

DFEH News Brief

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CALIFORNIA LANDLORDS PAY \$200,000 TO SETTLE PREGNANCY DISCRIMINATION CASE

ELK GROVE -- Today, the California Department of Fair Employment & Housing (DFEH) announced an out-of-court settlement involving landlords accused of discriminating against a Los Angeles-area pregnant woman. This is the second settlement DFEH has announced regarding discriminatory practices against pregnant women in the span of one month.

In the latest case, the owners of a 1920s-era Hollywood apartment house that caters to tenants from the "artistic and entertainment" community were accused of discriminating against a female tenant when they learned she was pregnant. The owners of the Artiste Apartments on Leland Way in Los Angeles have agreed to pay a \$200,000 settlement.

Last month, the DFEH announced that the landlords of a four-bedroom house in Napa agreed to an \$18,000 settlement, after being accused of evicting a pregnant woman because she allegedly had too many children.

"These two cases should serve as a reminder that the California legislature has long recognized the vital importance of having an adequate supply of decent housing for families with children," said Governor Schwarzenegger's Secretary of State & Consumer Services, Rosario Marin. "That includes adequate housing for women who are about to give birth. I commend the DFEH for protecting pregnant women and families with children from housing discrimination."

The owners of the Los Angeles-area Artiste Apartments had agreed to rent a studio apartment to Suzanne Cohen. But DFEH officials said when Ms. Cohen let it be known she was pregnant, the landlords reversed their decision, claiming their studio apartments were limited to just one occupant. They allegedly notified Ms. Cohen that she could be evicted when she brought her baby home from the hospital. Subsequently, they gave her the option to pay an additional 10% per month when the baby arrived.

According to DFEH officials, it is legal for owners and landlords to place "reasonable" limits on the number of people who can occupy a particular unit. However, DFEH maintained that limiting a studio apartment to just one person is too restrictive and therefore unlawful.

The owners argued that the Artiste Apartments were not "a great place" for a single woman with a child, because the units are small, the building is four stories high, and they felt there was no place for a child to play.

"Those restrictions would bar all families from 93 percent of the units in that large, 72-unit apartment house," said DFEH Director Phyllis Cheng. "Under the California Fair

Employment & Housing Act, it is unlawful to discriminate against families with children under the age of 18. And it is equally unlawful to impose a 10 percent surcharge if a woman has a baby.”

In agreeing to settle, Artiste Apartments did not admit any liability. But DFEH officials said it is not uncommon to find some landlords using occupancy limits as a way to screen out families. “Whether that type of discrimination is deliberate or inadvertent, landlords need to understand that it can be costly,” said Director Cheng.

DFEH officials had originally asked the Los Angeles County Superior Court to impose both compensatory and punitive damages. As part of the \$200,000 settlement, the apartment house owners also agreed to more reasonable occupancy restrictions for their units and fair housing training for all owners and managers.

The Housing Rights Center of Los Angeles assisted the DFEH in the investigation and litigation.

For more information about the work of the DFEH or the laws it enforces, including the Fair Employment and Housing Act, Unruh Civil Rights Act, and Ralph Act, call (800) 884-1684 (employment, public accommodation, hate violence); (800) 233-3212 housing; (800) 700-2320 TTY, or visit the DFEH’s website: www.dfeh.ca.gov.

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