

# California Department of Fair Employment & Housing

# Fact Sheet

## General Information about the **UNRUH CIVIL RIGHTS ACT**

### What is the Unruh Civil Rights Act?

The ***Unruh Civil Rights Act***, California Civil Code sections 51 through 52, provides protection from discrimination by all business establishments in California, including housing and public accommodations. California Civil Code section 51(b) describes the protections found under the *Unruh Civil Rights Act*.

All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, or sexual orientation are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever. *Civil Code section 51(b)*.

### Who is Protected?

The language of the *Unruh Civil Rights Act* (see above) specifically outlaws discrimination in housing and public accommodations based on sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, or sexual orientation.

While the *Unruh Civil Rights Act* specifically lists “sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, or sexual orientation” as protected classes, the California Supreme Court has held that protections under the Unruh Act are not necessarily restricted to these characteristics.

The Act is meant to cover all arbitrary and intentional discrimination by a business establishment on the basis of personal characteristics similar to those listed above.

### What Businesses Are Covered?

This law requires "Full and equal accommodations, advantages, facilities, privileges or services in **all** business establishments." This includes but is not limited to:

- Hotels and Motels
- Non-Profit Organizations that have a business purpose or are a public accommodation
- Restaurants
- Theaters
- Hospitals
- Barber and Beauty Shops
- Housing Accommodations
- Public Agencies
- Retail Establishments

### What Remedies are Available for Victims of Discrimination?

This law provides for a variety of remedies that may include:

- Statutory Damages
- Out-Of-Pocket Expenses
- Cease and Desist Orders
- Damages for Emotional Distress
- Punitive Damages
- Attorney's Fees and Costs

Court-ordered damages may include a maximum of three times the amount of the victim's actual damages.

### What Should Victims Do?

Persons who believe they have experienced discrimination may file a DFEH complaint. Complaints must be filed within **one year** of the alleged discrimination.

Persons wishing to file directly in court do not need a "Right-to-Sue" letter from the Department of Fair Employment and Housing.

Contact the Department toll-free at **(800) 884-1684** or **(TTY) (800) 700-2320**, or email at [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov), to speak with a representative, or visit our Internet site at [www.dfeh.ca.gov](http://www.dfeh.ca.gov).