
Building a Better Fair Housing Practice in California

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I. INTRODUCTION

In the past 52 years, through legislation and case law, California has steadily expanded its fair housing protections under the Unruh Civil Rights Act (“Unruh Act”)¹ and the Fair Employment and Housing Act (“FEHA”).² These state protections often overlap with and complement federal fair housing laws but, until recently, had some critical differences relating to penalties and certain categories of discrimination. Effective January 2011, additional legislative amendments to the FEHA provided greater substantial equivalence between it and the federal Fair Housing Amendments Act (“FHAA”) with respect to civil penalties and age discrimination and clarified California law relating to source-of-income discrimination.³

II. STATUTORY BACKGROUND OF CALIFORNIA’S FAIR HOUSING LAWS⁴

A. The Unruh Act

In 1959, the California Legislature enacted the Unruh Act, which prohibits arbitrary discrimination by all business establishments, including housing and public accommodations, on account of age, ancestry, color, disability, national origin, race, religion, sex, and sexual orientation.⁵ These “enumerated categories are illustrative, rather than restrictive.”⁶ Indeed, courts have boldly construed the Unruh Act to apply to arbitrary discrimination based on personal traits, beliefs, or characteristics.⁷ The objective of the Unruh Act is to prohibit businesses from engaging in unreasonable, arbitrary, or invidious discrimination.⁸

In determining whether an organization is a “business establishment” under the Unruh Act, courts must consider several factors, including: (a) what, if any, business benefits one may derive from membership; (b) the number and nature of paid staff; (c) whether the organization has physical facilities; (d) what are the purposes and activities of the organization; (e) the extent to which the organization is open to the public; (f) whether there are any fees or dues for participation or membership; and (g) the nature of the organization’s structure.⁹ The types of businesses that fall under the Unruh Act are diverse, and include landlords,¹⁰ homeowners’ associations,¹¹ condominium associations,¹² real estate brokers,¹³ real estate developers,¹⁴ and many other business establishments.¹⁵

In numerous instances, the courts’ interpretation of “arbitrary discrimination” and “business establishment” under the Unruh Act protected against housing discrimination long before the California Legislature enacted the FEHA. For example, the Court of Appeal in *Swann v. Burkett*¹⁶ ruled that an owner of a triplex constituted a “business establishment” for purposes of the Unruh Act. Significantly, this ruling was rendered a year before the California Legislature enacted the Rumford Fair Housing

Act¹⁷ (“Rumford Act”), which was a precursor to the FEHA that prohibited private property owners from discriminating on the basis of race. As a result, the court determined that the property owner could not discriminate against a rental applicant on the basis of race.¹⁸ Similarly, in 1982, ten years before the FEHA was amended to include “familial status” as a protected category,¹⁹ the California Supreme Court in *Marina Point v. Wolfson*²⁰ held that an apartment complex could not ban families with children based on a “generalized prediction” that the class as a whole is more likely to commit misconduct than adults without children. Likewise, in 1982, the court in *Hubert v. Williams*²¹ ruled that the Unruh Act protected against sexual orientation housing discrimination, a full 17 years before that basis was added to the FEHA.²²

B. The Rumford Act

As a supplement to the Unruh Act, the 1963 enactment of the Rumford Act expressly prohibited housing discrimination in the sale or rental of properties with four or more units on the basis of ethnicity, religion, sex, marital status, physical handicap, or familial status.²³

Passage of the Rumford Act did not go unchallenged, however. Less than a year after its enactment, the California Real Estate Association launched a campaign for property owners’ “sacred housing rights” and against “forced housing.”²⁴ This resulted in the November 1964 approval by California voters of Proposition 14, a constitutional amendment prohibiting limits on a property owner’s sole discretion to refuse to sell or lease real property, by more than a two-to-one margin.²⁵ Until Proposition 14 was struck down by the California Supreme Court in 1966 as unconstitutional,²⁶ it gave property owners the right to exclude anyone for any reason, including a right to refuse to rent, sell, or lease on the basis of race, religion, or ethnic background.²⁷

C. 1980 Fair Employment and Housing Act

In 1980, declaring that “the opportunity to seek, obtain, and hold housing without discrimination is . . . a civil right,”²⁸ the Legislature and Governor Edmund G. Brown, Jr., combined the Fair Employment Practices Act (“FEPA”),²⁹ which had been adopted in 1953 to protect against unfair employment practices, and the Rumford Act to create the Fair Employment and Housing Act, now known as the FEHA.³⁰ Leaving most of the protected categories in place, the new FEHA created two subcabinet-level administrative agencies to enforce the FEHA: (1) the Department of Fair Employment and Housing (“DFEH” or “Department”) that investigates, conciliates, mediates, and prosecutes discrimination complaints;³¹ and (2) the Fair Employment and Housing Commission (“FEHC”

or “Commission”) that adjudicates the discrimination claims and promulgates regulations interpreting the FEHA.³²

Specifically, the FEHA provides protection from harassment or discrimination in housing (or employment) because of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, and disability.³³ The FEHA prohibits discrimination and harassment in all aspects of housing including sales and rentals, evictions, terms and conditions, mortgage loans and insurance, and land use and zoning.³⁴ The FEHA also requires housing providers to make reasonable accommodations in rules and practices to permit persons with disabilities to use and enjoy a dwelling and to allow persons with disabilities to make reasonable modifications to the premises.³⁵ In addition, the FEHA prohibits retaliation against any person who has filed a complaint with the Department, participated in a Department investigation, or opposed any activity prohibited by the FEHA.³⁶

Persons who believe they have experienced housing discrimination may file a complaint with the DFEH.³⁷ The DFEH Director or the Attorney General may file a complaint of housing discrimination within one year from the date of the alleged discriminatory act.³⁸ Notably, there is no requirement for exhaustion of administrative remedies in housing discrimination cases (although exhaustion is required under the employment provisions of the FEHA), and the complainant may immediately pursue judicial relief.³⁹ Civil actions must be commenced within two years from the date of the alleged discriminatory act.⁴⁰

