San Diego Homeowner's Association

Disabled tenant was confined to his apartment because of broken elevator

Sacramento – The California Department of Fair Employment and Housing (DFEH) has reached a settlement in a housing discrimination case involving a San Diego homeowners association and a resident who alleged he was unable to leave his apartment for extended periods of time because of a broken elevator.

The complainant, who relies solely on a wheelchair for mobility, filed a complaint with DFEH against the Casa de Alvarado Homeowners Association (HOA) and individual homeowners for failing to provide reasonable accommodations for his disability when the elevator in his complex became inoperable and he was unable to leave his third-floor apartment for almost three months. According to the complaint, the HOA and homeowners did not adequately discuss alternative solutions to enable him access to and from his apartment while the elevator was under repair.

DFEH found cause to believe a violation of the Fair Employment and Housing Act had occurred and filed a civil complaint in San Diego Superior Court in October 2016. The HOA reached a settlement with the complainant, agreeing to pay him \$80,000. DFEH settled separately with the HOA for \$20,000 in attorney fees and costs.

"All housing providers in California, including homeowners associations, have an obligation to provide reasonable accommodations to tenants with disabilities," said DFEH Director Kevin Kish.

In addition to a monetary settlement, the HOA and individual homeowners have agreed to undergo fair housing training regarding the rights and responsibilities of housing providers under the Fair Employment and Housing Act annually for a period of three years. They will also adopt and disseminate a written disability and reasonable accommodation policy to all employees and tenants, post DFEH fair housing posters in the complex, and distribute fair housing brochures to all residents.

Alexandra Seldin, Senior Staff Counsel, represented DFEH in this proceeding.

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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.

