

# Fair Housing 2025: What Do We Need to Know?

SACRAMENTO CONTINUUM OF CARE

August 2025

# Featured Speakers

**Avantika Rao (she/her)**  
**Project Sentinel**  
**Fair Housing Staff Attorney**  
[arao@housing.org](mailto:arao@housing.org)



**Minyoung Shin**  
**Legal Services of Northern**  
**California**  
**Staff Attorney**  
[mshin@lsnc.net](mailto:mshin@lsnc.net)



# Project Sentinel

---

***WHAT PROJECT  
SENTINEL'S FAIR  
HOUSING CENTER  
DOES***



**Test**



**Educate**



**Investigate**



**Negotiate**



**Advocate**

***PRESENTER: AVANTIKA RAO, PROJECT  
SENTINEL***

---

- **Attorney licensed in California**
- **Multilingual (English, Spanish & Hindi)**
- **Fair Housing Staff Attorney since 2023**
- **Sex and labor trafficking cases (see U.S. v. Dann)**
- **Asylum cases (see U.S. v. Gueming-Nenkam)**



# ***DISCLAIMER***

---

**This is general information only.**

**This is not comprehensive.**

**Laws change.**

# ***ROADMAP***

---

- **INTERSECTIONAL / “PROTECTED CLASSES”**
- **RETALIATION – OCCURS ALL THE TIME!**
- **DISABILITY PROTECTIONS**
- **LGBTQ+ (CALIFORNIA)**
- **CRIME SURVIVORS**

# INTERSECTIONAL LENS ON HOUSING PRECARITY

social rejection/overpolicing

trauma / substance use

criminalization

unemployment, ableism,  
discrimination





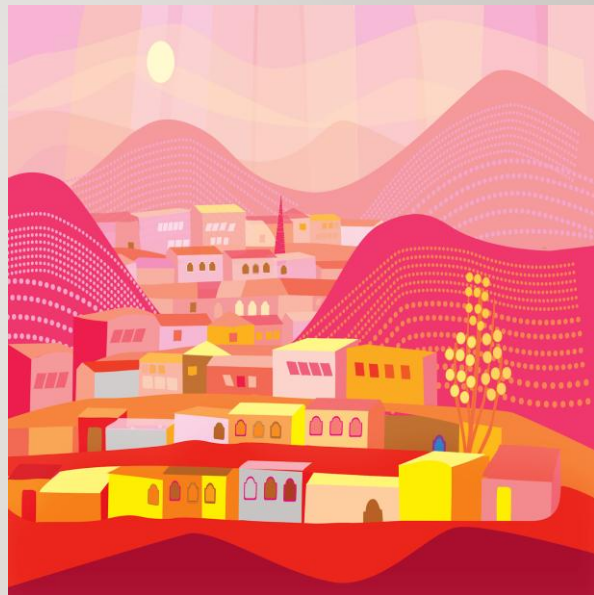
# HELPFUL APPROACHES

low barriers

trauma informed

onramps to services

intersectional lens




# Laws in Fair Housing


- **1963** | California prohibited certain types of housing discrimination in housing (i.e., Fair Employment and Housing Act (FEHA) and Unruh Civil Rights Act)
- **1968** | Congress passed federal Fair Housing Act (FHA)
- **1988** | Fair Housing Amendments Act became law

# PROTECTED CLASSES

## Federal

## California

- 
- ▶ Race/Color
  - ▶ National Origin
  - ▶ Religion
  - ▶ Sex
  - ▶ Sexual Orientation
  - ▶ Gender Identity
  - ▶ Disability
  - ▶ Familial Status

- 
- ▶ Marital Status
  - ▶ Age
  - ▶ Source of Income
  - ▶ Arbitrary
  - ▶ Military/Veterans
  - ▶ Immigration Status
  - ▶ Primary Language
  - ▶ Licensed Day Care Providers

# EVIDENCE PRESERVATION

---

- **Always keep copies.**
- **Download & save texts from apps/websites.**
- **Document, document, document**
- **If denied, request a denial letter.**



# WHO CAN ASK FOR ACCOMMODATION

- ***A person with*** a physical or mental impairment limiting a person's **major** life activities
- Has a **record** of impairment
- Is **perceived** as having such an impairment.





