

ARTICLE:
**ANTI-DISCRIMINATION AND DISABILITY RIGHTS
IN REAL ESTATE: PAST, PRESENT, AND FUTURE**

*By Kierston Cannon**

Despite decades of legislative progress, individuals with disabilities continue to face significant barriers in finding fair and accessible housing. From inaccessible design to unlawful denials of reasonable accommodations, discriminatory practices persist across the housing market. While federal and state laws have created a strong legal framework prohibiting such discrimination, enforcement gaps and systemic challenges remain.

This article examines the development, scope, and practical impact of anti-discrimination and disability rights laws in the real estate context. It begins with a historical overview of discriminatory practices and the development of legal safeguards under federal statutes such as the Fair Housing Act,¹ the Rehabilitation Act of 1973,² and the Americans with Disabilities Act,³ as well as California's state-specific laws including the Unruh Civil Rights Act⁴ and the Fair Employment and Housing Act⁵. The analysis then turns to the dual realities of progress and challenges that exist as disability rights evolve in the real estate industry.

Ultimately, this piece aims to evaluate not only the letter of the law, but also its implementation, highlighting areas where policy and practice diverge, and offering insight into how disability rights in real estate may evolve going forward.

Early Discriminatory Practices in Real Estate

To understand the current legal framework surrounding disability rights and real estate, it is critical to develop an understanding of the historical context that makes anti-discrimination laws imperative in our society. Modern housing discrimination law arose in response to a long history of exclusionary and inequitable practices. In the early-to mid-20th century, it was common for minority groups to be segregated or denied housing through mechanisms like redlining and restrictive covenants.⁶ One infamous historical practice was the “ugly laws,” which were municipal ordinances that actually prohibited people with visible disabilities or disfigurements from being in public.⁷ Before the disability rights

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movement, many people with disabilities were placed in institutions or separated from their communities, often living in specialized facilities.⁸ There were no laws in place to protect their right to live in typical housing.

At the same time, most homes lacked ramps, elevators, or barrier-free entries, and public spaces offered minimal accommodations like curb cuts or accessible transit. Legal requirements regarding accessibility were limited, such as the 1968 Architectural Barriers Act, which applied only to federal buildings.⁹ Society viewed disability more as a health issue than a question of equal rights. This began to shift during the civil rights era, leading to early legal milestones like the Rehabilitation Act of 1973, which prohibited discrimination in federally funded programs and laid the foundation for future disability rights law. Because disability rights laws were relatively late to develop, disability rights is sometimes referred to by practitioners as the final frontier of civil rights.

Development of Anti-Discrimination and Disability Law

As disability rights issues gained more attention, a number of federal and state laws were passed to improve accessibility. This section gives an overview of the important federal and state laws that protect disability rights in California real estate, showing how they work together to prevent housing discrimination and improve accessibility.

The federal Fair Housing Act (FHA), as amended in 1988, and Section 504 of the Rehabilitation Act of 1973 provide overlapping protections against disability discrimination in housing. The FHA prohibits discriminatory practices and requires housing providers to permit reasonable accommodations and modifications.¹⁰ Section 504 of the Rehabilitation Act of 1973 applies to programs receiving federal funding, including public housing authorities and subsidized developments.¹¹ Covered entities must ensure accessibility and may be required to allow live-in aides or unit transfers.¹² HUD regulations mandate that a portion of new federally assisted housing units be fully accessible.¹³ In *Alexander v. Choate*,¹⁴ the U.S. Supreme Court affirmed that § 504 reaches policies with discriminatory effects, even absent intent. Violations of either law may be challenged through administrative or judicial action.¹⁵

