DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

PUBLIC ACCESS
DISCRIMINATION AND CIVIL RIGHTS

THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS, AND FROM THE PERPETRATION OF ACTS OF HATE VIOLENCE AND HUMAN TRAFFICKING.

FOR MORE INFORMATION
Department of Fair Employment and Housing
Toll Free: (800) 884-1684
TTY: (800) 700-2320
Online: www.dfeh.ca.gov
Also find us on:

THE FACTS
The Unruh Civil Rights Act provides protection from discrimination by all business establishments in California, including housing and public accommodations. The term “business establishments” may include governmental and public entities as well.

WHAT DFEH DOES
The Department of Fair Employment and Housing (DFEH) enforces this law by:

1. Investigating harassment and discrimination complaints;
2. Assisting involved parties to voluntarily resolve complaints;
3. Prosecuting violations of the law; and
4. Educating Californians about the Unruh Act by providing written materials and participating in seminars and conferences.

DFEH is committed to providing access to our materials in an alternative format as a reasonable accommodation for people with disabilities when requested.
Contact DFEH at (800) 884-1684 (voice or via relay operator 711), TTY (800) 700-2320, or contact.center@dfeh.ca.gov to discuss your preferred format to access our materials or webpages.

COMPLAINTS MUST BE FILED WITHIN ONE YEAR OF THE LAST ACT OF DISCRIMINATION

FILING A COMPLAINT

If you believe you are a victim of illegal discrimination, you can file a complaint with DFEH by following these steps:

1. Contact DFEH by using the information on the back of this brochure
2. Be prepared to present specific facts about the alleged discrimination or harassment
3. Provide copies of documents that support the charges in the complaint
4. Keep records and documents about the incident(s), such as receipts, stubs, bills, applications, and other materials

DFEH will conduct an impartial investigation. We represent the State of California. DFEH will, if possible, try to assist both parties to resolve the complaint.

If a voluntary settlement cannot be reached, and there is sufficient evidence to establish a violation of the law, DFEH may litigate the case in civil court.

If a court decides in favor of the complaining party, remedies may include out-of-pocket expenses, cease and desist orders, damages for emotional distress, statutory damages, attorney’s fees and costs, and punitive damages. Court-ordered damages may include a maximum of three times the amount of the complainant’s actual damages.

Individuals wishing to file directly in court may do so without contacting DFEH.
The language of the Unruh Civil Rights Act specifically outlaws discrimination in housing and public accommodations based on sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status. However, the California Supreme Court has held that protections under the Unruh Act are not necessarily restricted to these characteristics. The Act is meant to cover all arbitrary and intentional discrimination by a business establishment on the basis of personal characteristics similar to those listed above.

The law also protects the rights of individuals with disabilities to use streets, highways, and other public places; public conveyances; places of public accommodation, amusement or resort, and housing accommodations; and guide, signal, or service animals or alternative accommodations for persons with disabilities.

The law clearly distinguishes between the right of a business to refuse service based on conduct as opposed to personal characteristics. The misconduct or disruptive behavior of particular individuals may be grounds for refusing to do business with them or denying them services.

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**SENIOR HOUSING**

The Unruh Civil Rights Act also contains provisions regulating the establishment of specialized housing designed to meet the physical and/or social needs of senior citizens.

**EXAMPLES OF UNRUH ACT VIOLATIONS**

The following examples represent potential violations of the Unruh Civil Rights Act. Other situations may also qualify as Unruh Act violations depending on the specific circumstances.

- A hotel charges a $100 service fee only to guests of a certain racial group but not to other guests of the hotel
- A doctor refuses to treat a patient who has been diagnosed as HIV positive
- A same-sex couple is denied a table at a restaurant even though there are vacant tables available and other customers are seated immediately
- A visually impaired individual is told their service animal is not allowed in a store
- Charging men and women different prices for comparable services, such as clothing alterations, haircuts, dry cleaning, or drinks at a restaurant or bar
- Promoting a business with “ladies night” discounts on admission and services

**BUSINESSES COVERED UNDER THE LAW**

The Unruh Civil Rights Act requires “[f]ull and equal accommodations, advantages, facilities, privileges or services in all business establishments.” This includes, but is not limited to, the following places:

- Hotels and motels
- Nonprofit organizations that have a business purpose or are a public accommodation
- Restaurants
- Theaters
- Hospitals
- Barber shops and beauty salons
- Housing accommodations
- Public agencies
- Retail establishments

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**PROTECTIONS UNDER THE LAW**

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