

# DFEH Comparison of Federal and State Fair Housing Laws

*(This is a summary of the major features of Federal and State (California) Fair Housing Laws. This summary does not cover all aspects of the laws. It is intended as guidance and not as definitive legal advice)*

COMPONENT	"FAIR HOUSING ACT" (Title VIII of the Civil Rights Act of 1968, as amended)	FAIR EMPLOYMENT AND HOUSING ACT	UNRUH CIVIL RIGHTS ACT	CIVIL CODE SECTIONS 54 - 54.3
<p><b>Coverage:</b></p> <ul style="list-style-type: none"> <li>➤ Prohibits discrimination in the sale, rental, lease, or negotiations for housing accommodations and in terms, conditions, privileges, services or facilities in connection with housing, based on:</li> <li>➤ Race</li> <li>➤ Color</li> <li>➤ Religion</li> <li>➤ Sex</li> <li>➤ National Origin</li> <li>➤ Familial Status</li> <li>➤ Disability (includes mental disability, alcoholism, drug addiction not resulting from current abuse of controlled substances.) (42 U.S.C. § 3602, subd. (h); 42 U.S.C. § 3604.)</li> </ul>	<p>Similar to federal law; four additional protected bases: marital status, ancestry, sexual orientation and source of income. (Gov. Code, § 12955.)</p> <ul style="list-style-type: none"> <li>➤ Expressly provides that discrimination includes harassment, and also includes a perception that a person has a protected characteristic or that a person is associated with another individual who has, or who is perceived to have, any of these characteristics. (Gov. Code § 12927, subd. (o)(1), 12955, subd. (o).</li> <li>➤ 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. (Gov. Code § 12955, subd. (n)</li> <li>➤ 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 (Gov. Code § 12955, subd. (o)).</li> </ul>	<p>Unruh prohibits discrimination by business establishments based on sex, race, color, religion, ancestry, national origin, disability, medical condition and other, non-enumerated classes based on personal characteristics (e.g., sexual orientation, age, etc.).</p> <p>Unruh (Civ. Code, § 51) is incorporated into the FEHA, for purposes of housing discrimination, through Government Code § 12955, subdivision (d).</p>	<p>Unruh prohibits discrimination by business establishments based on sex, race, color, religion, ancestry, national origin, disability, medical condition and other, non-enumerated classes based on personal characteristics (e.g., sexual orientation, age, etc.).</p> <p>Unruh (Civ. Code, § 51) is incorporated into the FEHA, for purposes of housing discrimination, through Government Code § 12955, subdivision (d).</p>	<ul style="list-style-type: none"> <li>➤ Prohibits persons from discriminating against individuals with disabilities in housing accommodations offered for rent, lease, or compensation (Civ. Code § 54.1, subd. (b)(1)).</li> <li>➤ Includes provision that it shall be deemed a denial of equal access to housing accommodation 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 (Civ. Code § 54.1, subd. (b)(6)(A)).</li> <li>➤ Prohibits refusal to rent to individual with a disability on the basis that 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 (Civ. Code § 54.1, subd. (b)(7)).</li> <li>➤ 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. (Civ. Code § 54.1, subd. (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. (Civ. Code § 54.2, subds. (a) and (b)).</li> <li>➤ Prohibits interference with rights of an individual with a disability under sections 54, 54.1 and 54.2 (Civ. Code § 54.3, subd. (a)).</li> </ul>