The Americans with Disabilities Act of 1990 (ADA) prohibits disability discrimination by public entities under Title II and in the provision of public accommodations under Title III.¹⁶ Title II requires accessibility and reasonable accommodations in public housing programs operated by state or local

governments.¹⁷ Title III applies to facilities open to the public, such as leasing offices, model homes, and clubhouses, mandating features like ramps, accessible restrooms, and policy modifications.¹⁸ Although the ADA generally does not cover private residences, shared-use areas are included.¹⁹ In *Olmstead v. L.C.*,²⁰ the U.S. Supreme Court held that unnecessarily institutionalizing individuals with disabilities is discriminatory under the ADA, encouraging integration into community-based housing. ADA claims may be brought by the Department of Justice or private plaintiffs, though Title III allows only injunctive relief and attorney's fees, not damages.²¹

In California, the Unruh Civil Rights Act prohibits arbitrary discrimination by all business establishments, including landlords and sellers.²² It has historically been applied to housing, as recognized in *Burks v. Poppy Construction Co.*²³ Though the Unruh Act was codified in 1959, disability was not explicitly added as a protected trait until 1992. Any violation of the federal ADA automatically constitutes a violation of the Unruh Act, allowing plaintiffs to seek statutory damages.²⁴ The Act also applies to smaller landlords who may be exempt from federal laws.²⁵

The California Fair Employment and Housing Act (FEHA), codified in 1959, also prohibits housing discrimination on the basis of disability, familial status, and other protected traits.²⁶ It applies to almost all housing in California, with few exceptions.²⁷ FEHA mirrors the federal FHA by requiring reasonable accommodations and permitting tenant-funded modifications.²⁸ It is enforced by the California Civil Rights Department (CRD) or through private suits, and provides for emotional distress damages, punitive damages, and attorney's fees.²⁹

Accessibility requirements are also embedded in building codes and regulations. The FHA's Accessibility Guidelines govern design standards for post-1991 multifamily housing, mandating features such as accessible entries and reinforced walls.³⁰ California's Building Code (Title 24) incorporates these and adds stricter standards, requiring a portion of new units to be fully accessible or adaptable.³¹ Violations may lead to civil rights liability under the FHA, ADA, or state laws.

Together, the foregoing federal and state laws create a dual framework protecting disability rights in California. The interaction between the two creates a more comprehensive and typically more enforceable legal structure for addressing disability-based discrimination. At the federal level, the ADA, FHA,

and Section 504 of the Rehabilitation Act set the standards, particularly in contexts involving public funding, public accommodations, or overt housing discrimination. But these laws sometimes fall short of capturing the full range of housing relationships or design issues that arise in practice. This is where California's legal system steps in.

For example, under California's Unruh Civil Rights Act, any violation of the ADA automatically triggers a violation of state law, enabling plaintiffs to pursue statutory damages, which are not available under the ADA.³² Similarly, the FEHA applies to a wider range of housing providers than the FHA and authorizes broader relief, including damages for emotional distress and punitive damages, which can serve as strong deterrents. California also provides stricter accessibility standards through its Title 24 Building Code, going beyond federal requirements like the FHA's design guidelines. This means that a developer who complies with federal law may still be liable under state law if they fall short of California's more specific and detailed requirements.

These overlapping systems may appear redundant, but they actually work together to fill gaps and provide multiple avenues for enforcement. For tenants, this means more access to remedies. For housing providers, it highlights the importance of understanding both federal and state obligations. While the dual framework can be complicated, it also represents a strong commitment to ensuring inclusive and accessible housing across a wide spectrum.

Advancements in Accessibility

In recent years, the foregoing framework has led to meaningful progress toward making housing and shared spaces more accessible for people with disabilities. Since only about four percent of the U.S. housing stock is accessible to those with moderate mobility limitations, and less than one percent is fully wheelchair-accessible,³³ developers, policymakers, and architects have increasingly turned to universal design to help close this gap. This approach focuses on building spaces that work for everyone from the outset, which reduces the need for costly retrofits down the line. Common features include no-step entrances, single-level layouts, wide hallways and doorways, and extra maneuvering space, all of which allow people of all ages and physical abilities to live more comfortably.³⁴ While these features are essential for wheelchair users, they also make life easier for parents pushing strollers, older adults with limited mobility, and people with temporary injuries. As a result, universal design has become a central policy strategy in creating more inclusive residential spaces.

