

**State of California
Office of Administrative Law**

In re:
Fair Employment and Housing Council

Regulatory Action:

Title 02, California Code of Regulations

Adopt sections: 12005, 12010, 12060,
12061, 12062, 12063,
12100, 12120, 12130,
12155, 12161, 12162,
12176, 12177, 12178,
12179, 12180, 12185,
12264, 12265, 12266,
12267, 12268, 12269,
12270, 12271

Amend sections:

Repeal sections:

**NOTICE OF DISAPPROVAL OF
REGULATORY ACTION**

Government Code Section 11349.3

OAL Matter Number: 2019-0214-01

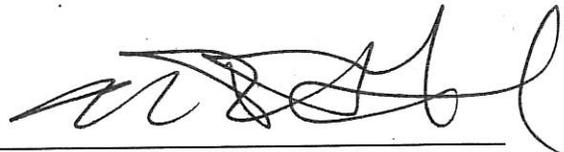
OAL Matter Type: Regular Resubmittal (SR)

In this resubmitted rulemaking action, the Council proposes to adopt regulations related to the protection against discrimination in the context of fair housing. The proposed regulations provide definitions and discuss discriminatory effects, the burden of proof in establishing discriminatory effects, and legally sufficient justifications for practices that have discriminatory effects. The proposed regulations further discuss liability for discriminatory housing practices in real estate transactions and land use, harassment, retaliation, reasonable accommodations, assistance animals, and consideration of criminal history information in housing.

OAL disapproves this regulatory action for failure to satisfy the Clarity and Necessity standards of the Administrative Procedure Act (APA), and for failure to follow all procedural APA standards.

Within seven (7) calendar days of the date of this notice, the Office of Administrative Law will send the adopting agency a written decision detailing the reasons for disapproval of this regulatory filing.

Date: March 29, 2019



Thanh Huynh
Senior Attorney

Original: Kevin Kish, Director
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