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<b>Prohibits:</b>	<ul style="list-style-type: none"> <li>&gt; Intentional discrimination (42 U.S.C. § 3604)</li> <li>&gt; Adverse Impact (by judicial interpretation: see, e.g., <u>Keith v. Volpe</u> (9th Cir. 1988) 858 F.2d 467).</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Intentional discrimination (Gov. Code, § 12955.8, subd. (a).)</li> <li>&gt; Adverse Impact (Gov. Code, § 12955.8, subd. (b).)</li> </ul>	Intentional discrimination only. See <u>Harris v. Capital Growth Investors</u> (1991) 52 Cal.3d 1142.	Civil Code section 54 is silent on whether adverse impact claims are included.
<b>Exemption for Small Housing Providers:</b>	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; 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. (Gov. Code, § 12927, subd. (c).)	Discrimination provisions apply only to "business establishments."	Discrimination provisions do not apply to single family residences in which the occupants rent, lease or furnish for compensation only one room.
<b>Exemption for Religious Organization:</b>	Allows religious organization 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 (Gov. Code, § 12955.4.)	Discrimination provisions apply only to "business establishments."	No specific exemption.
<b>Land Use:</b>	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, subds. (f)(1)&(3); 42 U.S.C. § 3615.)	Similar to federal law (Gov. Code, § 12955, subd. (f).) Expressly prohibits the existence of a restrictive covenant that makes housing opportunities unavailable based on race, color, religion, sex, familial status, marital status, disability, national origin or ancestry. Exempts lawful restrictions on the age of occupants in senior housing. 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 submitting an application to DFEH for determination on the illegality of the restrictive covenant language. (Gov. Code § 12956.1)	Discrimination provisions apply only to "business establishments."	No specific provision.

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<i>Familial Status:</i>	Prohibits discrimination against families with children. (42 U.S.C. § 3604; 24 CFR § 100.50 et seq.)	Prohibits familial status discrimination. (Gov. Code, § 12955.)	Prohibits familial status discrimination (Civ. Code, §§ 51 and 51.2, subd. (a).)	N/A
<i>Senior Housing: (The exception to prohibition against familial status discrimination)</i>	Housing for older persons. (42 U.S.C. § 3607(b)(1); 24 CFR §§100.300 and 100.301(a).) Housing for older persons Act of 1995 (HOPA) (24 CFR §100.304 et seq.)	Housing for older persons, substantially equivalent to federal law, but with additional requirements imposed by Unruh (Gov. Code, §§ 51.2, 51.3 and 51.4 and §51.10, §51.11 and §51.12) which are more protective of families with children than federal senior housing standards. (Gov. Code, § 12955.9, subds. (a) and (b)(2).)	Housing for seniors: accommodations designed to meet physical and social needs of seniors, as described in Civil Code section 51.2, 51.3, and 51.11 (Riverside County) except if preempted by Title VIII familial status protection. (Civ. Code, § 51.2, subd. (a).)	No specific provision; Civil Code §§ 54 - 54.3, housing accommodation requirements apply to senior housing.
<i>Housing for Older Persons: AGE 62 Qualifying Requirements:</i>	Facility must show <u>intention</u> to house older people and have 100% of residents age 62 or older. (42 U.S.C. § 3607(b)(2)(B); 24 CFR § 100.303(a).) (See exceptions.)	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 (Civ. Code, §§ 51.2, subds. (a) and (d); 51.3, subds. (a) and (b)(4) and 51.4 subd. (a).)	Provides requirements which are more protective of families with children than federal law by requiring design elements and by limiting federal exceptions for senior housing. (Civ. Code §§ 51.2, subds. (a) and (d); 51.3, subds. (a) and (b) (4), and 51.4, subd (a).)  Specific design elements presumed to meet the physical and social needs of senior citizens are set forth in Civil Code section 51.2, subd. (d).  <b>Note:</b> Senior housing constructed before 2/2/82 is permanently exempt from the senior design requirements (Civ. Code §51.2, subd. (a).)	No specific provisions; Civil Code §§ 54 - 54.3, housing accommodation requirements apply to housing for older persons.

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<p><i>Exceptions to Senior AGE 62 Requirements:</i></p>	<p>Persons under age 62 may reside in the complex if: they resided there prior to 9/13/88; and all new occupants after 9/13/88 were at least 62 years. (42 U.S.C. § 3607(b)(3)(A); 24 CFR § 100.303(a)(1).)</p> <p>- OR -</p> <p>They are employees of the housing complex who perform substantial duties directly related to management or maintenance (including family members of such employees). (24 CFR § 100.303(a)(3).)</p>	<p>Persons under age 62 may reside in complex if they either:</p> <ul style="list-style-type: none"> <li>➤ resided there before January 1, 1985;</li> <li>- OR -</li> <li>➤ they are qualified permanent residents or permitted health care residents who resided in the complex prior to 9/13/88;</li> <li>- OR -</li> <li>➤ they are employees of the housing complex who perform substantial duties directly related to management or maintenance.</li> <li>- AND -</li> <li>➤ all new occupants after 9/13/88 were at least 62 years old. (Civ. Code, § 51.3.)</li> </ul>	<p>Provides the 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 has to have resided in complex prior to 1/1/85 rather than prior to 9/13/88. (Civ. Code, § 51.3, subd. (h).)</p> <p><b>Note:</b> Civil Code section 51.3, subdivision (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 prior to 9/13/88 are permitted to reside in the complex.</p> <p>Civil Code section 51.3, subdivision (i), which allows a permitted health care resident to live in complex while providing services, has been preempted, in part, by the FHA. Only those permitted health care residents who were residents of the complex prior to 9/13/88 are permitted to reside in the complex.</p>	<p>No specific provisions; Civil Code §§ 54 - 54.3, housing accommodation requirements apply to housing for older persons.</p>