Support for universal design is growing not just in theory, but through real policy. Cities and states are actively adopting measures that require or incentivize these features in new construction. In San Antonio, for example, a local ordinance mandates that all new homes built with city assistance incorporate the seven universal design principles.³⁵ These include practical touches like lever-style door handles and no-step thresholds, making everyday tasks easier for people with diverse abilities. Meanwhile in California, the City of Vacaville responded to data showing a high disability rate in the area by weaving universal design requirements into its 2023 Housing Element.³⁶ The city now encourages new housing to be either built with accessibility in mind or easily adaptable to meet future needs.³⁷ Other cities have gone even further: Alameda now requires all new housing to be at least “visitable,” including a no-step entrance and a ground-floor accessible bathroom and living space, and mandates advanced features in 30 percent of new units.³⁸ Together, these initiatives reflect a growing shift. Rather than just meeting federal minimums, some jurisdictions are building accessibility into the fabric of housing design from the ground up.

Beyond new construction, there has also been a strong push to retrofit existing buildings and shared facilities to improve accessibility. Although the ADA only requires barrier removal in older structures when it is “readily achievable,” this provision has had a far-reaching impact.³⁹ Across the country, apartment complexes, commercial buildings, and other shared spaces have added features like ramps, wider doors, accessible restrooms, and parking areas. Enforcement has played a major role in driving these changes. One example is a recent Department of Justice settlement with a Maryland developer that will result in accessibility improvements to over 1,300 housing units.⁴⁰ In another case, a national fair housing organization reached an agreement requiring modifications to more than 5,300 units across four states.⁴¹ Whether spurred by litigation or proactive compliance, these retrofits are significantly expanding the availability of accessible housing and public spaces.

Landlords and housing providers are also adjusting how they respond to the accessibility needs of tenants. A central practice is the interactive process, which is a collaborative exchange between landlord and tenant to identify reasonable accommodations.⁴² Today, many property managers routinely engage in this good-faith back-and-forth, working with tenants to find practical solutions.⁴³ If a direct request is not feasible, landlords are expected to explore reasonable alternatives, such as offering a ground-floor unit or closer parking. In Califor-

nia, participating in this process is not just best practice; it is required by law. State regulations make it clear that housing providers must engage in meaningful dialogue before denying a request.⁴⁴ These day-to-day compliance strategies, along with regular training for staff on the FHA and ADA requirements, have led to smoother implementation of both structural and policy-based accommodations. They also reflect a cultural shift demonstrating that accessibility is increasingly viewed not just as a box to check during construction, but as an ongoing, responsive relationship with tenants.

Nowhere is this approach more evident than in California. The state has built a strong reputation for combining robust design standards with forward-thinking policy. California's Building Code, Title 24, includes detailed accessibility requirements that go beyond federal ADA rules.⁴⁵ These codes are updated every three years to stay current with best practices and emerging technologies. Even before "universal design" became widely recognized, California was already leading the charge. Back in 2002, the state developed a Model Universal Design Ordinance to help local governments require accessible features in new housing developments.⁴⁶ FEHA also strengthens tenant protections by requiring accommodations and mandating participation in the interactive process, with enforcement handled by the Civil Rights Department.

In addition to the types of accommodations more commonly associated with accessibility, FEHA protections go farther. For example, FEHA protections extend to emotional support animals. In one case, a court found a violation where a homeowners association refused to waive a no-pets rule for an emotional support animal.⁴⁷

Altogether, these combined efforts, from building code innovations to legal mandates, demonstrate how a multi-pronged approach can dramatically enhance access to housing for people with disabilities.⁴⁸

Burdens and Challenges for the Real Estate Industry

While anti-discrimination and disability rights laws have significantly advanced housing accessibility for people with disabilities, these protections also carry practical burdens for those working in the real estate industry that can complicate compliance and chill participation in the market.

