

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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THE IRVINE CO. AND IRVINE APARTMENT COMMUNITIES WILL PAY \$175,000 TO SETTLE DFEH DISABILITY DISCRIMINATION HOUSING LAWSUIT

Major Housing Provider Failed to Accommodate Tenants with Emotional Support Animals California Civil Rights Agency Charged

IRVINE – The California Department of Fair Employment and Housing (DFEH) has reached a \$175,000 settlement with the Irvine Company, LLC and Irvine Apartment Communities, LP, in two lawsuits filed by the Department over the companies' alleged discrimination against people with mental health disabilities. The settlement also includes four additional administrative complaints filed with DFEH.

The lawsuits filed in Orange County Superior Court on behalf of two residents, and the administrative complaints filed on behalf of six additional residents, alleged the companies failed to accommodate tenants with mental health disabilities by taking steps to discourage tenants from keeping emotional support animals as a reasonable accommodation for their disabilities. The companies charged pet deposits and pet rent, imposed breed and size restrictions for legitimate support animals, and failed to engage in an interactive process to verify that tenants had genuine disabilities. The firms also lacked a uniform reasonable accommodation policy and failed to train their leasing professionals at their apartment communities about fair housing responsibilities toward people with disabilities. As a result, some tenants were evicted from their apartments or had their lease offers revoked. Others were forced to pay additional rent.

In addition to paying compensation to plaintiffs and reimbursing DFEH for attorneys' fees, the companies have also agreed to adopt a comprehensive reasonable accommodation policy, provide training to employees, and hire a Compliance Manager to review requests for reasonable accommodation.

"We are pleased that The Irvine Co. cooperated with us to achieve this settlement, which compensates the plaintiffs and complainants for the harm they suffered and contains equitable relief designed to ensure that all tenants and applicants with disabilities will receive equal housing opportunities, including reasonable accommodations, as required by law," said Kevin Kish, Director of DFEH.

The Settlement Agreement also clarifies the right of the companies to request reliable third-party verification to show the need for a service animal. It also clarifies that ID cards, certificates for a "registered service animal" or online services providing "ESA

prescription” letters for sale are not sufficient verification.

The lawsuits were *DFEH v. The Irvine Company, LLC, and Irvine Apartment Communities, L.P.*, Civil Action Nos. 30-2014-00752435-CU-CR-CJC and 30-2015-00798489-CU-CR-CJC.

The Department of Fair Employment and Housing enforces state laws prohibiting employment and housing discrimination as well as discrimination in public accommodations and hate crimes. Further information about the department is available at its website www.DFEH.ca.gov.

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