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Civil Rights Department

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Bakersfield Apartments Settle with State Over Alleged Sexual Harassment of Tenants by Longtime Property Manager

Civil Rights Department consent decree to require RCM SoCal to pay \$280,000 and bar property manager from ever again working in that role for the company

SACRAMENTO – The California Civil Rights Department (CRD) today announced a settlement with RCM SoCal, a property management company with nearly 200 rental units in Bakersfield, to resolve claims that a longtime property manager engaged in years of unwelcome sexual harassment against female tenants and that the company failed to act to stop it. The settlement — filed as a proposed consent decree with the court — requires RCM SoCal to pay \$280,000 to female tenants who were allegedly sexually harassed by the property manager, bars the property manager from ever again working in that role for the company, and ensures a range of proactive actions to prevent future discrimination and harassment at the Bakersfield properties.

"Everyone deserves to feel safe in their home," **said CRD Director Kevin Kish.** "After someone saw what was happening in their building and spoke out, we were able to step in and help put a stop to it. This settlement ends years of alleged sexual harassment at multiple apartments in Bakersfield. It puts robust protections in place and will support people who felt like they had no choice but to endure or move out. Together, we can take meaningful action against abuse and protect tenants in our state."

No Choice But to Comply

In 2021, following an individual complaint filed with CRD, the department launched an investigation into RCM SoCal over claims of sexual harassment against a property manager. CRD subsequently issued a director's complaint to expand the scope of its review over concerns that the alleged misconduct was directly harming additional residents. As a result of its investigation, CRD alleged in a lawsuit — filed in court shortly prior to the filing of the settlement — that the property manager sexually harassed female tenants, and that RCM SoCal knew about the behavior and failed to take action to stop it. Specifically, the department's allegations include:

- The property manager engaged in "quid pro quo" sexual harassment by seeking sexual favors from tenants in exchange for housing benefits, like rent reductions, larger units, or furniture.
- The property manager often tried to get female tenants alone in his apartment to pay rent and used those opportunities to ask them out on dates and stare at their bodies.

- The property manager subjected tenants and prospective tenants to unwelcome sexual touching and comments.
- When tenants resisted, they faced retaliation in the form of unlawful eviction notices, additional harassment, or having maintenance requests ignored.

Settlement Ends Harassment

At the conclusion of the investigation, CRD provided those involved in the case an opportunity to resolve the allegations through mediation. As a result of the settlement, RCM SoCal will:

- Permanently bar the property manager from directly or indirectly performing any duties in that role at any of the properties covered under the settlement.
- Ensure any future property managers receive training on California's housing discrimination laws, including protections against sexual harassment.
- Designate a specific fair housing coordinator to review and respond to any future complaints of sexual harassment or discrimination, as well as requests for reasonable accommodations.
- Put in place a written policy prohibiting housing discrimination, harassment, and retaliation, including with respect to sexual harassment.
- Pay \$280,000 to a settlement fund for direct monetary relief to impacted tenants.

State Continues to Take Action

California is committed to protecting all residents from sexual harassment. Last year, CRD <u>sued a</u> <u>restaurant</u> over its alleged failure to pay money owed to a former employee who had allegedly been sexually harassed on the job. The department also <u>reached a \$100,000 settlement with a strawberry</u> <u>farm</u> in Santa Cruz County over the alleged sexual harassment of a farmworker. In 2023, CRD obtained a <u>\$25,000 settlement against landlords</u> in El Dorado County for alleged sexual harassment of a tenant. In 2022, the department <u>secured a \$3 million settlement with the producers of Criminal Minds</u> to resolve allegations that male crew members were sexually harassed by the show's director of photography. The department also <u>reached a \$500,000 settlement against Live Nation and House of Blues Anaheim</u> over alleged workplace sexual harassment. CRD also <u>offers free materials and online trainings</u> to combat sexual harassment across the state.

About CRD's Mediation Program

CRD resolves hundreds of discrimination complaints a year through its free <u>dispute resolution program</u>. An alternative for parties that don't want to go to court, the program offers neutral, trauma-informed mediation for civil rights disputes. These mediations result in millions of dollars in direct relief to Californians and policy change that helps prevent against future discrimination.

If you or someone you know has been the victim of housing discrimination, CRD may be able to assist you through its <u>complaint process</u>. The department also <u>provides general information and factsheets</u> <u>online</u> about civil rights protections for members of the public.

The settlement announced today was supported by Associate Chief Counsel Azadeh Hosseinian, Associate Chief Counsel Alexis Alvarez, and Assistant Chief Counsel Nadia Aziz. It was investigated by

Naisha Kendrix with CRD's Legal Division and Colleen Janatpour and Ivon Vikash with CRD's Enforcement Division. It was mediated by Attorney IV Mediator Angela E. Oh.

A copy of the settlement — filed as a proposed consent decree with the court — is available <u>here</u>. A copy of the lawsuit is available <u>here</u>.

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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 <u>calcivilrights.ca.gov</u>.