The FEHA provides for a variety of remedies, which may include: housing previously denied; out-of-pocket expenses; cease-and-desist orders; damages for emotional distress; reasonable attorney’s fees and costs; expert witness fees; civil penalties; and court-ordered punitive damages.⁴¹

III. THE FEDERAL FAIR HOUSING ACT

Like its California counterpart, Title VIII of the Civil Rights Act of 1968 sets forth the federal Fair Housing Act (“FHA”).⁴² When the FHA was first enacted, it was much more limited than California’s housing discrimination laws, prohibiting a property owner from discriminating against a buyer or tenant only on the bases of race, color, religion, sex, and national origin.⁴³

IV. SUBSTANTIAL EQUIVALENCE BETWEEN THE FEHA AND THE FEDERAL HOUSING AMENDMENTS ACT

Development of California’s fair housing law, however, has lagged far behind comparable developments in other areas of anti-discrimination laws. The lag is due in part to a vibrant fair housing bar in California and decades of a limitation on damages in California housing discrimination cases.

As enacted, all damages flowing from discriminatory housing acts under the FEHA, both for actual and for punitive damages, were capped at \$1,000 with no provision for attorney’s fees or costs.⁴⁴ Initially, these remedies mirrored the remedies available under the original FHA.⁴⁵ However, in 1981, the California Legislature modified the FEHA’s remedies to allow for full actual damages. Nonetheless, punitive damages, at that time, remained capped at \$1,000, adjusted annually in accordance with the Consumer Price Index.⁴⁶

At the federal level, Congress, in 1988, amended the FHA through the Fair Housing Amendments Act (“FHAA”).⁴⁷ The FHAA eliminated the \$1,000 cap on punitive damages and allowed for unlimited punitive damages.⁴⁸ The 1988 amendments also made reasonable attorneys’ fees and costs available to the prevailing party, other than the United States, for the first time.⁴⁹

Pursuant to a work-share agreement between the DFEH and the Department of Housing and Urban Development (“HUD”) for handling jointly filed fair housing complaints, the FEHA must be substantially equivalent to the FHAA for the DFEH to remain certified to receive complaint referrals and funding from HUD.⁵⁰ As a result, in 1992, the California Legislature amended the FEHA to be substantially equivalent to the FHAA.⁵¹ Since that time, the FEHA has provided for damages comparable to the damages available under the FHAA in all housing cases litigated in court: all actual damages, unlimited punitive damages, and reasonable attorney’s fees and costs available to the prevailing party, other than the state.⁵²

V. THE 2010 AMENDMENTS TO THE FEHA AND UNRUH ACT

In November 2010, California enacted SB 1252 (Corbett), which amends specified housing provisions under the FEHA and the Unruh Act to (i) conform the caps on civil penalties in administrative proceedings to the FHAA, (ii) include source-of-income discrimination as a protected class in several sections of the FEHA from which it was inadvertently omitted, and (iii) clarify that admission preferences based on age that conform to federal law do not constitute age discrimination under California law.⁵³ The amendments went into effect in January 2011. Although somewhat technical, the amendments relating to civil penalties and age discrimination were nonetheless critical to bringing California law more fully into substantial equivalence with federal law as required under the work-share agreement between HUD and the DFEH. In addition, SB 1252 resolved an internal inconsistency within the FEHA with respect to source-of-income discrimination.⁵⁴

A. Amending Civil Penalties to Be Substantially Equivalent to Federal Law

At the federal level, Congress in 1988 passed the Fair Housing Amendments Act (FHAA),⁵⁵ which eliminated the \$1,000 cap on punitive damages, thus providing for unlimited punitive damages.⁵⁶ The 1988 amendments also made reasonable attorneys’ fees and costs available to the prevailing party, other than the United States, for the first time.⁵⁷ However, the cap on civil penalties available in administrative housing cases brought under the FEHA had not been raised in recent years to conform to the federal cap.

In administrative adjudications, the FEHC is authorized to impose a civil penalty upon a respondent who the Commission finds, after a full evidentiary hearing, has committed an unlawful housing practice in violation of the FEHA with oppression, fraud, or malice.⁵⁸ Likewise, a HUD Administrative Law Judge (“ALJ”) is authorized to impose a civil penalty upon a respondent who the ALJ finds, after a full evidentiary hearing, has committed an unlawful housing practice in violation of the FHAA with oppression, fraud, or malice.⁵⁹

Prior to 2011, under the FEHA, the civil penalty imposed on

a first-time violator could not exceed \$10,000. The Commission could order a respondent that it found had violated the FEHA with intent, on two separate occasions within five years, to pay a civil penalty of up to \$25,000. If a respondent was adjudged three or more times within seven years to have violated the FEHA with intent, the Commission could impose a civil penalty of up to \$50,000.⁶⁰

However, under the FHAA, the civil penalty that may be imposed on a first-time violator cannot exceed \$16,000. A HUD ALJ can also order a respondent that it finds has violated the FHAA with intent, on two separate occasions within five years, to pay a civil penalty of up to \$37,500. Furthermore, if a respondent has been adjudged three or more times within seven years to have violated the FHAA with intent, HUD can impose a civil penalty of up to \$65,000.⁶¹

Consequently, SB 1252 amended the civil penalty caps specified in FEHA to conform to the federal caps specified in the FHAA.⁶²

B. Amending the Source of Income Discrimination Provisions

“Source of income” was added to the FEHA, effective January 1, 2000, with a sunset provision effective January 1, 2005.⁶³ “Source of income” has been defined in Government Code section 12955 as “lawful, verifiable income paid directly to a tenant or paid to a representative of a tenant.”⁶⁴ A landlord is not considered a representative of a tenant under this definition.⁶⁵ The sunset provision was subsequently stricken, permanently adding “source of income” to the protected classes listed in only one section of the FEHA, effective January 1, 2005.⁶⁶ However, the list of protected characteristics in related FEHA housing sections was not amended at that time to include “source of income.”

