



Fair Housing Advocates of Northern California

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FOR IMMEDIATE RELEASE

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Fair Housing Advocates of Northern California and Client Settle National Origin Discrimination Complaint

San Rafael, CA – Late last month, Fair Housing Advocates of Northern California (FHANC) and one of its clients settled a complaint alleging discrimination based upon national origin that had been filed with the Department of Fair Employment and Housing against Continuum Housing Association – San Rafael Redevelopment Agency and its agents.

Adan Bernardino Peralta was a prospective tenant who applied for and was subsequently denied the opportunity to rent a two-bedroom apartment at Lone Palm Court Apartments, 840 C Street in San Rafael, California in August 2017. Mr. Peralta's household was to include his wife and their two minor children (aged 17 and 10 at the time). Mr. Peralta is a naturalized U.S. citizen born in Mexico. His wife, born in Colombia, was a resident in the United States with a valid tourist visa.

Mr. Peralta, his wife, and their 10-year-old daughter met with the manager, who informed them of an available two-bedroom unit and another two-bedroom unit for low-income tenants. That same day, Mr. Peralta submitted a rental application for the low-income unit, along with a money order for the application fee. The manager eventually called Mr. Peralta at a later date and informed him that his application was not processed, and his money order would be returned because his wife did not submit U.S.-based identification. The manager stated they were unable to do a background check to verify his wife's identity, despite Mr. Peralta's offer to show their marriage certificate and her visa as alternative identification. He was provided with a flyer that said that applications would not be processed if it did not include U.S.-based identification, with examples of such identification listed as U.S. Driver's License, U.S. Picture ID card, U.S. Passport, or U.S. Employment Authorization Card.

Mr. Peralta's wife no longer felt secure enough to continue living in the United States, despite having a valid visa, and was so discouraged at her prospects for finding housing as a non-citizen that she returned to Colombia in early September 2017. Since that time, Mr. Peralta and his wife have been separated, and she does not plan to return to the United States. "Our separation caused a great strain on our marriage," said Mr. Peralta, "and the stress of being turned down plus the separation really affected me. What makes it worse is that I had to rent a one-bedroom for more rent at a different property, so I lost money."



A local non-profit helping communities eliminate housing discrimination

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“I really appreciate the help I got from Fair Housing Advocate of Northern California,” said Mr. Peralta. “They gave me help when I was down and didn’t know what to do.”

The same month that he was denied housing, Mr. Peralta contacted Fair Housing Advocates of Northern California (FHANC) for assistance investigating his complaint and intervening with the housing provider. FHANC contacted one of the agents, who stated that the property was already rented and that the denial of Mr. Peralta’s application was based on his failure to qualify based upon income, though Mr. Peralta asserts he *did* qualify for the low-income unit based upon his income.

FHANC conducted multiple investigations of the premises in 2017 and 2018 for national origin discrimination. Those investigations confirmed that the manager consistently refused to rent to individuals without a U.S. form of identification, discouraging prospective renters at the preapplication stage and refusing to accept alternate forms of identification. In one “test,” when the Latino investigator disclosed that his wife had a passport from Mexico, the manager stated that having an appropriate U.S. ID or other document listed in the application is absolutely necessary and that they do not have special exceptions. In January/February 2018, during a follow-up test, FHANC’s Latino investigator disclosed that his wife had a tourist visa and an international driving permit and asked if they would be acceptable forms of identification, as she was in the process of obtaining residency; he was told that the only forms of acceptable identification are a U.S. Driver’s License or ID, U.S. Passport, or U.S. employment authorization card, and that the application process could take anywhere from a couple days to a couple of months depending on various factors.

“We were very concerned after we had talked with Mr. Peralta about his situation, and even more concerned once we looked at the evidence of discrimination our investigation uncovered,” said Caroline Peattie, Executive Director of FHANC. “This differential treatment effectively discourages potential applicants who are not born in the United States or do not have a U.S. Passport, despite the fact that they have the legal status to live here.”

In August of 2018, both Mr. Peralta and FHANC filed an administrative complaint against Continuum Housing Association, based on the direct and emotional damages Mr. Peralta suffered as a result of his treatment and FHANC’s diversion of its resources and frustration of mission.

All parties agreed to the Department of Fair Employment and Housing’s mediation process in October 2018. Ultimately Continuum Housing Association agreed to pay \$18,000 to the complainants, attend two annual fair housing training sessions, list the rental property with Canal Alliance and tacolist.com, post HUD’s fair housing posters in English and Spanish, and send HUD’s fair housing brochures in English and Spanish to all residents.

“We are pleased that Continuum Housing Association agreed to mediate so we could arrive at a settlement,” said Ms. Peattie. “Mr. Peralta was able to have a forum where he could speak about his experience and the injury he had suffered and feel that he was heard.”

"The attorneys at FHANC were very helpful," said Mr. Peralta. "They supported me and helped me during the whole process. At one point I felt like giving up because my complaints were going nowhere. Without the help of the agency, I couldn't have done it myself. I believe there's always justice when you come with the truth."

Fair Housing Advocates of Northern California is a non-profit organization serving several Bay Area counties that 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.