A primary concern is the high cost and risk of litigation. Because ADA enforcement depends heavily on private lawsuits, a growing number of serial

plaintiffs have emerged who file dozens or even hundreds of lawsuits over minor or technical violations. These lawsuits often target small businesses or landlords for issues like the height of signage or the slope of a ramp, where the underlying fix might cost \$5,000 but litigation drives the expense to \$30,000 or more.⁴⁹ In California, where ADA violations also trigger statutory damages under the Unruh Act, the stakes are even higher. The result? Elevated insurance premiums, higher operating costs, and in some cases, closures or abandonment of small businesses entirely.

Under the FHA, developers and owners of multifamily housing face liability for failure to meet accessible design requirements.⁵⁰ The design rules outlined in HUD's guidelines are complex and can be open to interpretation. This uncertainty can incentivize developers to avoid the risk altogether, especially when it comes to low-income housing projects that carry heightened scrutiny. The U.S. Supreme Court, in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project*,⁵¹ recognized this effect, noting that overzealous application of disparate impact liability might chill development of needed housing.⁵²

Another layer of difficulty lies in legal ambiguities. Terms like “reasonable accommodation,” “undue hardship,” and “readily achievable” can mean different things depending on the jurisdiction, facts, or enforcement agency. Small landlords may lack access to legal counsel or adequate training to navigate these standards correctly. Some landlords may deny all seemingly unclear accommodation requests to avoid risk, while others who may be fearing lawsuits may approve ridiculously burdensome demands. In either case, the lack of clarity undermines consistent and fair enforcement.⁵³

Compliance is not just legal; it is also operational and financial. Building ramps, installing accessible features, accommodating service animals, and adjusting policies require time, planning, money, and resources. For example, a property manager may need to revise internal procedures, retrain leasing agents, or seek architectural consultations in order to comply. The cost of retrofitting older buildings can be particularly high. While there are some resources for landlords, such as Habitat for Humanity's Home Preservation and Repair program and California Department of Aging's Home Modification Services, which provide grants or low-cost services for accessibility retrofits, there is still a disparity between the burden that private landlords bear to further this societal

good and the amount of funding that the government is willing to appropriate to retrofitting.

These statutes, though well-intentioned, have real economic costs that affect affordability and access. If property owners think of the regulatory landscape as punitive or ambiguous, the market suffers and the goals of inclusion and accessibility may be diminished.⁵⁴

Negative Outcomes for Individuals with Disabilities

Ironically, the mechanisms designed to protect people with disabilities can sometimes leave them more vulnerable or isolated. Enforcement depends largely on individual complaints or private litigation, which means those most likely to need accommodations often have the least resources to assert their rights. Fear of retaliation, eviction, or even being denied a lease altogether may discourage tenants from seeking the protections that they are legally entitled to.⁵⁵

A separate concern is reputational backlash. High-profile ADA lawsuits have generated media narratives and sensationalism of “drive-by” litigation or frivolous plaintiffs, which decreases public sympathy and leads to cynicism from housing providers. In *High-Frequency Litigation: Framing the Narrative of ADA Actions*, the author notes that “ADA filings [increased] 395% between 2005 and 2017 and 319% between 2013 and 2022.”⁵⁶ Although many suits raise legitimate concerns, the perception of abuse damages the broader disability rights movement and discourages honest engagement with the laws.

In addition to physical barriers, landlords sometimes use seemingly neutral policies to avoid dealing with disability-related accommodations. For example, high credit thresholds, independent living requirements, and blanket pet bans sometimes discourage disabled applicants. Even if their legality is questionable, these policies may be difficult to challenge, especially when landlords hide discriminatory intent under standards that sound neutral.⁵⁷ Further, applicants are not always aware of their rights and may not know when they are entitled to a waiver.⁵⁸

