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March 27, 2018
For Immediate Release

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DFEH Settles Disability Discrimination Case Against Owner of Luxury Apartments

Landlord pays \$15,000 to tenant with disabilities who was forced to move when the landlord refused to provide a closer parking space as a reasonable accommodation

Sacramento – The California Department of Fair Employment and Housing (DFEH) has reached a settlement with the owner of a luxury apartment community in Mission Viejo who denied a tenant with disabilities a different parking space as a reasonable accommodation.

The tenant, who has disability-related mobility restrictions, filed a complaint with DFEH in January 2017 after being denied a parking space closer to his unit and after complaining that accessible parking spaces were being occupied unlawfully. According to the complaint, the landlord refused to discuss his request, and the complainant was forced to park a considerable distance from his unit, which exacerbated his disabilities and ultimately required him to move.

DFEH found cause to believe a violation of the Fair Employment and Housing Act had occurred and referred the case to mandatory dispute resolution in the Department's Dispute Resolution Division. The case was settled through the mandatory dispute resolution process. The complainant will receive \$15,000 as part of the settlement.

"The law requires that landlords provide reasonable accommodations to tenants with disabilities and engage in an interactive process to do so," said DFEH Director Kevin Kish. "In this case, engaging with the complainant to find a closer parking space would have allowed him to continue living in his apartment."

In addition to a monetary settlement, the landlord agreed to provide fair housing training to all employees, including how to process reasonable accommodation requests. The landlord will also track all requests for reasonable accommodation provide this information to the DFEH in a report due in six months. Additionally, the landlord agreed to provide information to tenants and employees about the law prohibiting use of accessible parking spaces without a permit.

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The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's web site at www.dfeh.ca.gov.

