



Civil Rights Department

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Civil Rights Department Issues Legal Alert on Protections for Emotional Support Animals in Housing

Alert reminds housing providers of state law following recent reversal in federal guidance

SACRAMENTO – The California Civil Rights Department (CRD) today [issued a legal alert](#) to reaffirm state protections related to emotional support animals in housing. The alert reminds housing providers and the public of ongoing requirements under state law following the U.S. Department of Housing and Community Development's (HUD) recent reversal of its guidance for enforcing antidiscrimination law at the federal level.

"Emotional support animals provide critical support to people with disabilities all across the country," **said CRD Director Kevin Kish**. "While the federal government rolls back civil rights protections, California is staying the course. Housing policies that discriminate against people because of their disability-related need for an emotional support animal do not comply with state law."

What Changed?

On May 22, HUD — despite having applied its current standard for over a decade — issued new guidance regarding how it will process complaints related to assistance animals in housing. The new federal guidance applies to both service animals and emotional support animals, which are two different types of assistance animals. Under the guidance, HUD indicated it will no longer pursue civil charges in assistance animal cases unless they involve animals that are individually trained to do work or perform tasks directly related to a person's disability.

In other words, HUD will accept cases involving service animals, which include guide or signal dogs, but not cases involving emotional support animals, which generally do not need to be trained and provide emotional or other forms of support to people with disabilities. As a result, people who rely on emotional support animals across the country will have fewer options to address barriers to housing, including veterans with Post-Traumatic Stress Disorder or people with developmental disabilities such as autism.

California Stays the Course

Although the federal government has changed its guidance for assistance animal cases under federal law, California is staying the course. California laws that protect the right to request reasonable changes to housing policies, which include the California Fair Employment and Housing Act and Unruh Civil Rights Act, remain unaffected. State law continues to require housing providers to grant reasonable exceptions, where necessary, to ensure people with disabilities have an equal opportunity to use and enjoy housing. Examples of reasonable accommodations for assistance animals can include waivers of “no pets” policies, pet fees, and breed restrictions.

Disability Rights Are Civil Rights

The state continues to use a wide range of tools to help ensure the rights of Californians with disabilities are protected. Earlier this year, CRD [reached a \\$300,000 settlement with UC San Francisco](#) to resolve allegations that the university failed to take reasonable steps to address an employee’s request to work remotely as an accommodation for a disability. Last year, the department announced a settlement with Pegasus Senior Living over the [alleged failure to provide access to American Sign Language interpretation](#) for current or potential tenants. In 2024, CRD [secured a \\$14.4 million settlement with Microsoft](#) to resolve allegations of retaliation and discrimination against workers based on their use of protected leave, including leave related to disability. Earlier that year, the department also announced a settlement with San Diego Rescue Mission to [end the organization’s alleged unlawful ban on emotional support animals](#) in one of its residential programs.

If you or someone you know has experienced 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 protections relating to [emotional support animals](#), [reasonable changes to housing policies](#), and [reasonable physical modifications to housing facilities](#).

You can learn more about today’s announcement by [reading a copy of the legal alert](#). You can also learn more about protections related to emotional support animals at the department’s [upcoming webinar](#) on August 12 at 11 AM PT.

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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.