## CAL. GOV. CODE 12926(M) “PHYSICAL DISABILITY”

- (1) Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:
  - (A) Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
  - (B) Limits a major life activity. For purposes of this section:
    - (i) “Limits” shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
    - (ii) A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.
    - (iii) “Major life activities” shall be broadly construed and includes physical, mental, and social activities and working.
- (2) Any other health impairment not described in paragraph (1) that requires special education or related services.
- (3) Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment described in paragraph (1) or (2), which is known to the employer or other entity covered by this part.
- (4) Being regarded or treated by the employer or other entity covered by this part as having, or having had, any physical condition that makes achievement of a major life activity difficult.
- (5) Being regarded or treated by the employer or other entity covered by this part as having, or having had, a disease, disorder, condition, cosmetic disfigurement,

## CAL. GOV. CODE 12926(J) "MENTAL DISABILITY"

(j) "Mental disability" includes, but is not limited to, all of the following:

(1) Having any mental or psychological disorder or condition, such as intellectual disability, organic brain syndrome, emotional or mental illness, or specific learning disabilities, that limits a major life activity. For purposes of this section:

(A) "Limits" shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

(B) A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.

(C) "Major life activities" shall be broadly construed and shall include physical, mental, and social activities and working.

(2) Any other mental or psychological disorder or condition not described in paragraph (1) that requires special education or related services.

(3) Having a record or history of a mental or psychological disorder or condition described in paragraph (1) or (2), which is known to the employer or other entity covered by this part.

(4) Being regarded or treated by the employer or other entity covered by this part as having, or having had, any mental condition that makes achievement of a major life activity difficult.

(5) Being regarded or treated by the employer or other entity covered by this part as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph (1) or (2).

"Mental disability" does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

(k) "Veteran or military status" means a member or veteran of the United States Armed Forces, United States Armed Forces Reserve, the United States National







# REASONABLE ACCOMMODATION (EXCEPTION)

---

- A change in rules, policies, practices, or services necessary to enable a person with a disability an **equal opportunity** to housing.





**DENIED**

---

- Undue administrative or financial burden
- Fundamental change to housing provider's program
- Undue health and safety burden

# EXAMPLES

- Service animals
- Emotional support animals (“ESA”)
- Transfer of units
- Extensions of time
- Break lease early
- Rental due date change, e.g. 1<sup>st</sup> to 5<sup>th</sup> of month
- Caretaker or live-in aid
- “Second chance”
- Accessible parking

# What to Include in an RA Request

---

1. Briefly explain the disability.
  - a. Provide medical verification. This is always recommended but not necessary if the disability is obvious. (e.g. wheelchair user)
2. Make a connection between the disability and the ask
3. Ask.

After you submit an RA request, the landlord must engage in an “interactive process” if they believe your ask was not reasonable.

# Case Example I

---

Jason receives his Social Security Disability Insurance benefits on the 3rd of each month, but his lease requires rent payment by the 1st.

As a result, he's been incurring late fees each month due to the timing mismatch. Moving forward, he simply cannot afford to continue paying these fees.

**What could he do to avoid future late fees?**



# Case Example 2

---

Sarah received a notice of termination due to behavioral concerns. Neighbors had reported frequent yelling at various hours, including during the night. After speaking with Sarah, it became clear that her behavior was linked to an untreated mental health condition. She is now doing significantly better—under the care of a psychiatrist and has recently begun taking medication.

**How would you request an RA?**

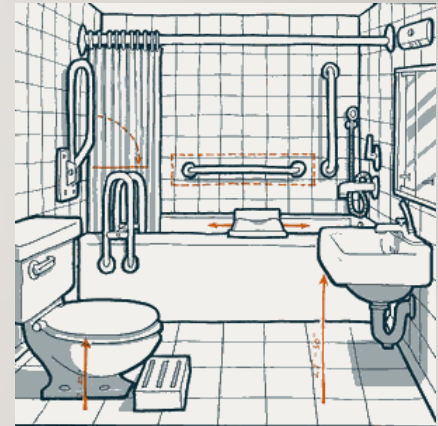




# REASONABLE MODIFICATIONS

---

- **Physical** change to unit.
- Landlord has right to approve plans and ensure standards.
- **Info:** [https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2025/04/Reasonable-Modifications\\_ENG-2025.pdf](https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2025/04/Reasonable-Modifications_ENG-2025.pdf)



# HANDOUTS

## Housing Discrimination

*Know Your Rights  
and Responsibilities*



**Project Sentinel**

A NONPROFIT FAIR HOUSING AGENCY

## Housing Discrimination

*Against Families with  
Children*



**Project Sentinel**

A NONPROFIT FAIR HOUSING AGENCY

## Housing Discrimination

*Against Persons  
with Disabilities*



**Project Sentinel**

A NONPROFIT FAIR HOUSING AGENCY



**Project  
Sentinel**



# LGBTQ+ LIVED REALITY

---

- *Acc/to a study by HUD, from 2022 and 2023, homelessness among gender-expansive people increased by 31%. They are more likely to live on the streets.*
- *A 2022 study by the Trevor Project found that between 35% and 39% of trans and nonbinary youth have experienced either homelessness or housing instability.*