To correct this oversight, SB 1252 added “source of income” to the list of protected characteristics in Government Code sections 12920, 12921, and 12955.8, which inadvertently were not amended when “source of income” was permanently added to the FEHA in 2005.⁶⁷ In addition, SB 1252 added subdivision (i) to section 12927 of the Government Code to make clear that, as used throughout the FEHA in connection with housing accommodations, “source of income” would have the same definition as in Government Code section 12955. SB 1252 declared that the addition of “source of income” was strictly intended to create consistency within the FEHA and not to create any substantive rights that did not exist prior to SB 1252.⁶⁸

C. Clarifying Age Discrimination in California in Light of the Federal Laws

Both the FEHA and the Unruh Act prohibit age discrimination in housing, but only the FEHA addresses housing accommodations specifically designed for seniors.⁶⁹ Federal law, however, does not expressly prohibit age discrimination in housing.⁷⁰

Prior to SB 1252, a housing provider that imposed admission preferences based on age, in compliance with a federally-approved housing program, was at risk of violating state law prohibitions against age discrimination in housing.⁷¹

Because California law (unlike federal law) prohibits housing discrimination on the basis of age, those who provided affordable housing to at-need populations, such as low-income seniors, violated state law when they imposed admission preferences based on age in compliance with federally-approved housing programs in connection with housing that was not otherwise exempt from California’s prohibition on age discrimination. This conflict arose because, in some federal housing programs, renter eligibility criteria include the requirement that at least one member of a household be age 62 or older,⁷² while allowing other members of the household to be of any age and specifying that the provider cannot refuse to rent to a family with minor children.⁷³ Such a requirement conflicted with California law, which exempts as senior housing only those properties where all residents are at least age 62. Failure to comply with federal regulations requiring that at least one household member be at least age 62 would have resulted in loss of funding for affordable housing providers, but refusal to rent to a household consisting solely of persons under age 62 with respect to housing that did not qualify as senior housing under California law would have resulted in a violation of state law and a potential DFEH complaint.

SB 1252 eliminated this conflict to clarify that admission preferences based on age, imposed in connection with a federally-approved housing program, do not constitute age discrimination in housing by under either the FEHA or the Unruh Act.⁷⁴

VI. CONCLUSION

Since they were enacted, federal and state housing anti-discrimination laws have been amended and modified several times. Most recently, in California, SB 1252 amended the FEHA and Unruh Act to bring certain housing provisions into substantial equivalence with federal law and to resolve an internal inconsistency within the FEHA. These amendments are the most recent legislative developments in California law on housing discrimination, which has been strengthened over time by statutory amendments and judicial decisions spanning more than half a century.



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ENDNOTES

- 1 CAL. CIV. CODE §§ 51-53.
- 2 CAL. GOV'T CODE §§ 12900-12996.
- 3 Sen. Bill 1252 (Corbett), 2010 Reg. Sess., ch. 524, 2010 Cal. Stat. 1.; CAL. CIV. CODE §§ 51.2, 51.10; CAL. GOV'T CODE §§ 12920, 12921, 12927, 12955, 12955.8, 12987.
- 4 See table after this article for a detailed comparison of federal and California fair housing law provisions.

