

DFEH News Brief

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For Immediate Release

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TENANT RECEIVES \$ 1MILLION SETTLEMENT IN DISABILITY DISCRIMINATION LAWSUIT;
LANDLORD REFUSED TO ACCOMMODATE TENANT WITH ACCESSIBLE PARKING

Sacramento – The Department of Fair Employment and Housing (DFEH) today announced a \$1 million settlement of a disability discrimination lawsuit brought by DFEH against a San Francisco landlord who refused a tenant's request for an accessible parking space. This settlement is the largest in DFEH history for a housing discrimination case.

"I hope that this case sends a strong reminder to housing providers of the legal obligation to provide reasonable accommodation for tenants with disabilities," said DFEH Director Suzanne M. Ambrose. "Housing providers cannot simply disregard or ignore a tenant's request for a reasonable accommodation. Something as reasonable as providing an accessible parking space or an extra key for a caregiver does not impose an economic hardship for a housing provider, but significantly enhances the quality of life for a person with severe degenerative joint disease."

In a lawsuit filed in San Francisco County Superior Court, the DFEH contended that in May 2000, the owners of an apartment building violated the civil rights of a tenant, Shirley Carper, who has severe degenerative joint disease. The landlord, 2001 California Partnership, refused her request for reasonable accommodation of her disability.

Ms. Carper, a tenant for 24 years of an apartment building on California Street, in San Francisco, requested a reasonable accommodation for an accessible parking space, and extra keys for her live-in caregiver. The building owner denied her request for an accommodation. The tenant contacted the DFEH and Project Sentinel, a nonprofit organization that deals with housing discrimination. Project Sentinel was a real party in

interest in the lawsuit. For the next three years, Ms. Carper fought for her parking space. It was only after the DFEH filed a lawsuit that the parking space was granted.

After an eight day trial and a full day of deliberations, the jury found the landlord liable for disability harassment and denial of a reasonable accommodation and awarded compensatory damages. Before the jury returned to deliberate on the amount of punitive damages to award, the parties settled the case for \$1 million in compensatory damages and affirmative relief. The affirmative relief includes requiring the landlord to: develop and disseminate to all residents a written policy regarding their right to receive, and the owner's duty to provide, reasonable accommodation under the Fair Employment and Housing Act (FEHA), undergo training regarding the duties of a landlord under the FEHA, and post the court's order that the landlord violated the FEHA.

DFEH enforces laws prohibiting discrimination in employment, housing, public accommodations and acts of hate violence. Further information about DFEH and its services may be obtained by visiting the Department's web site at www.dfeh.ca.gov or by calling (800) 884-1684.

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