

Home » Briefing Room » Justice News

JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Tuesday, November 22, 2011

Fair Housing Lawsuit Filed Against California Municipality for Discriminating Against Families with Children

WASHINGTON – The Justice Department filed a lawsuit yesterday against a California municipality and a homeowners' association for discriminating against families with children in violation of the Fair Housing Act.

The lawsuit, filed in the U.S. District Court for the Northern District of California, alleges that the city of Santa Rosa, a California municipality, and La Esplanada Unit 1 Owners' Association, a homeowners' association, sought to restrict residency at a condominium complex to seniors aged 55 and older. While the law allows such an exemption, the suit alleges that neither the city nor the homeowners' association took the necessary steps, such as routine age-verification procedures, to qualify for the exemption in a way that was consistent with the Fair Housing Act. Consequently, their actions unlawfully denied and made housing unavailable to families with children. The lawsuit seeks a court order prohibiting future discrimination by the defendants, monetary damages for those harmed by the defendants' actions and a civil penalty.

"It is critical that families with children have opportunities to find housing. A housing developer or a municipality cannot deny housing to families with children and restrict its housing to seniors 55 years and older unless they comply with the requirements set forth in the Fair Housing Act," said Thomas E. Perez, Assistant Attorney General for the Justice Department's Civil Rights Division. "The Justice Department will continue to vigorously enforce fair housing laws that protect the rights of families with children."

This lawsuit arose as a result of a complaint filed with the Department of Housing and Urban Development (HUD) by the owner and representative of a portion of the condominium development that was the subject of the defendants' enforcement actions. After HUD investigated the complaint, it issued a charge of discrimination and the matter was referred to the Justice Department.

"When Congress made it illegal to discriminate against families with children in housing, it carved out an exemption for senior communities, setting clear standards those communities must meet if they wish to exclude families with children," said John Trasviña, HUD Assistant Secretary for Fair Housing and Equal Opportunity. "HUD and the Department of Justice remain committed to ensuring that no community unlawfully denies families with children much-needed housing opportunities."

The federal Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, familial status, national origin and disability. More information about the Civil Rights Division and the laws it enforces is available at www.usdoj.gov/crt. Individuals who believe that they have been victims of housing discrimination can call the Housing Discrimination Tip Line at 1-800-896-7743, e-mail the Justice Department at fairhousing@usdoj.gov, or contact HUD at 1-800-669-9777.

The complaint is an allegation of unlawful conduct. The allegations must still be proven in federal court.

11-1528

Civil Rights Division