



# Fair Housing Advocates of Northern California

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## FOR IMMEDIATE RELEASE

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## Announcing: Fair Housing Advocates of Northern California Settles Source of Income Discrimination Complaint

San Rafael, CA – In March 2023, Fair Housing Advocates of Northern California (FHANC) filed a [discrimination complaint](#) with the California Civil Rights Department (CRD), alleging source of income discrimination against the owner and manager of Novato Park Apartments because of their ban on renting to people with Section 8 housing choice vouchers, which violates California's Fair Employment and Housing Act. One year later, an agreement was reached between the parties settling for \$35,000, policy changes, training, and posting vacancies to sites serving people with Section 8 vouchers.

In the spring of 2021, FHANC released the results of its testing investigations of Marin, Sonoma, and Solano counties to ascertain the extent to which Black renters with Section 8 vouchers experienced discrimination when applying for rental housing. The publicity included the [results of the investigation](#) and sought to educate the community about the California law that went into effect in January 2020 making it illegal to discriminate against renters with housing subsidies.

Soon after, in May 2021, the Marin Independent Journal (IJ) published a Letter to the Editor submitted by the manager of Novato Park Apartments, stating that they no longer accepted any tenants with Section 8 vouchers because of a difficulty they had previously had with a Section 8 tenant. FHANC emailed and sent a letter to the manager, explaining the law once again, letting him know that the reason he gave for not renting to Section 8 tenants did not negate the discriminatory effect of their policy. FHANC also submitted a response letter to the Marin IJ that FHANC and the Marin Housing Authority collaborated in writing, explaining source of income discrimination so that the community was made aware that it was illegal to deny renters because of their housing vouchers.

“It’s really important that landlords do not make the decision to rent to an entire group of people because they had a couple of bad experiences, particularly if that decision involves a blanket refusal to rent to a group of people protected under fair housing law,” said Caroline Peattie, Executive Director of FHANC. “While you may have a negative experience renting to a Section 8 voucher recipient, renting only to those who don’t have

*A local non-profit helping communities eliminate housing discrimination*

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MEMBER, NATIONAL FAIR HOUSING ALLIANCE

housing vouchers is no insurance against a bad experience. The best way of gauging whether or not someone will be a good tenant is to contact previous landlords, rather than making assumptions about an applicant based solely on unrelated characteristics.” Because voucher holders are usually more likely to be members of other protected classes (e.g.: people of color, women, people with children, and people with disabilities), excluding all voucher holders from rental properties will have a discriminatory effect, even if the reason for the denial is not based on animus toward protected groups.

FHANC then conducted several fair housing testing investigations – in September 2021, March 2022, and February 2023, which all confirmed that the apartment complex was still not accepting Section 8 tenants (“We don’t take those, sorry... we’ve had trouble in the past”).

“We’re pleased with this settlement,” said Peattie. “We believe strongly in educating the community about both well-established and new fair housing laws – which we did in this case through publicizing the results of our testing investigations, replying directly to the manager’s discriminatory statements in the newspaper, and submitting an editorial letter to educate the community – but sometimes it’s necessary to file enforcement actions to bring attention to fair housing laws and how to comply with them. In this particular case, we were very pleased that the owner took advantage of CRD’s mediation process and was willing to negotiate in good faith for a positive outcome for the community.”

In addition to the monetary settlement, the owner and manager agreed to the following:

- Change its illegal policy of refusing to rent to Section 8 voucher holders;
- Advertise all vacancies in California on AffordableHousing.com and other suitable locations where housing choice voucher holders are served, including local housing authority websites;
- Include “Equal Opportunity Housing Provider” in future posts advertising vacancies;
- All employees / agents will attend an annual fair housing training for the next two years;
- Establish and distribute to staff a written policy that states 1) applicants will be treated equally regardless of their source of income; 2) the minimum income requirement will be calculated based on the monthly rental amount to be paid directly by the voucher holder only, and not include any amount to be paid through the voucher; and 3) voucher holders are welcome to apply;
- Post and make available copies of CRD’s fair housing factsheet in both English and Spanish in rental offices and common areas; and
- Maintain copies of all documents related to the rental of housing accommodations as well as records related to Section 8 voucher holders, including waitlist members, applicants, tenants, and former tenants, for a minimum of five (5) years and make those records available to FHANC.

The full settlement can be reached [here](#).

“When we find evidence of discrimination as a result of our fair housing investigations, even when a client has not come forward with a complaint, our agency has legal standing to file a complaint,” said Julia Howard-Gibbon, FHANC’s Supervising Attorney. “This is an opportunity for FHANC to ensure that discriminatory policies are addressed so that future rental applicants won’t be illegally turned away because they have a housing voucher.”

If you feel you may have experienced housing discrimination, contact FHANC’s office to complete an interview. Contact FHANC at [fhanc@fairhousingnorcal.org](mailto:fhanc@fairhousingnorcal.org) or 415-457-5025 x101 or fill out an online intake at <https://www.fairhousingnorcal.org/>.

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*Fair Housing Advocates of Northern California (FHANC) is a non-profit organization whose mission is to ensure equal housing opportunity and to educate our communities on the value of diversity in our*

*neighborhoods. FHANC serves several Bay Area counties and provides free counseling, enforcement, mediation, and legal or administrative referrals to persons experiencing housing discrimination. Fair Housing Advocates of Northern California also offers foreclosure prevention counseling, pre-purchase education, seminars to help housing providers fully understand fair housing law, and education programs for tenants and the community at large. Fair Housing Advocates of Northern California is a HUD-Certified Housing Counseling Agency. Please call Fair Housing Advocates of Northern California at (415) 457-5025 or TDD: (800) 735-2922 for more information. Note: This material is based on work supported by the Department of Housing and Urban Development (HUD) under FHIP PEI Grant FPEI190035. Any opinion, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of HUD.*