



3255 Wilshire Blvd., Suite 902
Los Angeles, CA 90010
(213) 389-2077
For California Relay Service TTY: (800) 735-2929
www.mhas-la.org



***FAIR HOUSING:
IT'S THE LAW!***

A nonprofit organization protecting and advancing the legal rights of people with mental disabilities.

Fair Housing Tip of the Month

Tip #7 – Retaliation is Discrimination

TENANT: “A few months ago, my landlord denied my request for an emotional support animal. I told the landlord that the law said he had to allow emotional support animals, otherwise it was discrimination. Even though he finally approved my request, ever since then, I feel like he has been trying to get me to move out. He sent multiple letters with false claims that my dog was loose in the common areas, bit a maintenance worker, and was aggressive toward other tenants. He said that, since my dog is dangerous, he can evict me. He has told me several times it would be better if I moved out rather than make him evict me, because then the eviction wouldn't be on my record. I don't want to leave, but it feels really stressful to live here now. Is there anything I can do?”

The law says: It is unlawful for a landlord to coerce, intimidate, threaten, or interfere with a tenant's exercise or enjoyment of his or her fair housing rights. This means a landlord cannot threaten or interfere with a tenant's enjoyment of a unit simply because that tenant exercised the right to a reasonable accommodation. Retaliation in the form of threatened eviction, harassment, or taking away amenities associated with the unit is itself a violation of fair housing laws. Moreover, a landlord cannot intimidate, threaten, or retaliate against a tenant for filing a complaint about a violation of fair housing laws or encouraging other tenants to exercise their fair housing rights.

What to do: If you feel your landlord is retaliating against you because you asserted your right to a reasonable accommodation, you can file a housing discrimination complaint. While not required, it is helpful to have documentation of the retaliatory behavior when you file your complaint so that the investigating agency has a full picture of the problems you have experienced. You can do this by keeping copies of any written documents the landlord has given you, having a record of any electronic communications, and keeping notes of the dates and times of any conversations or interactions you have had with the landlord that are examples of the landlord's intimidation, threats, or interference with your basic tenant rights.

Individuals who believe they have experienced housing discrimination may file a complaint with a local fair housing agency, the California Department of Fair Employment and Housing (DFEH), or the U.S. Department of Housing and Urban Development (HUD).

To file a complaint with HUD, call 800-669-9777, or visit www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process

To file a complaint with DFEH, call 800-884-1684, or visit www.dfeh.ca.gov/complaint-process/file-a-complaint/

Fair housing laws prohibit discrimination in housing based on the following characteristics: Race, religion, national origin, color, sex, marital status*, ancestry*, familial status, disability, sexual orientation*, source of income.*

*Indicates a prohibited basis for discrimination in California, but not under federal law.

Disclaimer: The Fair Housing Tip of the Month is for educational purposes only and does not constitute legal advice. If you have a legal question, please contact MHAS, your local fair housing council or another attorney of your choice.

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