*Cite:*<https://www.yesmagazine.org/economic-power/2025/04/07/housing-insecurity-trans-people>



# LGBTQ+ STATE > FED

---

- **California:** *Calif. Civil Rights Dept. will take complaints of housing discrimination based on sex, gender identity, gender expression, or sexual orientation. Cal. Govt. Code § 12955.*
- **Federal:** *Executive Order 13988 overruled 01/20/2025: Rolled back inclusion of sexual orientation and gender identity in federal housing protections (e.g. Civil Rights Act of 1964, Fair Housing Act, etc.)*



# LGBTQ+ RESOURCES

---

- *Federal rollbacks are being challenged in court*
- *LGBTQ+ National Hotline:*
  - [www.LGBThotline.org](http://www.LGBThotline.org) or call 888-843-4564
- *Transgender or non-binary or gender questioning*
  - <https://www.translifeline.org/hotline> or (877)565-8860
  - <https://transgenderlawcenter.org/resources/>
- <https://www.nclrights.org/get-help/> or (800) 528-6257



# LGBTQ+ PROTECTIONS

---

- ***California:*** Bars housing discrimination based on actual or perceived sex, gender identity, gender expression, or sexual orientation. Cal. Govt. Code § 12955.
- “Public accommodations” nondiscrimination laws protect transgender people in: California and some other states.

# INCOME LAW

---



Cal. Govt. Code §12955(o) & (p)

All legal and verifiable income sources qualify tenant:  
SSI, SSDI, child/spousal support, foster support, Section 8

Income test must reflect the **tenant portion** of rent.

Alternative credit option must be provided, if applicable. S.B.  
267

# PERMISSIBLE DISCRIMINATION

---

Homeless youth are allowed to have separate housing.

Senior properties allowed to 'discriminate' based on age  
Some exceptions for live-in caregivers, spouses, etc,  
See Cal. Govt. Code §51.3



# CRIME SURVIVORS

---

- *Landlord cannot penalize a tenant's right to summon law enforcement... or emergency assistance, based on the person's belief it is necessary... Cal. Civil Code 1946.8*
- *A landlord must change the locks of a survivor's unit within 24 hours of getting a copy of court order or police report (made within past 180 days) that documents domestic violence, sexual assault, or stalking; or else tenant may change locks. Cal. Civil Code 1941.5*
- *Breaking a lease early may be allowed.*

# RETALIATION

---

- It is illegal to harass, evict, or take any adverse action against any person because they opposed discrimination.





# REALITY

---

- Though it is illegal to discriminate or take adverse action against person opposing discrimination, it happens routinely and that's why we're here.



# DOCUMENTING CLAIMS

---

## Preserve evidence

- Download and save proof.
- Obtain copies of police reports, court orders, etc.

## Investigate

- Info: [www.housing.org](http://www.housing.org) or call (888) 324-7468. E-mail [fairhousing@housing.org](mailto:fairhousing@housing.org)

## Be a witness

- Provide a signed and dated declaration
- Be interviewed by investigator

# REPORTING PROCESS

---

File a  
housing  
complaint

- Can be filed with HUD (federal laws) or California Civil Rights Department

---

**REFER TO  
PROJECT  
SENTINEL**

**Suspect housing  
discrimination?**

**E-mail:  
[fairhousing@housing.org](mailto:fairhousing@housing.org)**

**Fair Housing Intake:  
1 (888) 324-7468**

**[www.housing.org](http://www.housing.org)**

**We will return  
shortly**

# **Legal Services of Northern California (LSNC)**

---

# Habitability and Unlawful Detainer Procedures

**LEGAL SERVICES**  
*of*  
**NORTHERN CALIFORNIA**

---



This presentation is *NOT* legal advice, only legal information.

Please contact LSNC for case specific questions. Everybody's situation is different.



## Roadmap

- Habitability
  - Repair options
  - Best tips for renters
- Unlawful detainer procedure



---

# Repair and Habitability Issues During a Tenancy



# HABITABILITY & WHEN THE LANDLORD IS RESPONSIBLE:

- A rental home ***MUST*** have:
  - Working toilet, wash basin, and bathtub or shower
  - Kitchen with a sink
  - Lighting in every room
  - Working deadbolt locks on the main entry door
  - Safe fire or emergency exits leading to a street or hallway
  - Working smoke and carbon monoxide detectors

# HABITABILITY & WHEN THE TENANT IS RESPONSIBLE

- A renter ***MUST***:
  - Keep their home clean and sanitary;
  - Use and operate gas, electrical, and plumbing fixtures properly;
  - Not destroy, deface, or damage the property or allow anyone else to;
  - Use their home as a place to live and use rooms for their intended purpose.
- If the renter has caused the habitability problems, the landlord ***DOES NOT*** have to make the repairs.