- 5 CAL. CIV. CODE § 51.1(b).
- 6 *Sisemore v. Master Fin., Inc.*, 151 Cal. App. 4th 1386, 1404-05 (2007); *Koebke v. Bernardo Heights Country Club*, 36 Cal. 4th 824, 840 (2005); *Harris v. Capital Growth Investors XIV*, 52 Cal. 3d 1142, 1156 (1991).
- 7 *Harris*, 52 Cal. 3d at 1152.
- 8 *Pizarro v. Lamb's Players Theatre*, 135 Cal. App. 4th 1171, 1174 (2006).
- 9 *Inland Mediation Bd. v. City of Pomona*, 158 F. Supp. 2d 1120, 1151 (citing *Harris v. Mothers Against Drunk Driving*, 40 Cal. App. 4th 16, 20 (2001)).
- 10 *Marina Point, Ltd. v. Wolfson*, 30 Cal. 3d 721, 731 (1982).
- 11 *Park Redlands Covenant Control Comm. v. Simon*, 181 Cal. App. 3d 87, 93 (1986).
- 12 *O'Connor v. Village Green Owners Ass'n*, 33 Cal. 3d 790, 796 (1983).
- 13 *Lee v. O'Hara*, 57 Cal. 2d 476, 478 (1962).
- 14 *Burks v. Poppy Const. Co.*, 57 Cal. 2d 463, 468-69 (1962).
- 15 See generally 12 CAL. JUR. 3D *Civil Rights*, § 10 (2011).
- 16 *Swann v. Burkett*, 209 Cal. App. 2d 685, 694-69 (1962).
- 17 CAL. HEALTH & SAFETY CODE §§ 35700-35741, *repealed by* Cal. Stats. 980, ch. 992, § 8, 3166.
- 18 *Id.*
- 19 Cal. Stats. 1992, ch. 182, § 2.
- 20 *Marina Point, Ltd. v. Wolfson*, 30 Cal. 3d 721, 741 (1982).
- 21 *Hubert v. Williams*, 133 Cal. App. 3d Supp. 1, 3-4 (1982) (Homosexuals are protected from arbitrary discrimination in rental housing by the Unruh Act and the right to associate with members of this protected class is also protected.).
- 22 Cal. Stats. 1999, ch. 592, § 1.5.
- 23 CAL. HEALTH & SAFETY CODE §§ 35700-35741, *repealed by* Cal. Stats. 980, ch. 992, § 8.
- 24 *Richard Delgado & Jean Stefancic, California's Racial History & Constitutional Rationales for Race-Conscious Decision Making in Higher Education*, 47 UCLA L. REV. 1547, 1553 (2000).
- 25 Proposition 14, former CAL. CONST. art. I, § 26, *added by initiative* Nov. 3, 1964, *repealed by initiative* Nov. 5, 1974.
- 26 *Mulkey v. Reitman*, 64 Cal. 2d 529 (1966), *aff'd*, *Reitman v. Mulkey*, 387 U.S. 369 (1967).
- 27 *Id.* at 1547; *see also* CAL. CONST. art. I, § 26 (1964) (repealed 1974) (incorporating into the California Constitution, Proposition 14: Anti-Fair Housing Initiative).
- 28 CAL. GOV'T CODE § 12921(b).
- 29 CAL. LAB. CODE §§ 1410 *et seq.*, *repealed by* Cal. Stats. 1980, ch. 992, § 11, 3166.
- 30 See *supra* note 1; Cal. Stats. 1980, ch. 992, § 4, 3140.
- 31 CAL. GOV'T CODE § 12930.
- 32 *Id.* § 12935.
- 33 *Id.* § 12955.
- 34 *Id.*
- 35 *Id.*
- 36 *Id.*
- 37 *Id.* § 12980(f).
- 38 *Id.* § 12980(b).
- 39 *Id.* § 12980(a).
- 40 *Id.* § 12989.1.
- 41 *Id.* § 12989.2.
- 42 The Fair Housing Act, Title VIII of the Civil Rights Act of 1968, *as amended*, 42 U.S.C. §§ 3601-3619.
- 43 Title VIII of the Civil Rights Act of 1968 introduced meaningful federal enforcement mechanisms that prohibited, among other things: 1) refusal to sell or rent a dwelling to any person because of race, color, religion, handicap or national origin; 2) discrimination based on race, color, religion or national origin in the terms, conditions, or privilege of the sale or rental of a dwelling; 3) advertising the sale or rental of a dwelling indicating preference of discrimination based on race, color, religion, or national origin; and 4) coercing, threatening, intimidating, or interfering with a person's enjoyment or exercise of housing rights based on discriminatory reasons or retaliating against a person or organization that aids or encourages the exercise or enjoyment of fair housing rights. 42 U.S.C. §§ 3601-3619.
- 44 CAL. HEALTH & SAFETY CODE § 35738, *repealed by* Cal. Stats. 1980, ch. 992, § 8, 3166 & *recodified at* CAL. GOV'T CODE § 12987(2).
- 45 The Fair Housing Act, Title VIII of the Civil Rights Act of 1968, 42 U.S.C. §§ 3601-3619.
- 46 Cal. Stats. 1981, ch. 899, § 3.
- 47 The Fair Housing Act, Title VIII of the Civil Rights Act of 1968, *as amended*, 42 U.S.C. §§ 3601-3619.
- 48 42 U.S.C. § 3613(c)(1).
- 49 42 U.S.C. § 3613(c)(2).
- 50 24 C.F.R. pt. 115 (2007). The purpose of the Fair Housing Assistance Program (FHAP) under HUD's Final Rule for Certification and Funding of State and Local Fair Housing Enforcement Agencies is to provide assistance and reimbursement to state and local fair housing enforcement agencies. The intent of this funding program is to build a coordinated intergovernmental enforcement effort to further fair housing and to encourage the agencies to assume a greater share of the responsibility for the administration and enforcement of fair housing laws. The financial assistance is designed to provide support for: (a) the processing of dual-filed complaints; (b) training under the Fair Housing Act and the agencies' fair housing law; (c) the provision of technical assistance; (d) the creation and maintenance of data and information systems; and (e) the development and enhancement of fair housing education and outreach projects, special fair housing enforcement efforts, fair housing partnership initiatives, and other fair housing projects.
- 51 California Government Code section 12955.6 provides that the FEHA may not be construed to afford the classes it protects fewer rights or remedies than the FHAA.
- 52 CAL. GOV'T. CODE § 12989.2.
- 53 Cal. Stats. 2010, ch. 524, § 1.
- 54 24 C.F.R. pt. 115 (2003).
- 55 The Fair Housing Act, Title VIII of the Civil Rights Act of 1968, *as amended*, 42 U.S.C. §§ 3601 *et seq.*
- 56 42 U.S.C. § 3613(c)(1).
- 57 *Id.* § 3613(c)(2).
- 58 CAL. GOV'T CODE § 12987(b).
- 59 42 U.S.C. § 3612(g)(3).
- 60 CAL. GOV'T CODE § 12987(a)(3).
- 61 24 C.F.R. § 180.671.
- 62 CAL. GOV'T CODE § 12987.
- 63 *Id.* § 12955. SB 1098 (Burton), Cal. Stats. 1999, ch. 590,

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- amended Government Code section 12955 to prohibit discrimination in housing on the basis of a person's source of income until January 1, 2005.
- 64 *Id.*
- 65 *Id.* § 12955(p)(1).
- 66 CAL. GOV'T CODE § 12955. SB 1145 (Burton), Cal. Stats. 2004, ch. 568, deleted the sunset provision for the inclusion of "source of income" as a protected basis for housing, permanently adding "source of income" to the protected classes listed in California Government Code section 12955.
- 67 CAL. GOV'T CODE §§ 12920, 12921, 12955.8.
- 68 *Id.*
- 69 CAL. CIV. CODE §§ 51.2, 51.10.
- 70 42 U.S.C. § 3604.
- 71 CAL. CIV. CODE § 51.2.
- 72 24 C.F.R. pt. 100 (2003).
- 73 *Id.*
- 74 CAL. CIV. CODE §§ 51.2, 51.10; CAL. GOV'T CODE § 12955.

DFEH Comparison of Federal and State Fair Housing Laws

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(The following is a summary of the major features of Federal and California State Fair Housing Laws. This is not a comprehensive summary and is intended to be only for general reference, not as definitive legal advice.)

