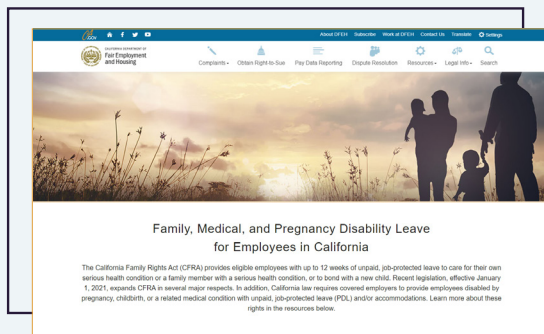




THIS JUST IN

New for 2022: Explore DFEH's updated materials regarding California Family Rights Act (CFRA) leave. Eligible employees may now take job-protected leave to care for their parents-in-law, in addition to other types of family members such as a child, grandchild, or spouse.



HOT OFF THE PRESS

FAIR HOUSING LAW PROTECTS CHILD CARE PROVIDERS

FACT SHEET

CALIFORNIA LAW FORBIDS LANDLORDS, HOMEOWNER ASSOCIATIONS (HOAs), AND OTHERS FROM DISCRIMINATING AGAINST SOMEONE BECAUSE THEY RUN A LICENSED CHILD CARE HOME.

10 THINGS YOU NEED TO KNOW IF YOU RUN A LICENSED FAMILY CHILD CARE HOME

- Landlords cannot refuse to rent to you because you will be operating or running a licensed family child care home.¹ Your landlord cannot stop you from caring for up to 8 children if you have a small family child care home license or up to 12 children if you have a large child care home license.²
- Landlords may not raise the rent because you will operate a licensed family child care home.³
- Landlords cannot evict you because you operate a licensed family child care home.⁴
- HOAs cannot refuse to sell you a home because you operate or intend to operate a licensed family child care home. HOAs also cannot stop a homeowner from renting out their property because a licensed family child care home will operate on the property.⁵
- HOAs cannot restrict, fine, or limit the use of your home as a licensed family child care or apply different rules to you because you operate a licensed family child care home.⁶
- While licensed family child care homes must comply with requirements related to liability, landlords or HOAs cannot require you to purchase liability insurance because you intend to operate a licensed family child care home on the property.⁷
- Homeowners' insurance companies cannot cancel a landlord's policy or family child care provider's policy solely because a licensed family child care is operated on the property.⁸
- Licensed small and large family child care homes must be allowed in any residentially-zoned neighborhood. A licensed family child care home may be located in:
 - Single-family homes
 - Apartments
 - Condominiums
 - Townhomes
 - Duplexes
 - All other multi-family buildings.⁹
- Cities and counties must treat licensed small and large family child care homes like all other residential homes.¹⁰ For example, cities and counties cannot require a zoning permit or business license for operating a family child care home.¹¹ If you live in an area that allows for any type of residential home, local government cannot create special rules that apply only to licensed family child care homes.
- You can file a complaint with DFEH for any violations of fair housing law.¹²

TO FILE A COMPLAINT

Department of Fair Employment and Housing
dfeh.ca.gov
Toll Free: 800.884.1684 / TTY: 800.700.2320

1 Health & Saf. Code §§ 1597.41(a)(1) and (e).
2 Health & Saf. Code §§ 1597.465, 1596.78(b)(1), and 1597.44 (Home with small family child care license). From the California Community Care Licensing Department, can care for 6 children or up to 8 children under certain circumstances; home with large family child care license, from the California Community Care Licensing Department, can care for 12 children or up to 14 children under certain circumstances.
3 Civ. Code § 1942.56; Health & Saf. Code § 1597.41(a).
4 Health & Saf. Code §§ 1597.41(a)(1)-(3); Civ. Code § 1942.5(a).
5 Health & Saf. Code §§ 1597.41(a)(1) and (e).
6 Health & Saf. Code §§ 1597.41(a)(1) and (e).
7 Health & Saf. Code § 1597.53(a).
8 Ins. Code §§ 676.2(a)-(b).
9 Health & Saf. Code §§ 1596.78(b), 1597.45(f).
10 Health & Saf. Code §§ 1597.40(a), 1597.45(a).
11 Health & Saf. Code §§ 1597.45(a)(3).
12 Health & Saf. Code § 1597.41(e); Gov. Code § 12980 et seq.

DFEH151P044 / December 2021

This guidance is for informational purposes only, does not establish substantive policy or rights, and does not constitute legal advice.

