

**Landlords Beware!
Housing Discrimination Alive
And Well in California**

by Frances Espinoza

In 2008/2009, the number of clients assisted by the Housing Rights Center, (HRC) increased by 6%. For the seventh consecutive year, they assisted over 20,000 clients. In August of 2009, HRC assisted 24,276 residents throughout Los Angeles and Ventura Counties. Of those 24,276 calls, 1,909 (8%) concerned fair housing issues, 22,060 (91%) concerned general tenant/landlord problems and 307 (1%) had consumer loan issues.

Discrimination Complaints

Of the 1,909 allegations of discrimination, HRC opened cases for 502 (26%) and the remainder were counseled or referred to other agencies. Listed below is a summary of the types of allegations HRC received.

The most common complaint was of discrimination based on disability, which involved the need for a reasonable accommodation or modification. Together, complaints of physical and mental disability (54%) made up over half of HRC's 2008/2009 case load.

Allegations of discrimination against families with children, which were typically complaints of overly restrictive rules or harassment because of the presence of children the household were the second most common (12%). This was followed by complaints of race discrimination (11%) and national origin discrimination (4%).

In HRC's investigation of the 502 cases, they found sufficient evidence of discrimination to warrant enforcement activity in 70% of the cases.

<u>Protected Classification</u>	<u># of Complaints</u>
Age	30
Arbitrary Personal	
Characteristics	20
Color	3
Familial Status (Children)	226
Gender (Sexual Harassment)	65
Marital Status	26
Mental Disability	222
National Origin	72
Physical Disability	805
Race	205
Religion	19
Sexual Orientation	41
Student Status (LA City only)	1
Source of Income	22
General Information	152

Total: 1,909

Tenant/Landlord Complaints

Of the 22,060 calls of general housing problems, the most common issues reported were:

- Notices to vacate and evictions (24%)
- Repair problems / substandard conditions (13%)
- Lease terms (9%)
- Security deposits (8%)
- Difficulty finding housing (8%)

Complaints

The Housing Rights Center received complaints from cities and communities throughout Los Angeles and Ventura Counties, the majority in Los Angeles City and Los Angeles County followed by Glendale and Pasadena. Other statistics are as follows:

- 100% of the callers reported low to moderate incomes
- 35% were of Latino ethnicity, 23% were White, 17% were African American and 5% were Asian or Pacific Islander
- 11% of the callers were female headed households; 13% were persons with disabilities and 7% were seniors
- 81% of the callers were in-place tenants and 7% were rental home-seekers while 7% were landlords or property managers

Fair Housing and Employment Act (FEHA)

The Housing Rights Center also reported that discrimination against lesbian, gay and bisexual transgender (LGBT) individuals in housing is pervasive. A survey found that 22% experienced housing discrimination “often” which another 57% experienced discrimination “sometimes.”

Housing discrimination against the LGBT community persists. Same-sex couples were frequently charged different rental rates, discouraged from renting and assessed extra fees.

California’s employees and tenants are currently protected from sexual orientation and gender identity discrimination under the state Fair Employment and Housing Act. FEHA protects against both housing and employment discrimination – a comprehensive regulation that protects LGBT individuals and provides those discriminated against with a legal remedy. California added sexual orientation protection in 2000 through AB 1001. AB 1001 placed sexual orientation discrimination on an equal footing with illegal discrimination based on race, sex, age, religion, disability and other protected classes enumerated in FEHA. AB 1001 also expressly prohibits harassment based on sexual orientation.

The Gender Nondiscrimination Bill of 2003, AB 196, added gender identity protection to FEHA, including a person's gender identity and gender-related appearance and behavior whether or not stereo-typically associated with the person's assigned sex at birth.

Landlords Beware!

The Eviction Defense Network (EDN) is a network of trial lawyers, advocates and tenants dedicated to defending the right to affordable housing and ensuring access to justice in housing to tenants in Los Angeles County. Over the past six months, EDN has trained HRC staff on the fundamentals of eviction defense from start to finish. With a hands-on practical approach, EDN taught HRC staff how to effectively tackle eviction defense including how to prepare and file paperwork to oppose eviction actions, how to gather evidence in support of a client's defense and how to persuasively argue the defense in court.

Editor's Note: Please be sure to check AOA's upcoming seminars and attend one of our FREE Fair Housing workshops on discrimination. Have your resident manager attend, learn the laws and stay out of court!

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