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
Coverage:	Prohibits discrimination in the sale, rental, lease, or negotiation for housing accommodations and in terms, conditions, privileges, services, or facilities in connection with housing, based on race, religion, sex, national origin, familial status, and disability (including mental disability, alcoholism, and drug addiction not resulting from current abuse of controlled substances). 42 U.S.C. §§ 3602(h), 3604.	In addition to the protected bases in the Federal Fair Housing Act, it provides four additional protections based on marital status, ancestry, sexual orientation, and source of income. CAL. GOV'T CODE § 12955. Provides that discrimination includes harassment and also includes a perception that a person has a protected characteristic or is associated with a person who has, or is perceived to have, any of these characteristics. CAL. GOV'T CODE §§ 12927(c)(1), 12955(o). Prohibits the use of a financial or income standard in the rental of housing that fails to account for the aggregate income of persons residing together or proposing to reside together on the same basis as the aggregate income of married persons residing together or proposing to reside together. CAL. GOV'T CODE § 12955(n). Prohibits the use of a financial or income standard in assessing eligibility for the rental of housing that is not based on the portion of the rent to be paid by the tenant in instances where the tenant receives a government rent subsidy. CAL. GOV'T CODE § 12955(o).	Prohibits discrimination by business establishments based on sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation and arbitrary discrimination against other, non-enumerated classes based on personal characteristics (e.g., age). Provides that discrimination includes a perception that a person has a protected characteristic or is associated with a person who has, or is perceived to have, a protected characteristic. Incorporated into the FEHA, for purposes of housing discrimination, through California Government Code section 12955(d).	Prohibits discrimination against individuals with disabilities in housing accommodations offered for rent, lease, or compensation. CAL. CIV. CODE § 54.1(b)(1). Provides that it shall be deemed a denial of equal access to housing accommodations to deny individuals who are blind, visually impaired, hearing impaired, or otherwise disabled the right to use the service of a guide dog, signal dog, or service dog, or the right to keep such dogs on their premises. CAL. CIV. CODE § 54.1(b)(6)(A). Prohibits refusal to rent to individual with a disability because the individual with a disability is partially or wholly dependent upon the income of his or her spouse, if the spouse is a party to the rental agreement. CAL. CIV. CODE § 54.1(b)(7). Provides that visually impaired, hearing impaired, other individuals with a disability, and persons authorized to train guide, signal, and service dogs for individuals with a disability, may take such dogs to housing accommodations for the purpose of training them. Requires that such dogs be on a leash and tagged as a guide, signal, or service dog. CAL. CIV. CODE § 54.1(c). Although no extra charge or security deposit may be charged for such dogs, individuals will be liable for any damages done to the premises by his or her dog. CAL. CIV. CODE § 54.2(a)-(b). Prohibits interference with rights of an individual with a disability. CAL. CIV. CODE § 54.3(a).

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
Prohibits:	Intentional discrimination. 42 U.S.C. § 3604. Adverse impact. <i>See, e.g., Keith v. Volpe</i> , 858 F.2d 467 (9th Cir. 1988).	Intentional discrimination. CAL. GOV'T CODE § 12955.8(a). Adverse impact. CAL. GOV'T CODE § 12955.8(b).	Intentional discrimination only. <i>See Harris v. Capital Growth Investors</i> , 52 Cal. 3d 1142 (1991).	Silent on whether adverse impact claims are included.
Exemption for Small Housing Providers:	Discrimination provisions (except advertising requirements) do not apply to: (1) any single family house sold or rented by owner, provided owner does not own more than three such houses at one time, and sale or rental does not use services of a real estate broker or agent; or (2) rooms or units in owner-occupied living quarters intended for and occupied by no more than four families living independently of one another. 42 U.S.C. § 3603(b).	Discrimination provisions (except advertising requirements) do not apply to owner-occupied single-family houses that rent to only one roomer or boarder. CAL. GOV'T CODE § 12927(c).	Discrimination provisions apply only to "business establishments." <i>See DFEH v. Baker</i> , FEHC Dec. No. 99-14 (1999).	Discrimination provisions do not apply to single family residences in which the occupants rent, lease, or furnish for compensation only one room. CAL. GOV'T CODE § 12927(c)(2)(A).
Exemption for Religious Organization:	Allows religious organizations to use religious preference in non-commercial housing, unless membership in the religion is restricted on account of race, color, or national origin. 42 U.S.C. § 3607(a).	Same as federal law. CAL. GOV'T CODE § 12955.4.	Discrimination provisions apply only to "business establishments." <i>See DFEH v. Baker</i> , FEHC Dec. No. 99-14 (1999).	No specific exemption.

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
Land Use:	Prohibits discrimination through private or public land use practices, e.g., restrictive covenants, zoning laws, denials, or use permits. Affects congregate living facilities, group homes, etc. 42 U.S.C. §§ 3604(f)(1), (3), 3615.	Similar to federal law. CAL. GOV'T CODE § 12955(l). Expressly prohibits the existence of a restrictive covenant that makes housing opportunities unavailable based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, ancestry, or source of income. Requires all property documents distributed to the public to have a cover page or stamp explaining that any discriminatory restrictions contained therein violate state and federal fair housing laws and are void. Provides procedures for removing restrictive covenants that include recording a modification document with the county recorder. CAL. GOV'T CODE § 12956.2.	Discrimination provisions apply only to "business establishments." CAL. GOV'T CODE §§ 12948, 12955(d).	No specific provision.
Familial Status:	Prohibits discrimination against families with children. 42 U.S.C. § 3604; 24 C.F.R. §§ 100.50 <i>et seq.</i>	Prohibits familial status discrimination. CAL. GOV'T CODE § 12955.	Prohibits familial status discrimination CAL. CIV. CODE §§ 51 & 51.2(a); <i>see Marina Point Limited v. Wolfson</i> , 30 Cal. 3d 721 (1982).	Not applicable.
Senior Housing (The exception to prohibition against familial status discrimination.):	Housing for older persons. 42 U.S.C. § 3607(b)(1); 24 C.F.R. §§ 100.300, 100.301(a) (1996.); Housing for Older Persons Act of 1995 (HOPA), 24 CFR §§ 100.304 <i>et seq.</i> (1999).	Housing for older persons is substantially equivalent to federal law, but with additional requirements imposed by California Government Code sections 51.2, 51.3, 51.4, 51.10, 51.11, and 51.12, which are more protective of families with children than federal senior housing standards. CAL. GOV'T CODE § 12955.9(a), (b)(2).	Accommodations designed to meet physical and social needs of seniors, as described in California Civil Code sections 51.2, 51.3, and 51.11 (Riverside County), except if preempted by Title VIII familial status protection. CAL. CIV. CODE § 51.2(a).	No separate provision but California Civil Code sections 54-54.3 housing accommodation requirements apply to senior housing.