Lastly, enforcement is inconsistent. Nonprofits handle the bulk of housing discrimination complaints because HUD and state civil rights agencies have limited capacity. A tenant in a well-resourced city might have access to legal aid or a state agency with experience in ADA claims while a tenant in a rural area might not. This enforcement gap undermines the universality of the protections

and contributes to a range of outcomes based on geography and organizational bandwidth.⁵⁹

In sum, disability rights laws have expanded protections and set critical legal standards. But they have also created complicated burdens and negative outcomes both for housing providers trying to comply and for tenants trying to assert their rights. A continuing reality is the persistent lack of accessible, affordable housing. The FHA's accessible design mandates only apply to multifamily housing built after 1991. Meanwhile, the ADA mostly exempts private residential units. This means that most of the U.S. housing stock, especially single-family homes and older buildings, remains out of reach for people with mobility impairments. According to the City of San Diego's 2021-2029 Housing Element, approximately 80 percent of the city's housing stock was built prior to 1990, which means that most of this housing is neither wheelchair-accessible nor required to become so.⁶⁰ While developers may fear the costs of compliance, tenants with disabilities bear the much steeper cost of inaccessibility.

Closing the gap between legal ideals and practical outcomes will require clearer regulatory guidance, more equitable enforcement, and systemic support to make sure access is not just a legal concept, but a lived reality.

Future Trends and What Lies Ahead

Despite the burdens outlined above, disability rights laws in real estate have led to undeniable progress and the trajectory remains promising. The implementation of accessibility mandates has spurred innovation in universal design, encouraged inclusive housing practices, set the stage for technological advancements to intersect with disability rights, and broadened legal awareness among landlords, developers, and tenants alike.⁶¹

One of the most visible trends is the gradual normalization of accessible features in new housing developments in compliance with universal design, touched on above. Multifamily buildings constructed after 1991 are now routinely built with step-free entrances, wider doorways, and reinforced bathroom walls for grab bars. Leasing offices and common areas increasingly include ramps, accessible restrooms, and service counters designed with all users in mind. In many markets, these design elements are not just legal obligations but are standard expectations that contribute to long-term housing value and appeal. The momentum around equity, diversity, and inclusion in the housing

sector has reframed accessibility not only as compliance, but as part of ethical and sustainable development. Projects that prioritize universal design and inclusive access are increasingly viewed as forward-thinking, socially responsible investments.⁶²

The rise of reasonable accommodation policies has also empowered tenants to seek the adjustments they need with less fear of retaliation. From assigned parking for individuals with mobility limitations to policy exceptions for support animals, housing providers are more frequently engaging in the interactive process as required by law.⁶³ More landlords are now responding constructively to accommodation requests due to growing awareness and training, making independent living more attainable.

Additionally, enforcement agencies and nonprofits have developed effective tools for educating the public, resolving disputes, and testing for compliance. For example, HUD's Fair Housing Initiatives Program funds organizations that investigate discrimination, offer training, and mediate complaints.⁶⁴ California's Civil Rights Department has issued guidance and resolved numerous cases through negotiated settlements, sometimes before litigation begins.⁶⁵

Going forward, practitioners can expect continued evolution in not just the physical realm of disability rights laws, but also the digital landscape, where the internet is increasingly recognized as a critical space for equal access and participation. Web accessibility standards have become increasingly significant for business owners operating online. H.R.3417 - Websites and Software Applications Accessibility Act of 2025 is a new bill that was introduced to the U.S. House of Representatives on May 12, 2025 that acknowledges the importance of equal participation for people with disabilities in the digital space and aims to codify web accessibility standards for commercial providers and public accommodations.⁶⁶ These standards require that websites be usable by individuals with disabilities, including those who rely on screen readers, keyboard navigation, or other assistive technologies. On the positive side, compliance with accessibility guidelines, such as the Web Content Accessibility Guidelines (WCAG), can broaden a business's customer base, improve SEO, and demonstrate a commitment to inclusivity. However, businesses face a growing number of lawsuits alleging non-compliance, often filed by high-frequency litigants. To navigate this, many companies now turn to specialized accessibility audit firms that evaluate digital platforms for compliance and recommend necessary

changes. While these services can be costly, they offer a proactive approach to mitigating legal risk and enhancing user experience for all.