**ALWAYS**  
keep a copy  
of your lease  
agreement!

# HABITABILITY & WHEN THE LANDLORD IS RESPONSIBLE:

- A rental home is legally uninhabitable if it ***substantially lacks***.
  - Effective waterproofing, weather protection, including on windows and doors
  - Plumbing, gas, heating, and electric systems in working order
  - Floors, stairways, and railings in good repair
  - Clean and sanitary buildings and grounds
  - Working heating system



# Requesting Repairs

- Tell your landlord by phone or in person *AND* in writing.
  - Be specific about the repairs you need.
  - Send a letter by a Certificate of Mailing. Keep a copy of the letter and your Certificate of Mailing.
- Your landlord must respond within a *reasonable amount* of time.
  - In general, the law provides your landlord 30 days to respond.
  - BUT, for urgent issues e.g. if it is 40 degrees outside and your only source of heat is not working, it is reasonable to expect a response from your landlord within 24 hours.
- Landlords DO NOT have to deal with all repair issues in a home.
  - ★ Examples: old worn out carpet, dingy paint, etc. don't rise to the level that would protect you from eviction.



**Put repair requests in writing AND keep a copy.**



Okay. I asked, gave  
time, and it still isn't fixed.

Now what are  
my options?



# WHAT IF THE LANDLORD DOES NOT RESPOND?

- If your landlord does not respond within a reasonable time, there are still a few options available!
  - Each option has its risks and benefits.
  - Knowing the risks and benefits for each option will help you make the best decision for you and your family.



Each case is different!

To figure out the best option for you, seek legal assistance and get personalized advice.

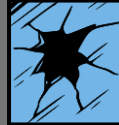


## Call Code Enforcement

Code Enforcement can inspect your rental home and fine your landlord.

- If the repairs required are very serious, they may issue a citation which can include the building getting “red-tagged.”
- If the repairs are less serious, code enforcement can issue a type of “fix-it” ticket to the landlord.

**Sacramento County? — Call 311**



## Repair and Deduct

Tenant fixes and deducts the cost of repairs from rent.

- First, you must report to your landlord and provide reasonable time for them to repair.
- Second, Repair cannot cost more than 1 month's rent.
- It cannot be used more than once per year.
- Tenant cannot have caused the damage.

**This is only allowed for serious defects.**

★Example: It is 40 degrees outside and your only source of heat stops working.



## Withholding Rent

Renter sets aside and saves the monthly rent instead of paying.

- The defects must be so serious that the home is uninhabitable.

**BEWARE: You risk eviction!**

**Make sure you keep the rent saved.**

## Constructive Eviction

Renter moves out.



## Lawsuit for Damages

Sue for damages in small claims court.



**TIPS!**

**PLAY OFFENSE - GO TO SMALL CLAIMS!**

It is MUCH safer to sue in small claims than it is to withhold your rent AND you do not need a lawyer to do it!



---

**Any Questions?**

# Unlawful Detainer (aka. Eviction)



# It all starts with a written notice.

1



You will be served with a notice. Usually it will be for a certain number of days. (3 Day, 30 Day, 60 Day, 90 Day)

- When you receive a notice, call LSNC and get legal assistance.
- Different notices will require differing legal language to be on the notice.
- Subsidized housing often requires a different procedure/language as well.
- Mobile Home Parks have different laws.

Even when the time in your notice expires, your landlord **CANNOT** lock you out to remove you without going through the proper court processes.

# You are served with the complaint.

2

Once the notice expires, the landlord will need to start the formal court process called an Unlawful Detainer.

- You will know this happened if you get a “notice of filing” in the postal mail.

To continue the court case, the landlord will also need to serve you with the summons and complaint.

**SUMMONS**  
(CITACIÓN JUDICIAL)  
UNLAWFUL DETAINER-EVICTION  
(RETENCIÓN ILÍCITA DE UN INMUEBLE-DESALOJO)

NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO)

YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE)

**FILED**  
OCT 22 2019  
CLERK OF THE SUPERIOR COURT  
BY: K. BESANA, CLERK CLERK

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 5 days. You have 5 DAYS, not counting Saturdays and Sundays and other judicial holidays, after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff.

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp/](http://www.courtinfo.ca.gov/selfhelp/)), your county law library, or the courthouses nearest you. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit legal services programs at the California Legal Services website ([www.lawhelpca.org](http://www.lawhelpca.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp/](http://www.courtinfo.ca.gov/selfhelp/)), or by contacting your local court or county bar association.