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
Housing for Older Persons (Age 62 or More):	Facility must show intention to house older people and have 100% of residents age 62 or older. 42 U.S.C. § 3607(b)(2)(B); 24 C.F.R. § 100.303(a) (1996). <i>But see</i> exceptions discussed below.	Same general principles as federal law but exceptions differ and facility must be developed, substantially renovated, or substantially rehabilitated to meet the physical and social needs of senior citizens. CAL. CIV. CODE §§ 51.2(a), (d), 51.3(a), (b)(4), 51.4(a).	Provides requirements which are more protective of families with children than federal law by requiring design elements and limiting federal exceptions for senior housing. CAL. CIV. CODE §§ 51.2(a), (d), 51.3(a), (b)(4), 51.4(a). Specific design elements presumed to meet the physical and social needs of senior citizens are set forth in California Civil Code section 51.2(d). Note: Senior housing constructed before February 2, 1982 is permanently exempt from the senior design requirements. CAL. CIV. CODE § 51.2(a).	No separate provision but California Civil Code sections 54-54.3 housing accommodation requirements apply to housing for older persons.

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
<p>Exceptions to Age 62 Requirements:</p>	<p>Persons under age 62 may reside in the complex if (i) they resided there before September 13, 1988 and all new occupants after that date were at least 62-years-old; or (ii) they are employees of the housing complex who perform substantial duties directly related to management or maintenance (including family members of such employees). 42 U.S.C. § 3607(b)(3)(A); 24 C.F.R. § 100.303(a)(1) (1996).</p>	<p>Persons under age 62 may reside in the complex if they either (i) resided there before January 1, 1985, (ii) are qualified permanent residents or permitted health care residents who resided in the complex before September 13, 1988; or (iii) are employees of the housing complex who perform substantial duties directly related to management or maintenance; and all new occupants after September 13, 1988 were at least 62-years-old. CAL. CIV. CODE § 51.3.</p>	<p>Provides requirements which are more protective of families with children than federal law, i.e., a person under 62 who is not a qualified permanent resident or permitted health care resident must have resided in the complex before January 1, 1985 instead of before September 13, 1988. CAL. CIV. CODE § 51.3(h).</p> <p>Note: California Civil Code section 51.3(e), which permits qualified permanent residents to reside in the complex, has been preempted, in part, by the FHA. Only those qualified permanent residents who were residents of the complex before September 13, 1988 are permitted to reside in the complex.</p> <p>California Civil Code section 51.3(i), which allows a permitted health care resident to live in the complex while providing services, has been preempted, in part, by the FHA. Only those permitted health care residents who were residents of the complex before September 13, 1988 are permitted to reside in the complex.</p>	<p>No separate provision but California Civil Code sections 54-54.3 housing accommodation requirements apply to housing for older persons.</p>

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
Age 55 and Older:	Facility must show intention to house older persons 55 or older, and have 80% of units occupied by at least one person age 55 or older. 42 U.S.C. § 3607(b)(2)(c); 24 C.F.R. § 100.304(c)(2) (1999). <i>But see</i> exceptions discussed below.	Facility must show intention to house older people and is subject to residency requirements which comply with the terms of California Civil Code section 51.3 or, in Riverside County, California, Civil Code section 51.11. Further, at least 80% of the occupied dwelling units or 80% of the dwellings newly occupied since February 31, 1988 must actually be occupied by at least one person age 55 or older. Restrictions on occupancy may not be more exclusive than to require one person in each dwelling unit be a senior citizen and each other resident in that unit be a qualified permanent resident, a permitted health care resident, or a person who resided in the complex before January 1, 1985 or, under specific circumstances, before January 1, 1990. CAL. CIV. CODE §§ 51.3(c), (h), 51.4(b), 51.11(c). Whereas this limitation may be less exclusive, households commencing occupancy on or after January 1, 2001 must include at least one person age 55 or older. CAL. CIV. CODE § 51.3(c).	Provides requirements which are more protective of families with children than federal law: 100% rather than 80% of the dwelling units must be subject to a residency restriction which complies with the terms of California Civil Code section 51.3 or, in Riverside County, California Civil Code section 51.11. Roommates who are 55-years-old may be required to be qualified permanent residents, permitted health care residents, or have resided in the unit before January 1, 1985 or, under specific circumstances before January 1, 1990. CAL. CIV. CODE §§ 51.3(c), (i), 51.11(c), (i). Note: California Civil Code section 51.3(e), and in Riverside County, California, Civil Code section 51.11(e), which permit qualified permanent residents to reside in the complex regardless of age requirements of complex, have been preempted by the FHA to the extent that it would result in more than 20% of the dwelling units being solely occupied by non-seniors.	No separate provision but California Civil Code sections 54-54.3 housing accommodation requirements apply to housing for older persons.