<p><b>COMPONENT</b></p> <p><i>AGE 55 and Older:</i></p>	<p><b>"FAIR HOUSING ACT"</b> (Title VIII of the Civil Rights Act of 1968, as amended)</p> <p>Facility must show intention to house older (55+) people and have 80% of units occupied by one person age 55 or older. (42 U.S.C. § 3607(b)(2)(c); 24 CFR § 100.304(c)(2).) (See exceptions.)</p>	<p><b>FAIR EMPLOYMENT AND HOUSING ACT</b></p> <p>Facility must show intention to house older people and is subject to residency requirements which comply with the terms of Civil Code section 51.3 or in Riverside County, Civil Code 51.11. At least 80% of the occupied dwelling units or 80% of the dwellings newly occupied since 2/13/88 must be actually occupied by at least one person age 55 or older. Restrictions on occupancy may not be more exclusive than to require that 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 prior to 1/1/85 or, under specific circumstances, prior to 1/1/90 (Civ. Code § 51.3, subds. (c) and (h), 51.4 subd. (b), and 51.11 subd. (c).) Whereas this limitation may be less exclusive, it is required that households commencing occupancy on or after 1/1/01 must include at least one person age 55 or older (Civ. Code § 51.3, subd. (c).)</p>	<p><b>UNRUH CIVIL RIGHTS ACT</b></p> <p>Provides the 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 Civil Code 51.3 or in Riverside County, Civil Code 51.11</p> <p>Roommates of 55-year-old may be required to be qualified permanent residents, permitted health care residents or to have resided in unit prior to 1/1/85 or, under specific circumstances prior to 1/1/90 (Civ. Code, §§ 51.3, subds. (c) and (l), and 51.11, subds. (c) and (l).)</p> <p>Note: Civil Code section 51.3, subd. (e) and in Riverside County, Civil Code section 51.11, subd. (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.</p>	<p><b>CIVIL CODE SECTIONS 54 - 54.3</b></p> <p>No specific provisions; Civil Code §§ 54 - 54.3, housing accommodation requirements apply to housing for older persons.</p>
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<p><i>Exceptions to Senior AGE 55 Requirements:</i></p>	<p>It is permissible that less than 80% of the units are occupied by tenants under age 55 if:</p> <p>On 9/13/88, 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 9/13/88 are occupied by at least one person 55 years old or older. (42 U.S.C. § 3607(b)(3)(A); 24 CFR § 100.304(d)(1).)</p> <p>- OR -</p> <p>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. (42 U.S.C. § 3607(b)(3)(B); 24 CFR § 100.304(d)(2).)</p> <p>- OR -</p> <p>The complex is newly constructed for first occupancy after 3/12/89, and fewer than 25% of the units are occupied. (24 CFR § 100.304(c)(1).)</p> <p>- OR -</p> <p>There are units occupied by employees of the complex who perform substantial duties directly related to the management or maintenance of the housing. (24 CFR § 100.304(d)(3).)</p>	<p>It is permissible that 20% of the dwelling units are occupied by persons under age 55 if:</p> <p>They are 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 also includes a disabled person or person 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 (Civ. Code, § 51.3, subd. (b)(3) or in Riverside County, Civ. Code § 51.11, subd. (b) (3).)</p> <p>- OR -</p> <p>Persons under age 55 who resided in complex prior to 1/1/85. (Civ. Code, § 51.3, subd. (h).)</p> <p>- OR -</p> <p>They are non-senior residents who commenced residency prior to 1/1/90 in a senior complex that is exempt from the senior design requirement under Civil Code section 51.4, subdivision (b).</p> <p><b>NOTE:</b> 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 Unruh.</p>	<p>Provides limitations on tenants who will qualify to live in 20% of dwelling units, thus providing more protection for families with children than do federal provisions. (Civ. Code, § 51.3, subds. (b), (e), (h), and (i) and 51.11 subds. (b), (e), (g), and (i))</p>	<p>No specific provisions; Civil Code §§ 54 - 54.3, housing accommodation requirements apply to housing for older persons.</p>

