

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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DFEH Settles Housing Discrimination Case Against San Diego Property Manager

Applicant with mental disability to receive \$10,000 after her rental application was rejected on the basis of a previous, disability-related, eviction

San Diego – The California Department of Fair Employment and Housing (DFEH) has reached a settlement in a housing discrimination case with respondent K and R Properties involving a rental applicant with a mental disability, who alleged that her application was rejected on the basis of a previous, disability-related, eviction.

In April 2017, the complainant filed complaints for housing discrimination and violations of the Unruh Civil Rights Act alleging that K and R Properties discriminated against her on the basis of her disability when they rejected her application after seeing that she had previously been evicted. Although complainant and her representative explained that the eviction occurred because of complainant's mental disability, attempted to provide evidence regarding the disability, and requested that the eviction be excused as a reasonable accommodation, K and R Properties rejected her application without addressing the reasonable accommodation request.

After DFEH found cause to believe a violation of the Fair Employment and Housing Act had occurred, the parties engaged in mediation, resulting in a settlement in which K and R properties will pay complainant \$10,000. Complainant was represented by the Legal Aid Society of San Diego, Inc.

“Housing providers must understand that the duty to provide reasonable accommodation extends to all phases of the housing process, including applications,” said DFEH Director Kevin Kish. “This duty to provide reasonable accommodations can include accommodating a housing applicant whose rental record has been negatively affected by their disability.”

In addition to a monetary settlement, respondent property management company—which had no reasonable accommodation policy at the time—has agreed to develop, implement and distribute fair housing policies, including policies for reasonably accommodating applicants and tenants with disabilities; post DFEH fair housing posters at the property; and distribute fair housing policies and DFEH brochures to all future tenants.

Gregory J. Mann, Senior Staff Counsel, represented the 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.