Technological advancements such as smart home devices that assist with mobility, lighting, or climate control are also likely to intersect with disability accommodation law.⁶⁷ Legal interpretations of what constitutes a “reasonable” modification may begin to incorporate such technology.

Finally, demographic trends also point to growth in accessibility-related needs. As the population ages, the number of people experiencing mobility limitations is rising.⁶⁸ This makes accessible housing not only a legal issue but a market necessity. Attorneys who stay ahead of these needs, whether by advising on accessible design or ensuring clients comply with accommodation rules, will be well-positioned to provide value and mitigate risk.

Conclusion

Disability rights laws in real estate have transformed the housing landscape, opening doors for millions while setting vital legal standards. While these statutes have introduced real compliance challenges, they have also reshaped how developers, landlords, and the broader public think about access and inclusion.

The key for lawyers lies in navigating the balance—understanding where the law creates friction, addressing structural gaps in enforcement, and remaining proactive and adaptive as the legal landscape continues to evolve. As societal values shift, legal interpretations deepen, and the digital space continues to replace the brick and mortar, the trajectory of disability rights law will continue to unfold in ways that demand close attention and thoughtful engagement. Those who engage with disability rights law as a framework for progress rather than merely a set of rules will be best equipped to lead and serve in this essential space.

ENDNOTES:

¹42 U.S.C.A. §§ 3601, et seq. (Fair Housing Act).

²29 U.S.C.A. §§ 791, et seq. (Rehabilitation Act of 1973).

³42 U.S.C.A. §§ 12101, et seq. (Americans with Disabilities Act).

⁴Civ. Code, § 51 (Unruh Civil Rights Act).

⁵Gov. Code, §§ 12900-12951, 12927-12928, 12955-12956.1, 12960-12976 (Fair Employment and Housing Act).

⁶The Ghosts of Housing Discrimination Reach Beyond Redlining - Urban, <https://www.urban.org/stories/ghosts-housing-discrimination-reach-beyond-redlining> (last visited May 21, 2025).

⁷Susan M. Schweik, Ugly Laws: Disability in Public, excerpt: “Law, Language, and the Ugly Laws,” University of Pennsylvania Department of English (2009), at 1-2.

⁸Braddock, David L., and Parish, Susan L., “An Institutional History of Disability,” Handbook of Disability Studies (2001), at p. 39.

⁹Architectural Barriers Act of 1968, Pub. L. No. 90-480, 82 Stat. 718 (1968) (codified at 42 U.S.C.A. §§ 4151-4157).

¹⁰42 U.S.C.A. §§ 3604, 3605.

¹¹29 U.S.C.A. § 794.

¹²HUD - Disability Rights in Housing, https://www.hud.gov/program_offices/fair_housing_equal_opp/disability_overview (last visited May 21, 2025).

¹³24 C.F.R. § 8.22.

¹⁴*Alexander v. Choate*, 469 U.S. 287, 295, 105 S. Ct. 712, 83 L. Ed. 2d 661 (1985).

¹⁵42 U.S.C.A. § 3610; 29 U.S.C.A. § 794a.

¹⁶42 U.S.C.A. §§ 12131-12165.

¹⁷42 U.S.C.A. § 12132.

¹⁸42 U.S.C.A. § 12182.

¹⁹42 U.S.C.A. § 12181.

²⁰*Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581, 597-98, 119 S. Ct. 2176, 144 L. Ed. 2d 540 (1999).

²¹42 U.S.C.A. § 12188.

²²Civ. Code, § 51.

²³*Burks v. Poppy Const. Co.*, 57 Cal. 2d 463, 468, 20 Cal. Rptr. 609, 370 P.2d 313 (1962).

²⁴Civ. Code, § 51.

²⁵*Id.*

²⁶Gov. Code, §§ 12955, subds. (a), (l).

