



Department of Fair Employment & Housing

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

California Issues New Regulations to Combat Housing Discrimination *Regulations effective January 1, 2022; educational webinars to be offered*

SACRAMENTO – The California Department of Fair Employment and Housing (DFEH) announced today that [new regulations](#) related to housing discrimination will go into effect on January 1, 2022. “Combatting housing discrimination is central to ensuring that all Californians have safe, affordable, and accessible housing, and these regulations provide needed guidance to housing providers and home seekers,” said Kevin Kish, DFEH Director.

The new regulations address the following topics, among others:

- The regulations specify that housing providers are prohibited from discriminating against a tenant or applicant based on their **“source of income,”** including the use of Section 8 housing choice vouchers, California’s COVID-19 Rent Relief Program, or other government assistance. The [COVID-19 Rent Relief Program](#) provides financial assistance for unpaid rent to eligible renters and landlords in California who have been impacted by COVID-19.
- The regulations provide important guidance regarding **reasonable modifications**, which are physical changes to dwellings and common areas so that individuals with disabilities have an equal opportunity to enjoy a housing opportunity. The regulations provide many examples of real-world scenarios that will be useful to landlords, tenants, Homeowners Associations, homeowners, and others in following the law.
- The regulations address **discriminatory advertisements and other statements**. Unlawful statements include those that not only express a preference based on a protected characteristic, such as race, sexual orientation, religion, disability, or source of income, but also those that indicate such a preference to an ordinary reader or listener. For example, depending on the context, an advertisement that states that an apartment building is for “working professionals” may indicate discrimination based on source of income, or a statement that a housing development is for those who can “live independently” may indicate disability discrimination.
- The regulations detail how to prove **intentional discrimination** and available defenses.

The regulations were issued by the [Fair Employment and Housing Council](#), following a year-and-a-half long rulemaking process that involved extensive public input. The Council, which is part of DFEH, promulgates regulations that implement California’s civil rights laws, including the Fair Employment and Housing Act. The Council also conducts inquiries and holds hearings on civil rights issues confronting the state. The new regulations build on an earlier round of [housing regulations](#) from the Council that went into effect in 2020.

Beginning in late January 2022, DFEH will host a series of educational webinars about the new regulations and how they fit into existing law. The webinar series will be announced on DFEH’s training listserv. Anyone may sign-up for training alerts from DFEH here: <https://www.dfeh.ca.gov/Subscriptions/#trainingBody>.

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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 website at www.dfeh.ca.gov.

