



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR KEVIN KISH

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

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Contact: Fahizah Alim (916) 585-7076
Fahizah.Alim@dfeh.ca.gov

Landlord to Pay \$35,000 to Settle Housing Discrimination Case Involving Emotional Support Animals

*Tenants faced eviction after landlord allegedly required them to obtain a
\$1,000,000 insurance policy for a pit bull mix support animal*

BAKERSFIELD – The Department of Fair Employment and Housing (DFEH) has reached a settlement in a lawsuit filed on behalf of a disabled tenant whose landlord allegedly denied reasonable accommodation requests to allow a pit bull mix support animal to continue living with him.

Baby Kurian and Goodman Villas, LLC will pay \$35,000, develop an anti-discrimination policy and obtain fair housing training to resolve the lawsuit.

The civil complaint filed by DFEH in Kern County Superior Court alleged the man and his wife moved into a 12-unit apartment complex owned by the defendants in January 2015, bringing with them two support animals. In May 2015, Mr. Kurian allegedly told the tenants they needed to get rid of the larger dog because of its size, explaining that his insurance would not cover the animal. His property manager then issued a notice that, per Mr. Kurian, no dogs weighing more than 20 lbs. were allowed to live on the premises. The tenants' other dog is a Pomeranian.

The tenants subsequently gave management copies of medical documentation and of a \$100,000 liability insurance policy covering their emotional support animals. The property manager then sent a new notice stating that, per Mr. Kurian, no dogs weighing more than 20 lbs. were allowed to live on the premises without a \$1 million insurance policy. Mr. Kurian eventually served the tenants with an eviction notice, allegedly telling them, through the property manager, that the notice would be rescinded if the tenants got rid of their larger dog.

“It is unlawful to discriminate or retaliate against tenants who live with, or request to live with, assistance animals, including companion or emotional support animals,” said DFEH Director Kevin Kish. “A landlord may not penalize tenants for the presence of an assistance animal by imposing fees or insurance requirements solely because of the animal’s breed or size.”

The \$35,000 settlement includes \$20,000 in compensation for the tenants, \$10,000 to DFEH for attorney fees and costs, and \$5,000 to Greater Bakersfield Legal Assistance, which provided legal representation for the tenants.

Under terms of the settlement, Mr. Kurian is also required to obtain training on fair housing laws for himself and any property managers in each year of the two-year settlement. He and the apartment complex must also develop and implement an antidiscrimination policy, publish DFEH educational posters at their properties and allow DFEH to inspect any of their properties for compliance on 30 days' notice.

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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.

