

## THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS, AND FROM THE PERPETRATION OF ACTS OF HATE VIOLENCE AND HUMAN TRAFFICKING.



# UNRUH CIVIL RIGHTS ACT

## THE FACTS

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The Unruh Civil Rights Act, California Civil Code sections 51 through 52, provides protection from discrimination by all business establishments in California, including housing and public accommodations. California Civil Code section 51(b) describes the protections found under the Unruh Civil Rights Act:

All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever. Civil Code section 51(b).

## WHO IS PROTECTED

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The language of the Unruh Civil Rights Act (see above) specifically outlaws discrimination in housing and public accommodations based on sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, or sexual orientation.

While the Unruh Civil Rights Act specifically lists “sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, or sexual orientation” as protected classes, the California Supreme Court has held that protections under the Unruh Act are not necessarily restricted to these characteristics. The Act is meant to cover all arbitrary and intentional discrimination by a business establishment on the basis of personal characteristics similar to those listed above.

Persons who believe they have experienced discrimination may file a DFEH complaint. Complaints must be filed within one year of the alleged discrimination. Persons wishing to file directly in court do not need a “Right-to-Sue” letter from the Department of Fair Employment and Housing.

## WHAT BUSINESSES ARE COVERED

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This law requires “Full and equal accommodations, advantages, facilities, privileges or services in all business establishments.”

This includes but is not limited to:

- Hotels and Motels
- Non-Profit Organizations that have a business purpose or are a public accommodation
- Restaurants
- Theaters
- Hospitals
- Barber and Beauty Shops
- Housing Accommodations
- Public Agencies
- Retail Establishments

## REMEDIES AVAILABLE:

- 1 Statutory Damages
- 2 Out-Of-Pocket Expenses
- 3 Cease and Desist Orders
- 4 Damages for Emotional Distress
- 5 Punitive Damages
- 6 Attorney's Fees and Costs

Court-ordered damages may include a maximum of three times the amount of the victim's actual damages.

## FILING A COMPLAINT

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If you have a disability that prevents you from submitting a written intake form on-line, by mail, or email, the DFEH 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 call us through your VRS at (800) 884-1684 (voice).

To schedule an appointment, contact the Communication Center at (800) 884-1684 (voice or via relay operator 711) or (800) 700-2320 (TTY) or by email at [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov).

The DFEH is committed to providing access to our materials in an alternative format as a reasonable accommodation for people with disabilities when requested.

Contact the DFEH at (800) 884-1684 (voice or via relay operator 711), TTY (800) 700-2320, or [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov) to discuss your preferred format to access our materials or webpages.

## FOR MORE INFORMATION

Department of Fair Employment and Housing

Toll Free: (800) 884-1684

TTY: (800) 700-2320

Online: [www.dfeh.ca.gov](http://www.dfeh.ca.gov)

Also find us on:

