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Attorney General Bonta, Newsom Administration Issue Legal Alert Reaffirming California Protections for Group Homes

Alert reminds local governments that California fair housing laws protecting residents with disabilities remain fully in effect following Ninth Circuit ruling

OAKLAND – California Attorney General Rob Bonta today, alongside the California Department of Housing and Community Development (HCD) and the California Civil Rights Department (CRD), [issued a legal alert](#) reaffirming that California law continues to provide strong antidiscrimination protections for group homes serving people with disabilities following a 2025 decision by the U.S. Court of Appeals for the Ninth Circuit in *The Ohio House, LLC v. City of Costa Mesa*.

The alert advises local governments that [HCD's 2022 guidance](#) on fair housing and land use law remains in effect. California law not only prohibits discrimination against group homes but also requires local governments to affirmatively further fair housing and support housing opportunities for persons with disabilities. The alert warns that local governments relying on the *Ohio House* decision to adopt or enforce restrictive zoning policies targeting group homes could face liability under California law.

“California law protects the right of people with disabilities to live in inclusive, community-based housing,” **said Attorney General Rob Bonta**. “Today, we’re making clear that local governments cannot use a narrow federal court decision as justification to undermine those expansive protections or exclude vulnerable Californians from their communities. State courts — not federal courts — have the final say on what California law means.”

“We are grateful to have our partners in the enforcement of California housing law join us in reaffirming there is no place for discrimination against people with disabilities in our state,” **said HCD Director Gustavo Velasquez**. “To the contrary, local governments have a legal — and moral — obligation to ensure fair housing opportunity for our most vulnerable residents.”

“California’s civil rights laws are clear that people with disabilities and the organizations that help house them are entitled to reasonable accommodations,” **said CRD Director Kevin Kish**. “Local governments must comply with state antidiscrimination protections when they serve their constituents, including the vulnerable populations who need the housing environments available in group homes. Local laws, policies, and practices that deny that housing have no place in the Golden State.”

“Group homes” are homes where unrelated people with disabilities live together and receive peer and other disability-related support, while sharing spaces like kitchens and living areas and participating in daily communal life. Group homes help their residents live in deinstitutionalized settings and integrate into local communities.

In *Ohio House*, the Ninth Circuit upheld certain group home regulations adopted by the City of Costa Mesa and rejected plaintiffs’ state and federal claims alleging that the regulations discriminated against persons with disabilities. Since the court declined to fully analyze California’s broader housing and anti-discrimination laws — including the Anti-Discrimination in Land Use Law, Housing Element Law, Affirmatively Furthering Fair Housing Law, and critical aspects of California’s Fair Employment and Housing Act — the legal alert clarifies the scope and nature of these state laws.

The legal alert further emphasizes that California state courts — not federal courts — are the final arbiters of California law, and that federal law does not prevent California from providing greater protections for residents with disabilities. The alert cites longstanding California court decisions broadly interpreting state fair housing protections and warns that restrictive local policies targeting group homes may violate state law and jeopardize local jurisdictions’ housing element compliance certifications or Prohousing Designation status.

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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 [civildrights.ca.gov](https://www.civilrights.ca.gov).

