



**OFFICE OF COUNCILMEMBER RAUL A. CAMPILLO  
CITY OF SAN DIEGO  
SEVENTH DISTRICT**

**MEMORANDUM**

**DATE:** July 6, 2022

**TO:** Mara Elliott, City Attorney

**FROM:** Councilmember Raul A. Campillo *RAC*

**SUBJECT:** Protections for In-Home Childcare Providers

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I am writing to request that the Office of the City Attorney create a webpage on the department's website detailing the protections that exist for childcare providers, including the various resources, agencies, and organizations that can assist childcare providers, such as the California Department of Fair Employment & Housing, Child Care Law Center, and others. My office is happy to provide a list of suggested resources to your office. I am also requesting that the Office of the City Attorney establish a complaint hot line for providers experiencing discrimination by their landlord, property manager, or Homeowner's Association (HOA).

The San Diego region has a great shortage of affordable, quality childcare that has only been exacerbated by the COVID-19 pandemic, with hundreds of closures across San Diego County. Child daycare facilities can contribute positively to a child's emotional, cognitive, and educational development and are an essential service for working families. With stable childcare, working parents can enter or reenter the workforce. Thus, the City of San Diego should take steps to encourage residents who want to operate a daycare to do so and outline the tenant protections that exist for them.

Senate Bill 234, the "Keeping Kids Close to Home Act," signed by Governor Newsom in September of 2019 and took effect on January 1, 2020, strengthens and clarifies housing protections for in-home childcare providers. Under this law, landlords, HOAs, and others shall not discriminate against tenants who seek to or currently operate a licensed in-home childcare. Please see Attachment A for additional information on this law.

I am requesting a webpage and complaint hot line be established as a mechanism to support in-home childcare providers and raise awareness of the protections that exist for them.

Thank you for your attention to and consideration of this matter. If you have any questions, please contact Sophie Barnhorst Dharma on my staff at (619) 533-5906 or [sbarnhorst@sandiego.gov](mailto:sbarnhorst@sandiego.gov).

Attachment A: Department of Fair Employment & Housing Press Release

Cc: Paola Avila, Chief of Staff, Office of Mayor Todd Gloria  
Andrea O'Hara, Executive Director, Office of Child & Youth Success



## Department of Fair Employment & Housing

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
www.dfeh.ca.gov | email contact.center@dfeh.ca.gov

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](#).*