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<i>Roommates:</i>	There are no restrictions on the age of the roommates who reside with the 55-year-old; nor on their relationship with the older persons. (42 U.S.C. § 3607(b)(2)(C)(iii).)	The 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 complex prior to 1/1/85 or under specific circumstances, prior to 1/1/90 (Civ. Code §§ 51.3, subd. (c), 51.4 subd. (b) and 51.11, subd. (c).)	Civil Code §§ 51.3, subds. (b), (c), (e), (h) and (i) and in Riverside County 51.11, subds. (b), (c), (e), (f) and (i).	N/A
<i>Number of Units:</i>	No requirement that a complex have a specified number of units.	A minimum of 35 dwelling units required (Civ. Code § 51.3, subd. (b) (4) in all counties except Riverside. A minimum of 20 dwelling units required in Riverside County (Civil Code Section 51.11, subd. (b) (4).)	Civil Code section 51.3, subd. (b) (4) and 51.11, subd. (b) (4).	N/A
<i>Senior Services:</i>	Requirement rescinded by "Housing for Older Persons Act of 1995" (HOPA) [amends 42 U.S.C. Sec. 3607 (b) (2) (c).]	Facility must be developed, substantially renovated or rehabilitated to meet the physical and social needs of senior citizens (Civ. Code § 51.2 (a) and (d); 51.3, subds. (a) and (b) (4) and 51.4 subd. (a).)	Civil Code section 51.2 subd. (a) and (d); 51.3, subd. (a) and (b) (4) and 51.4, subd. (a).  Specific design elements presumed to meet the physical and social needs of senior citizens are set forth in Civil Code section 51.2, subd. (d).	N/A
<i>Exceptions to Provision of Significant Facilities and Services:</i>	No longer applicable (HOPA)	Senior housing constructed before 2/8/82 is permanently exempt from the senior design requirements. (Civ. Code § 51.4, subd. (a).)  Effective 1/1/97 Riverside County is exempt from the senior design requirements.	Civil Code section 51.2 subd. (a) and section 51.4, subd. (a).	N/A
<i>Other Senior Housing:</i>	Senior housing that differs from the age 62 and 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, subd. (b)(2)(A); 24 CFR § 100.302.)	Same as federal law. (Gov. Code, § 12955.9, subd. (b)(1).)	Not applicable	N/A

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<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 55 and 62 rules as Title VIII senior housing.	Prohibits discrimination for all FEHA protected bases, including familial status discrimination.  Exception: Housing for older persons must meet same age 55 and 62 rules as Title VIII senior housing. (Gov. Code, § 12955.9, subd. (b)(3); Civ. Code, §§ 51.3, subd. (b)(5), and 798.76.) Mobile Home Residency Act (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 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 provided the accommodation is real property or a portion thereof offered for rent, lease or compensation (Civ. Code § 54.1, subd. (b)(1) and (b)(2)).
<i>Disability:</i>	Encompasses physical and mental disability; includes alcoholism and prior drug addiction.  "Disability" is defined as: ➤ A physical or mental impairment that substantially limits one or more of a person's major life activities. ➤ 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 (Gov. Code §§ 12955.3., 12926, subds. (f), (k) and (l), and 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 (Civil Code §51 and Gov. Code, §12926).	Same as Unruh (Civ. Code §54 and Gov. Code, §12926.)
<i>Reasonable Accommodation:</i>	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 (Gov. Code, § 12927, subd. (c)(1))	Reasonable accommodation provisions covered under Government Code section 12927, subd. (c) and Civil Code § 54.1 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"). (Civ. Code § 54.1, subds. (b)(3)(A) and (b)(3)(B)).  Contains specific requirements re: guide dogs, service dogs, and signal dogs (Civ. Code § 54.1, subds. (b)(6)(A) and (c)).
<i>Accessibility Requirements:</i>	Requires that multi-family dwellings constructed for first occupancy after 3/91, 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 Gov. Code §12955.1, subd. (d).	Accessibility requirements for housing covered by Government Code section 12955.1.	No explicit provision.

