



## Civil Rights Department

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September 12, 2024

For Immediate Release

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### Civil Rights Department Settlement Ends San Diego Homeless Shelter's Alleged Ban of Emotional Support Animals

*Agreement builds on recent work to further protect people with disabilities against discrimination and follows a lawsuit against another San Diego housing provider*

**SACRAMENTO** – The California Civil Rights Department (CRD) today [announced a settlement with San Diego Rescue Mission](#) to end the organization's alleged unlawful ban on emotional support animals in its 12-month residential program. Under California law, housing providers, including shelters and transitional housing, are required to provide reasonable accommodations to people with disabilities to allow them to live with an assistance animal, including emotional support animals, that help the person manage their disability. The agreement [builds on regulatory work in recent years](#) to further protect people with disabilities against discrimination and follows the [filing of a separate, ongoing lawsuit](#) against an individual property owner in San Diego over allegedly denying a couple a reasonable accommodation for an emotional support animal.

“Whether it’s for a visual impairment or ongoing anxiety, assistance animals play a critical role in helping Californians navigate their disabilities,” **said CRD Director Kevin Kish**. “Their use to assist those with disabilities in their homes is protected under the law, regardless of the animal’s size, breed, or weight. At the California Civil Rights Department, we continue to take action to combat disability discrimination and protect the civil rights of all our state’s residents.”

Last year, CRD received a complaint against San Diego Rescue Mission, a community organization that serves people experiencing homelessness, alleging that it maintained an unlawful policy prohibiting emotional support animals in its 12-month residential program. According to the complainant, he shared his need for living with both an emotional support cat and a service dog and provided a copy of a letter from his medical provider to support the request. However, the next day, San Diego Rescue Mission allegedly asked the complainant to leave and then evicted him because their assistance animal policy did not include emotional support animals. The shelter allegedly also sought to require the complainant to provide proof of the service dog’s training — even though there is no such requirement under California law.

Broadly speaking, service animals and emotional support animals are two different forms of assistance animals. Service animals, including guide dogs or signal dogs, are trained to help people address

specific aspects of a physical or mental disability. In contrast, support animals do not need to be trained and are generally geared toward helping provide emotional or other forms of support to people with disabilities. As part of the interactive process to determine potential reasonable accommodations for tenants with disabilities, landlords may request documentation, including confirmation from a health care provider, to verify a tenant's need for an emotional support animal. In contrast, for service animals, landlords may only ask tenants whether they have a disability and what work the service animal is trained to perform.

As part of the settlement with San Diego Rescue Mission, the organization will be required to:

- Ensure residents with disabilities are allowed to live with their emotional support animals, as well as other forms of assistance animals.
- Train employees on housing rights for people with disabilities, including on required processes to facilitate reasonable accommodation requests.
- Post fair housing materials at their facilities to help inform tenants and staff of California's fair housing protections.
- Pay \$43,000 to address the alleged harms to the complainant.

The settlement announced today builds on ongoing efforts to protect the rights of people with disabilities in California. For instance, last month, CRD [filed a separate lawsuit](#) against an individual housing provider in San Diego for allegedly denying a couple a reasonable accommodation for an emotional support animal as a result of the homeowners' association's alleged weight restriction on animals at the property. In recent years, the California Civil Rights Council also [issued regulations to help clarify housing providers' and tenants' responsibilities](#) regarding assistance animals and CRD has [issued guidance to help tenants and residents with disabilities](#) understand their rights and protections with respect to emotional support animals. Earlier this year, CRD announced a \$110,000 settlement to [resolve the alleged failure of five Southern California assisted living facilities](#) to make American Sign Language interpretation available for seniors with disabilities. CRD also [recently launched new monthly virtual trainings](#) focused specifically on addressing disability discrimination in housing and employment.

If you or someone you know has been the victim of housing discrimination, CRD may be able to assist you through its [complaint process](#). The department also [provides general information and factsheets online](#) about civil rights protections for members of the public, including with respect to [housing protections for people with disabilities](#).

The settlement announced today was supported by Staff Attorney Dylan Colbert. It was investigated by CRD's Enforcement Division and mediated by CRD's Dispute Resolution Division.

A copy of the settlement is available [here](#).

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*The California Civil Rights Department (CRD) is the state agency charged with enforcing California's civil rights laws. CRD's mission is to protect the people of California from unlawful discrimination in*

employment, housing, public accommodations, and state-funded programs and activities, and from hate violence and human trafficking. For more information, visit [calcivilrights.ca.gov](https://calcivilrights.ca.gov).