²⁷*Id.*

²⁸*Id.*

²⁹*Id.*

³⁰Fair Housing Accessibility Guidelines, 24 C.F.R. Chapter I, Subchapter A, Appendix II & III (1991).

³¹Cal. Code Regs., tit. 24, §§ 11B-202, 11B-233.

³²Civ. Code, § 51.

³³National League of Cities, <https://www.nlc.org/article/2024/07/25/housing-what-is-universal-design-and-why-does-it-matter/> (last visited May 21, 2025).

³⁴*Id.*

³⁵San Antonio Universal Design, Ordinance No. 95641 (April 2002).

³⁶City of Vacaville, Universal Design Program, <https://www.cityofvacaville.gov/government/community-development/planning-and-development/new-programs/universal-design> (last visited May 21, 2025).

³⁷*Id.*

³⁸City of Alameda, Ordinance No. 3198 (adopted Nov. 7, 2017).

³⁹42 U.S.C.A. § 12182(b)(2)(A)(iv)-(v).

⁴⁰U.S. Department of Justice, Justice Department Secures Settlement in Case Concerning Disability-Based Discrimination in Housing, Office of Public Affairs (2020).

⁴¹National Fair Housing Alliance, <https://nationalfairhousing.org/fair-housing-advocates-reach-agreement-to-expand-accessible-housing-opportunities-for-residents-with-disabilities-to-over-5300-apartments-in-the-south/> (last visited May 21, 2025).

⁴²Mental Health Advocacy Services, <https://www.mhas-la.org/resources/using/faqs/interactive-process> (last visited May 21, 2025).

⁴³*Id.*

⁴⁴*Id.* (discussing Cal. Code Regs., tit. 2, § 12177).

⁴⁵Proactive Access, <https://www.proactiveaccess.com/casp-blog/california-ada> (last visited May 21, 2025) (discussing Cal. Code Regs., tit. 24, Part 2, ch. II).

⁴⁶California Department of Housing and Community Development, <https://www.hcd.ca.gov/building-standards/state-housing-law-program/universal-design-model-ordinance> (last visited May 21, 2025).

⁴⁷*Auburn Woods I Homeowners Assn. v. Fair Employment & Housing Com.*, 121 Cal. App. 4th 1578, 1581-82, 18 Cal. Rptr. 3d 669 (3d Dist. 2004).

⁴⁸Gov. Code, §§ 12900-12996.

⁴⁹R. Cameron Saenz, Enforcing the ADA and Stopping Serial Litigants: How the Commercial Real Estate Industry Can Play This Key Role, 6 Tex. A&M J. Prop. L. 607 (2020), at 610-12.

⁵⁰42 U.S.C.A. §§ 3604, 3605.

⁵¹*Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc.*, 576 U.S. 519, 534-35, 135 S. Ct. 2507, 192 L. Ed. 2d 514 (2015).

⁵²Daniel Sheehan, Disparate Impact Liability Under the Fair Housing Act After Inclusive Communities Project, 25 J. Affordable Hous. & Cmty. Dev. L. 391 (2017), at 394-95.

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⁵⁹Jaboa Lake, Valerie Novack, and Mia Ives-Ruble, Recognizing and Addressing Housing Insecurity for Disabled Renters, Center for American Progress (May 27, 2021), at 3-4.

⁶⁰City of San Diego, General Plan Housing Element 2021-2029, at HE-24.

⁶¹U.S. Department of Housing and Urban Development & U.S. Department of Justice, Joint Statement on Reasonable Modifications under the Fair Housing Act (2004), at 8.

⁶²Lindsay S, Fuentes K, Ragnathan S, Li Y, Ross T. Accessible independent housing for people with disabilities: A scoping review of promising practices, policies and interventions. PLoS One. (2024), at 9.

⁶³*Id.*

⁶⁴HUD Fair Housing Initiatives Program, https://www.hud.gov/program_offices/fair_housing_equal_opp/partners/FHIP (last visited May 21, 2025).

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