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New Fair Housing Regulations: What You Need to be Aware of in 2020



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What are the most important laws to keep in mind for property managers and landlords at the start of the new year? The answer to this question tends to vary. Some may comment “Rent Control”, while others may begin to discuss minimum wage increases and AB 5. In the midst of the avalanche of new laws from the California Legislature, the new Fair Housing Regulations, which are effective as of January 1, 2020, are often overlooked. The new Regulations are extensive, detailed, and cover a wide variety of topics. These new Regulations address Service Animals and Assistance Animals; establish permissible questions for service animals; address the landlord’s ability to use criminal history and acts in considering tenants; establishes reasonable accommodation as it relates to unlawful detainer actions; and addresses discrimination in housing.

It is of the utmost important that individuals set aside appropriate time to analyze the Regulations, assess their internal policies, and modify their practices as necessary to ensure they comply with the new Regulations. The Regulations clarify duties as they relate to protected classes, define liability for

discriminatory housing practices, address financial assistance obligations, address harassment and retaliation, establish residential real estate practices with discriminatory effects, clarify discriminatory land use practices, clarify reasonable accommodations, establish Regulations for assistance pets, and outline the types of information which a landlord may rely on when considering tenants.

While the above list is not exhaustive, it aims to provide a thousand mile overview of some of the broad and important topics which are included in these new Regulations. With numerous other housing laws going into effect, landlords and property managers should ensure they are allocating sufficient time to understanding these new Regulations. Due to the depth of the new Regulations, we suggest that property managers and landlords independently assess the new Regulations, attend a training at their local REALTORS® association, and consult legal counsel to ensure their policies and practices are compliant with the Fair Housing Regulations in the new year.

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