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
<p>Exceptions to Age 55 Requirements:</p> <p>Permits less than 80% of the units to be occupied by tenants under age 55 if (i) on September 13, 1988, less than 80% of the units were occupied by at least one person age 55 or older and at least 80% of the units occupied after September 13, 1988 are occupied by at least one person 55-years-old or older; (ii) there are unoccupied units; provided that 80% of these units are reserved for occupancy by at least one person 55 years of age or older; (iii) the complex is newly constructed for first occupancy after March 12, 1989, and fewer than 25% of the units are occupied; or (iv) there are units occupied by employees of the complex who perform substantial duties directly related to the management or maintenance of the housing. 42 U.S.C. § 3607(b)(3)(A)-(B); 24 C.F.R. § 100.304(c)(1), (d)(1)-(3).</p>	<p>Permits 20% of the dwelling units to be occupied by persons under age 55 if they are:</p> <p>(i) qualified permanent residents who are entitled to continue their residency after the death, dissolution of marriage, hospitalization, or the prolonged absence of a senior resident. A qualified permanent resident must be at least 45 years of age unless the individual is a spouse, cohabitant, or person providing primary physical or economic support to the senior. Under these circumstances, there is no age requirement for the qualified permanent resident. Additionally, a qualified permanent resident includes a disabled person or persons with a disabling illness or injury who is a child or grandchild of the qualifying resident (i.e., the senior citizen or qualified permanent resident) who needs to live with the qualifying resident because of the disabling condition, illness, or injury CAL. CIV. CODE § 51.3(b)(3), or in Riverside County, CAL. CIV. CODE § 51.11(b)(3);</p> <p>(ii) persons under age 55 who resided in complex before January 1, 1985. CAL. CIV. CODE § 51.3(h); or</p> <p>(iii) non-senior residents who commenced residency before January 1, 1990 in a senior complex that is exempt from the senior design requirement under California Civil Code section 51.4(b).</p> <p>NOTE: Units exceeding the numerical requirement may be occupied by employees of the complex who perform substantial duties directly related to the management or maintenance of the housing, provided that the complex meets all other requirements of the Unruh Civil Rights Act.</p>	<p>Permits more protection for families with children than do federal provisions by placing limitations on tenants who will qualify to live in only 20% of dwelling units. CAL. CIV. CODE §§ 51.3(b), (e), (h), (i), 51.11(b), (e), (g); (i).</p>	<p>Provides more protection for families with children than do federal provisions by placing limitations on tenants who will qualify to live in only 20% of dwelling units. CAL. CIV. CODE §§ 51.3(b), (e), (h), (i), 51.11(b), (e), (g); (i).</p>	<p>No separate provision but California Civil Code sections 54-54.3 housing accommodation requirements apply to housing for older persons.</p>

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
Roommates:	There are no restrictions on the age of roommates who reside with the 55-year-old or on their relationship with the older persons. 42 U.S.C. § 3607(b)(2)(C)(iii).	Roommates of the 55-year-old may be required to be a "qualified permanent resident," a "permitted health care resident," or person who resided in the complex before January 1, 1985, or under specific circumstances before January 1, 1990. CAL. CIV. CODE §§ 51.3(c), 51.4(b), 51.11(c).	CAL. CIV. CODE §§ 51.3(b), (c), (e), (h), (i), and in Riverside County, CAL. CIV. CODE § 51.11(b), (c), (e), (g), (i).	Not Applicable.
Number of Units:	No requirement that a complex have a specified number of units.	A minimum of 35 dwelling units required in all counties except Riverside, where a minimum of 21 dwelling units are required. CAL. CIV. CODE §§ 51.3(b)(4), 51.11(b)(4).	CAL. CIV. CODE §§ 51.3(b)(4), 51.11(b)(4).	Not applicable.
Senior Services:	Requirement rescinded by "Housing for Older Persons Act of 1995" (HOPA), 42 U.S.C. § 3607(b)(2)(c).	Facility must be developed, substantially renovated, or rehabilitated to meet the physical and social needs of senior citizens in all counties except Riverside. CAL. CIV. CODE §§ 51.2(a), (d), 51.3(a), (b)(4), 51.4(a).	CAL. CIV. CODE §§ 51.2(a), (d), 51.3(a), (b)(4), 51.4(a). Specific design elements presumed to meet the physical and social needs of senior citizens are set forth in California Civil Code section 51.2.	Not applicable.
Exceptions to Provision of Significant Facilities and Services:	No longer applicable. 42 U.S.C. § 3607(b)(1).	Senior housing constructed before February 8, 1982 is permanently exempt from the senior design requirements. CAL. CIV. CODE § 51.4(a). Effective January 1, 1997, Riverside County is exempt from the senior design requirements.	CAL. CIV. CODE §§ 51.2(a) and 51.4(a).	Not applicable.

COMPONENT	FEDERAL FAIR HOUSING ACT (Title VIII of the Civil Rights Act of 1968, as amended)	CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (Government Code §§ 12900-12996)	CALIFORNIA UNRUH CIVIL RIGHTS ACT (Civil Code § 51)	CALIFORNIA CIVIL CODE §§ 54-54.3
<i>Other Senior Housing:</i>	Senior housing that differs from the age 62 and age 55 requirements above is lawful if the Secretary of the U.S. Department of Housing and Urban Development (HUD) has determined that housing provided under state and federal programs is specifically designed and operated to assist elderly persons (as defined in the state and federal program). 42 U.S.C. § 3607(b)(2)(A); 24 C.F.R. § 100.302 (1996).	Same as federal law. CAL. GOV'T CODE § 12955.9(b)(1). Selection preferences based on age, imposed in connection with a federally approved housing program, do not constitute age discrimination in housing. CAL. GOV'T CODE § 12955(d).	Selection preferences based on age, imposed in connection with a federally approved housing program, do not constitute age discrimination in housing. CAL. CIV. CODE §§ 51.2(e), 51.10(c).	Not applicable.
<i>Mobile Home Parks:</i>	Prohibits discrimination for all federal protected bases including familial status discrimination. Exception to Familial Status Protection: Housing for older persons must meet same age 62 and age 55 rules as Title VIII senior housing. CAL. GOV'T. CODE § 12955.9(b)(3); CAL. CIV. CODE §§ 51.3(b)(5), 798.76. The Mobile Home Residency Act (CAL. CIV. CODE § 798.76) was amended to comply with Title VIII prohibitions on familial status discrimination.	Prohibits discrimination for all FEHA protected bases, including familial status discrimination. Exception: Housing for older persons must meet same age 62 and age 55 rules as Title VIII senior housing. CAL. GOV'T. CODE § 12955.9(b)(3); CAL. CIV. CODE §§ 51.3(b)(5), 798.76. The Mobile Home Residency Act (CAL. CIV. CODE § 798.76) was amended to comply with Title VIII prohibitions on familial status discrimination.	General prohibitions against arbitrary discrimination apply. Note: Senior requirements in California Civil Code sections 51.2, 51.3, and 51.4 do not apply to mobile home parks.	Applies to housing accommodations in mobile home parks if the accommodation is real property or a portion thereof is offered for rent, lease, or compensation. CAL. CIV. CODE § 54.1(b)(2).

