

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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June 15, 2020
For Immediate Release

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San Diego Homeowners Association, Board Members and Property Management Co. to pay \$120,000 to Settle Housing Retaliation Case

Board Members Retaliated Against Homeowner Who Complained of Sexual Harassment

Sacramento – The California Department of Fair Employment and Housing (DFEH) has reached a settlement in a housing discrimination case against a San Diego homeowners association, two members of its board, and the association's former property management company based on board members' retaliation against a homeowner who reported she was being sexually harassed by an employee of the gardener working under contract for the association.

The complainant filed a complaint with DFEH in November 2015 alleging retaliation after she reported the sexual harassment. One board member allegedly spread lies about the complainant to other association members, refused to address her security concerns and make requested repairs, and yelled at her at a board meeting when she inquired whether the board was investigating her complaint. The homeowner also alleged another board member retaliated by filing fraudulent reports against her with professional licensing boards.

DFEH found cause to believe respondents violated the Fair Employment and Housing Act and filed a civil complaint in February 2017 against The Venetian Condominiums Maintenance Corporation; the two individual board members; former property management company N.N. Jaeschke, Inc. (a unit of Associa Northern California, Inc.) and its representative.

"Like landlords, homeowners associations have a duty to investigate and address reports of harassment by owners and tenants and must not retaliate against those exercising their rights," said DFEH Director Kevin Kish.

In settlement, respondents will pay \$120,000 in damages and attorney's fees as well as update the association's antidiscrimination policies, post fair housing notices, complete fair housing training, and report complaints of discrimination and harassment to DFEH for five years.

Senior Staff Counsels Gregory Mann and Alexandra Seldin 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.