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<b>Administrative Complaint Filing Requirements:</b>	With HUD Filed within one year of discriminatory act. (42 U.S.C. § 3610.)	With DFEH Same as federal law (Gov. Code, § 12980, subd. (b).)	With DFEH Same as FEHA (Civ. Code, § 52, subd. (f).)	With DFEH File pursuant to Gov. Code section 12948
<b>Processing:</b>	HUD Investigation: Concludes within 100 days, unless impracticable to do so.	DFEH Investigation: Same as federal law (Gov. Code, § 12980, subd. (f).)	DFEH Investigation: Same as FEHA.	DFEH Investigation: Conclude within 365 days, pursuant to filing under Gov. Code section 12948.
<b>Forum for Complaints Litigated by Administrative Agency:</b>	Complainant or respondent elects: <ul style="list-style-type: none"> <li>➤ HUD administrative hearing before Administrative Law Judge.</li> <li>- OR -</li> <li>➤ Suit in federal district court with complainant represented by Department of Justice attorneys.</li> </ul>	Complainant or respondent elects: <ul style="list-style-type: none"> <li>➤ DFEH administrative hearing before hearing officer of the Fair Employment and Housing Commission.</li> <li>- OR -</li> <li>➤ Suit in Superior Court with complainant represented by DFEH.</li> </ul>	Complainant or respondent elects: <ul style="list-style-type: none"> <li>➤ DFEH administrative hearing before hearing officer of the Fair Employment and Housing Commission.</li> <li>- OR -</li> <li>➤ Suit in Superior Court with complainant's interests represented by DFEH.</li> </ul>	Respondent elects: <ul style="list-style-type: none"> <li>➤ DFEH administrative hearing.</li> <li>-OR-</li> <li>➤ Suit in Superior Court with Complainant's interests represented by DFEH.</li> </ul>
<b>Administrative Hearing Remedies:</b>	<ul style="list-style-type: none"> <li>➤ Actual damages (including pain and suffering)</li> <li>➤ Injunctive relief</li> <li>➤ Equitable Relief</li> <li>➤ Penalties between \$10,000 and \$50,000</li> </ul>	<ul style="list-style-type: none"> <li>➤ Actual damages (Gov. Code, § 12987, subd. (a)(4).)</li> <li>➤ Injunctive and equitable relief (Gov. Code, § 12987, subd. (a)(2).)</li> <li>➤ Penalties between \$10,000 and \$50,000 (Gov. Code, § 12987, subd. (a)(3).)</li> </ul>	Same as FEHA.	Same as FEHA (i.e., Gov. Code § 12987 remedies pursuant to Gov. Code § 12970, subd. (k))
<b>Judicial Remedies Litigated by Administrative Agency:</b>	<ul style="list-style-type: none"> <li>➤ Unlimited actual and punitive damages</li> <li>➤ Injunctive and equitable relief</li> <li>➤ Attorney's fees to prevailing party (other than U.S.) (42 U.S.C. § 3612(p).)</li> </ul>	<ul style="list-style-type: none"> <li>➤ Unlimited actual and punitive damages (Gov. Code, § 12989.2.)</li> <li>➤ Injunctive and equitable relief (Gov. Code, § 12989.2.)</li> <li>➤ Attorney's fees to prevailing party (other than State). (Gov. Code, § 12989.2.)</li> </ul>	See Government Code section 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.  Actual damages Up to 3 times actual damages Attorney fees (Civ. Code § 54.3, subd. (a))
<b>Civil Court Suit by Individual:</b>	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 (Gov. Code, § 12989.1.)	File lawsuit within three years (no prerequisite of filing first with DFEH). (Code Civ. Proc., § 338, subd. (a).)	File lawsuit within three years (no prerequisite of filing first with DFEH). (Code Civ. Proc., § 338, subd. (a).)