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Disability:	Encompasses physical and mental disability, including alcoholism and prior drug addiction. "Disability" is defined as (i) a physical or mental impairment that substantially limits one or more of a person's major life activities; or (ii) a record of having, or being perceived as having, a physical or mental impairment, but not including current illegal use of, or addiction to, a controlled substance. 42 U.S.C. § 3602(h).	Similar to federal law but provides broader coverage in that definitions of physical and mental disability require a "limitation" upon a major life activity but do not require a "substantial limitation." Moreover, the determination of limitation must be made without regard to mitigating measures. CAL. GOV'T CODE §§ 12955.3., 12926(i), (k), (l), 12926.1.	Same as FEHA but also specifically includes "medical condition" which is defined as any health impairment related to or associated with a diagnosis of cancer or a record or history of cancer, and any disease or disorder-related genetic characteristics. CAL. CIV. CODE § 51; CAL. GOV'T CODE § 12926.	Same as the Unruh Civil Rights Act. CAL. CIV. CODE § 54; CAL. GOV'T CODE § 12926.
Reasonable Accommodation:	Requires housing provider to permit reasonable modifications of premises at renter's expense, and, where it is reasonable to do so, a landlord may require a renter to restore the interior of the premises to the original status, to make reasonable accommodations in rules, policies, practices, or services. 42 U.S.C. § 3604(f)(3).	Same as federal law. CAL. GOV'T CODE § 12927(c)(1).	Reasonable accommodation provisions covered under California Government Code section 12927(c) and California Civil Code sections 54.1(b)(3)(B) and 54.2.	Same as federal law and FEHA, except modification may always be conditioned upon tenant restoring premises to original status (i.e., does not contain qualifying language: "where it is reasonable to do so"). CAL. CIV. CODE § 54.1(b)(3)(A)-(B). Contains specific requirements regarding guide dogs, service dogs, and signal dogs. CAL. CIV. CODE § 54.1(b)(6)(A), (c).
Accessibility Requirements:	Requires multifamily dwellings constructed for first occupancy after March 1991 to meet certain accessibility requirements for persons with disabilities. 42 U.S.C. § 3604(f)(3)(c).	Similar to federal law but provides greater protections in some features pursuant to California Government Code section 12955.1.	No explicit provision. Accessibility requirements for housing covered by California Government Code section 12955.1.	No explicit provision.

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Administrative Complaint Filing Requirements:	Filed within HUD one year of discriminatory act. 42 U.S.C. § 3610.	Same as federal law but filed with DFEH. CAL. GOV'T CODE § 12980(b).	Same as FEHA. CAL. CIV. CODE § 52(f).	File with DFEH pursuant to California Government Code section 12948.
Processing:	HUD investigation concludes within 100 days unless impracticable to do so. CAL. GOV'T CODE § 12980(f).	Same as federal law but DFEH conducts investigation. CAL. GOV'T CODE § 12980(f).	Same as FEHA. CAL. CIV. CODE § 52(f).	DFEH investigation concludes within 365 days pursuant to filing under California Government Code section 12948.
Forum for Complaints Litigated by Administrative Agency:	Complainant or respondent elects between (i) HUD administrative hearing before Administrative Law Judge, or (ii) suit in federal district court with complainant represented by Department of Justice attorneys. 42 U.S.C. § 3612(a).	Complainant or respondent elects between (i) DFEH administrative hearing before hearing officer of the Fair Employment and Housing Commission or (ii) suit in superior court. CAL. GOV'T CODE § 12989.1.	Complainant or respondent elects between (i) DFEH administrative hearing before administrative hearing officer of the Fair Employment and Housing Commission or (ii) suit in superior court. CAL. GOV'T CODE § 12989.1	Respondent elects (i) DFEH administrative hearing or (ii) suit in superior court with complainant's interests represented by DFEH. CAL. GOV'T CODE § 12989.1.
Administrative Hearing Remedies:	Actual damages (including pain and suffering); Injunctive and equitable relief; and Penalties between \$16,000 and \$65,000. 24 CFR 180.671 (2007).	Actual damages; Injunctive and equitable relief; and Penalties between \$16,000 and \$65,000. CAL. GOV'T CODE § 12987(a)(2)-(4).	Same as FEHA. CAL. GOV'T CODE § 12970(k).	Same as FEHA. CAL. GOV'T CODE § 12970(k).

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<i>Judicial Remedies for Complaints Litigated by Administrative Agency:</i>	Unlimited actual and punitive damages; Injunctive and equitable relief; and Attorney's fees to prevailing party (other than U.S.). 42 U.S.C. § 3612(p).	Unlimited actual and punitive damages; Injunctive and equitable relief; and Attorney's fees to prevailing party (other than State). CAL. GOV'T CODE § 12989.2.	Same as FEHA. CAL. GOV'T CODE § 12989.2.	Actual damages and any amount as may be determined by a court or jury, up to a maximum of three times the amount of actual damages, but in no case less than \$1,000.00; and Attorney's fees. CAL. CIV. CODE § 54.3(a).
<i>Civil Court Suit by Individual:</i>	File lawsuit within two years (no prerequisite of filing with HUD). The two-year calculation does not include any time that a HUD complaint was open. 42 U.S.C. § 3613(a).	Same as federal law. CAL. GOV'T CODE § 12989.1.	It is unclear whether a one-year statute of limitations for common law causes of action or three-year statute of limitations for statutorily created rights to lawsuits brought under the Unruh Civil Rights Act. There is a split in authority as to which statute of limitations applies. <i>Gatto v. County of Sonoma</i> , 98 Cal. App. 4th 744, 754-60 (2002); <i>Stamps v. Superior Court</i> , 136 Cal. App. 4th 1441, 1449, n.8 (2006).	It is unclear whether a one-year statute of limitations for common law causes of action or three-year statute of limitations for statutorily created rights to lawsuits brought under California Civil Code sections 54-54.3. There is a split in authority as to which statute of limitations applies. <i>Gatto v. County of Sonoma</i> , 98 Cal. App. 4th 744, 754-60 (2002); <i>Stamps v. Superior Court</i> , 136 Cal. App. 4th 1441, 1449 n.8 (2006).