

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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July 9, 2018
For Immediate Release

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DFEH Settles Housing Reasonable Accommodation Case Against Homeowners' Association

*DFEH Alleged HOA Failed to Provide Accessible Parking Reasonable Accommodation
to Resident Who Uses a Wheelchair*

Sacramento – The California Department of Fair Employment and Housing (DFEH) has reached a settlement in a complaint filed against a Redondo Beach homeowners' association (HOA) involving a resident who requested that the HOA provide an accessible reserved parking spot near his unit as a reasonable accommodation for his disability.

The resident filed a complaint with DFEH in October 2017 alleging that the HOA failed to provide a reasonable accommodation for more than two years. The complainant uses a motorized wheelchair as a result of a spinal cord injury, and uses an accessible van with a wheelchair ramp for transportation. The resident and his wife first requested the accommodation in January 2016, when they initially acquired the van, but no accommodation was provided. The request for the accommodation was made again in 2017 after the complainant hired counsel to assist him with the request.

DFEH found cause to believe a violation of the Fair Employment and Housing Act had occurred when the HOA failed to provide the accessible reserved parking space. The complainant will receive \$21,000 as a result of the settlement.

"It is important that homeowners' associations and their boards are aware that they are subject to the Fair Employment and Housing Act and Unruh Civil Rights Act, and thus subject to certain legal obligations," said DFEH Director Kevin Kish. "When a request for an accommodation is made, housing providers, including homeowners' associations and management companies, are required to engage in a good faith, interactive process and to provide reasonable accommodations."

In addition to a monetary settlement, the homeowners' association agreed to provide the accessible reserved parking spot, develop and implement a written reasonable accommodation policy, and undergo fair housing training.

Staff Counsel Joni Carrasco represented DFEH in this proceeding.

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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.