Department of Fair Employment & Housing

January 10, 2022
For Immediate Release

Fahizah Alim (916) 585-7076
Fahizah.Alim@dfeh.ca.gov

California Releases Guidance on the Rights of Child Care Providers
Fair housing law protects the rights of tenants and homeowners to operate licensed child care homes

SACRAMENTO - The California Department of Fair Employment and Housing (DFEH) today issued a [fact sheet](#) clarifying that state laws require landlords and homeowner associations (HOAs) to allow tenants and homeowners to run licensed family child care homes in any residentially-zoned neighborhood. The fact sheet is available in [English](#), [Spanish](#), [Chinese](#), [Korean](#), [Russian](#), [Somali](#), [Tagalog](#), and [Vietnamese](#).

"Families require reliable and affordable child care in order to participate fully in the life of our society, and providing child care is a crucial economic opportunity for many Californians, particularly women," said DFEH Director, Kevin Kish. "Public policy promotes the use of home environments in child care, and fair housing laws protect the right to provide that care."

As explained in the fact sheet, Californians have the right to provide licensed child care in their homes. Landlords and other housing providers cannot refuse to rent to an applicant because the applicant intends to operate a licensed family child care home. Housing providers are also barred from evicting, raising the rent on, or taking other adverse actions against a tenant for operating a licensed child care home. Similar rules protect homeowners.

A licensed family child care home may be located in a single-family home, apartment, condominium, or any other multi-family dwelling. Local laws cannot restrict the use of a dwelling as a child care home.

DFEH and the Child Care Law Center will be providing a free webinar on February 24, 2022 to educate child care providers, housing providers, and governmental entities about fair housing protections for child care providers. [Register here.](#)

Child care providers who believe they have been the victim of housing discrimination may file a complaint with DFEH by visiting [dfeh.ca.gov](#) or by calling (toll free) 800.884.1684 / TTY: 800.700.2320.

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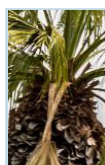
The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's website at [www.dfeh.ca.gov](#).

[f](#) [t](#) [v](#)

Fair Housing Law Protects Child Care Providers
Fact Sheet

California Releases Guidance on the Rights of Child Care Providers
Press Release

NOTE: Additional languages are available on our [Posters, Guides and Fact Sheets](#) webpage



**JAN 20
2022**

**San Fernando Valley Employer Advisory Council:
Getting Talent Back to Work!**



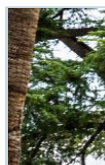
**JAN 21
2022**

**Fair Employment and Housing Council:
Remote Teleconference**



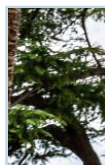
**JAN 26
2022**

**FEHA Fair Housing Regulations Webinar Series (Part 1):
2020 FEHA Housing Regulations Refresher**



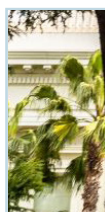
**FEB 02
2022**

**FEHA Fair Housing Regulations Webinar Series (Part 2):
New Regulations Regarding Source of Income Discrimination**



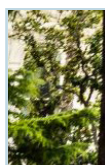
**FEB 09
2022**

43rd Annual Community Association Law Seminar



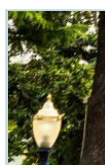
**FEB 09
2022**

**FEHA Fair Housing Regulations Webinar Series (Part 3):
New Regulations Regarding Intentional Discrimination
and Discriminatory Advertisements**



**FEB 16
2022**

**FEHA Fair Housing Regulations Webinar Series (Part 4):
New Regulations Regarding Reasonable Modifications**

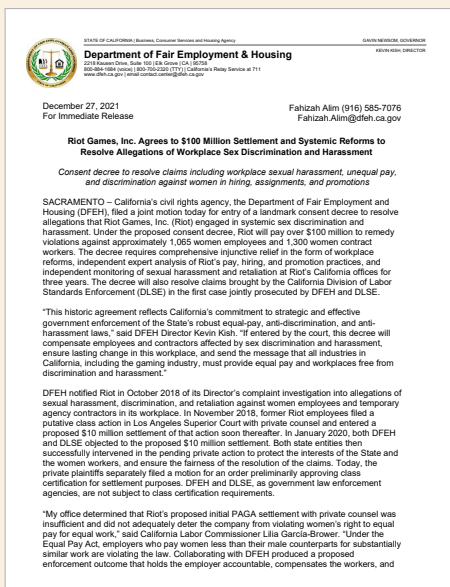


**FEB 24
2022**

**Child Care Law Center & DFEH:
Fair Housing Protections for Child Care Providers**

NOTE: outreach event information is hyperlinked when available

CASE FILINGS, SETTLEMENTS, & NEWS



Riot Games, Inc. Agrees to \$100 Million Settlement and Systemic Reforms to Resolve Allegations of Workplace Sex Discrimination and Harassment

[View Press Release](#)

December 27, 2021

