

CALIFORNIA LAW PROHIBITS DISCRIMINATION AND HARASSMENT IN SHELTERS



Civil Rights
Department
STATE OF CALIFORNIA



California's fair housing laws apply in all shelters, including emergency, overnight, and transitional shelters. The Civil Rights Department enforces laws that protect you from illegal discrimination and harassment in shelters based on your actual or perceived:

- Ancestry, national origin
- Citizenship*
- Disability, mental or physical
- Familial status
- Gender identity, gender expression
- Genetic information
- Immigration status*
- Marital status
- Military and veteran Status
- Primary language*
- Race, color
- Religion
- Sex, gender
- Sexual orientation
- Source of income

SEXUAL HARASSMENT: Sexual harassment is unlawful whether it occurs between shelter staff and residents, or between residents. Sexual harassment includes demands for sex or sexual acts in order to stay at a shelter. Sexual harassment also includes other unwelcome sexual conduct that makes it hard to keep living in or feel comfortable in a shelter. A victim of sexual harassment can be any gender. Shelters have a duty to prevent sexual harassment from occurring between program participants.

PROTECTIONS BASED ON SEXUAL ORIENTATION, GENDER IDENTITY, AND GENDER EXPRESSION: It is unlawful to discriminate against or harass individuals in shelters based on their sexual orientation, gender identity, or gender expression. This includes individuals who identify as transgender and those who identify as non-binary. Shelters must determine your eligibility for housing regardless of your sexual orientation or gender identity.

* Covered under the Unruh Civil Rights Act, which applies to most housing accommodations in California

They must grant you and your family equal access to programs and facilities consistent with your gender identity. Shelters may not ask you for information about your anatomy (your body), or for physical or medical evidence of your gender identity. Shelters should take non-discriminatory steps to address the privacy and safety concerns of all residents.

PEOPLE WITH DISABILITIES: Shelters must ensure that people with disabilities are not discriminated against in any programs or services. People with disabilities must be able to physically access a shelter. People with disabilities may request a reasonable accommodation to rules and policies that will allow them to live in, use, and enjoy a shelter equally as others without a disability.

IMMIGRATION STATUS, CITIZEN STATUS, PRIMARY LANGUAGE, NATIONAL ORIGIN: Homeless shelters must ensure no person is treated differently when accessing shelter services based on immigration status, citizenship status, primary language, or national origin. All Californians are protected under California's fair housing civil rights laws to be free from discrimination and harassment.

If you think you have been a victim of discrimination based on a protected class, file a complaint. A CRD complaint must be filed within one year from the date of the last act of discrimination.

If you have a disability that requires a reasonable accommodation, the CRD can assist you by scribing your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or you can contact us below.

TO FILE A COMPLAINT

Civil Rights Department
Toll Free: (800) 884-1684
TTY: (800) 700-2320
calcivilrights.ca.gov/complaintprocess

For additional translations of this guidance, visit:
www.cacivilrights.ca.gov/posters/housing