**FEE WAIVER:** If you cannot pay the filing fee, ask the clerk for a fee waiver form. NOTE: The court has a statutory lien for unpaid fees and costs on any judgment or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

**EXENCIÓN DE CUOTAS:** Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos enteros con un máximo de un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desestimar el caso.

1. The name and address of the court is:  
(El nombre y dirección de la corte es):  
SUPERIOR COURT OF CALIFORNIA  
1500 COURT STREET, ROOM 319  
REDDING, CA 96001

CASE 1:19-cv-00000-00000



# File your answer.

3

File an answer within  
10 court days of being served.


**File your answer ON TIME.**

- If you do not answer on time, there will be a default judgment against you.

Only the defenses you put on your answer can be used in trial.



Use the LSNCL website and its guide to help you file an answer.

 [How to Answer to Eviction Complaint - LSNCL Guide](#)

Or you can go to the Carol Miller Justice Center's UD advisory clinic.

# Get ready for trial.

## 4

Consider the following before the day of trial:

- How strong are your defenses?
- What evidence do you have?
- What risks are you willing to take?
- Do you want to move?

Prepare your evidence/witnesses.

- Written documents (receipts, ledger, emails)
- Witnesses (declaration is not enough, if the person saw the event, they must be there to testify in person)



Depending on the situation, it may be worth moving out fully before trial. This will prevent an eviction judgment but you may still get a money judgment.

No eviction judgment means no eviction your rental history.

Everybody and everything must be out, drop off keys before trial, and still show up to trial to show that you fully moved out.



# Your day in court.

5

The court clerk will call attendance when it is time.

You will have an opportunity to speak with the landlord or their attorney about settlement.

- Most cases end in settlement.

If you don't settle, you go to trial.

- If you go to trial and lose, you will be locked out in about a week.
- If you go to trial and win, the case will be dismissed, but you will still owe the rent for the time you lived there while the landlord was not accepting your rent.



Be on time.

Plan to spend several hours there.

Bring three copies of your evidence with you.

# Your day in court.

When you negotiate...

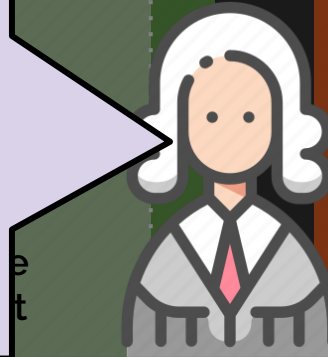
- Remember that it is a compromise.
- Compare your settlement to your odds at trial.
  - Ask to pay and stay?
  - Offer to move out?
  - Behavioral stipulation?
- Your settlement will be binding.
  - If you make a payment plan and fail, you will end up getting an eviction judgment even if it is months or years from now.



Be on time.

Plan to spend several hours there.

Bring your three copies of your evidence with you.



# Your day in court.

Also keep in mind...

- The court generally cares about the **UNDERLYING NOTICE** at issue.
- Other issues, such as habitability and retaliation, can be overcome by the landlord having another reason to evict, such as non-payment.
- The judge will be evaluating your "credibility".
- Call the judge "your honor".
- It's an unfair playing field.



Be on time.

Plan to spend several hours there.

Bring your three copies of your evidence with you.



# If you lose and get an eviction judgment...

6

A sheriff's "Notice to Vacate" with the date and time of when you must vacate by will be posted on your door.

- You will have around 5 more days to move out when the sheriff's notice is posted.



## How can someone request our assistance?

- **Sacramento County: 916-551-2150**
- **Yolo County: 530-662-1065**
- **Placer County: 530-823-7560**

## What else can we help with?

- Health care (denials for authorizations, Medi-Cal, appeals, grievances)
- Clean slate (expungements of some criminal records)
- SSI, SSDI, SDI, CAPI, Unemployment, Child Care
- Senior issues (Senior Legal Hotline)
- Education
- Name and Gender change petitions



If you are put on hold – don't hang up! You'll lose your place in the phone line.

In order to be fair to everyone, we ask returning clients with new issues to call again.

# Q&A

**Do you have any unanswered questions?**



# Stay in the Know

Sign up to receive Provider Training updates  
Subscribe to the SSF monthly newsletter  
Follow us on social media



Visit us at [sacramentostepsforward.org](https://sacramentostepsforward.org)

# Thank You

**Please complete the  
brief exit survey.**

SACRAMENTO CONTINUUM OF CARE

---

August 2025



SACRAMENTO  
STEPS FORWARD