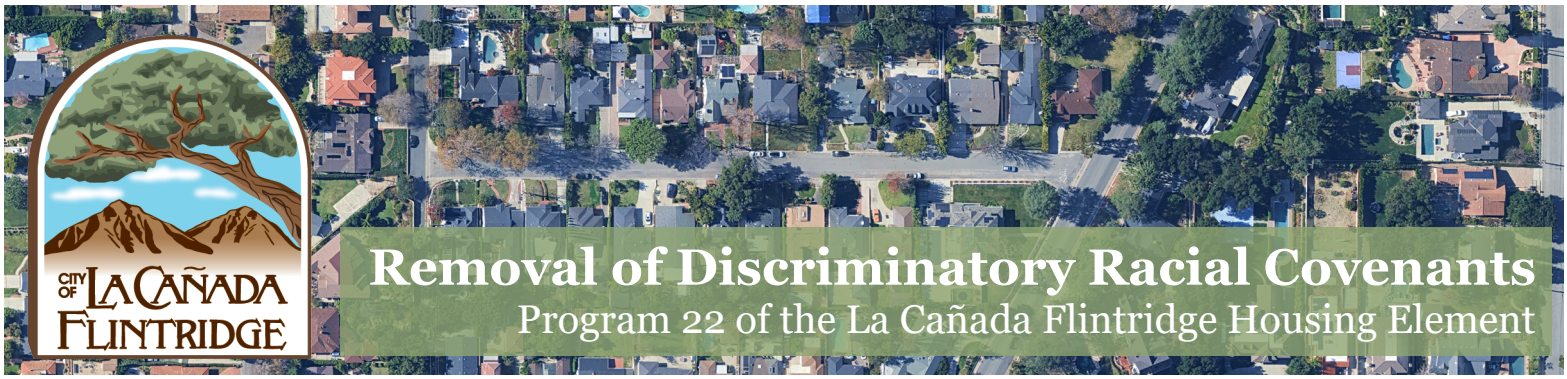

Removal of Discriminatory Racial Covenants

Program 22 of the La Cañada Flintridge Housing Element

What are racial covenants?

During the 1920s, property owners and real estate entities began inserting racially restrictive covenants or "racial covenants" into property deeds to exclude minority groups from ownership or living in certain communities. These racial covenants would sometimes use subtle and veiled language promoting "exclusive" or "elite" residential communities. Other times, the language would be very direct and derogatory, listing specific people groups to be excluded.

What is the legal history?

In 1948, the U.S. Supreme Court ruled that racial covenants were no longer enforceable. In 1968, the Federal Fair Housing Act formally classified all forms of discrimination in housing unconstitutional. Today, all jurisdictions in California are responsible for working with their constituents to remove any racial covenant.

How do I remove a racial covenant from my property?

In September 2021, California enacted Assembly Bill 1466, authorizing property owners, title and escrow companies, county recorders, and real estate professionals to process a Restrictive Covenant Modification to remove racial covenants from property records.

Steps to Remove a Racial Covenant:

1. Request a copy of your property's Title Report from your title company of choice. Title Reports are typically requested during a real estate transaction, refinancing, or when applying for certain development project applications.

2. Determine if your property has a racial covenant. If you find restrictions but are not clear if they are lawful or not, please consult with your title officer, real estate attorney, or City Planning.

3. If a racial covenant or similar restriction is found, highlight or underline the unlawful provision in the document and complete the Restrictive Covenant Modifications Form on the County website.

4. Submit the Restrictive Covenant Modification Form and the document with restrictive language highlighted/underlined to the County Recorder. Submission options:
   1. Email forms to: RCM@rrcc.lacounty.gov
   2. Book an appointment at the LA County Norwalk Office
   3. Mail: Registrar-Recorder/County Clerk - Document Analysis and Recording Section
      P.O. Box 1250
      Norwalk, CA 90651-1250

5. Submissions will be reviewed by LA County to determine if the language contains an unlawful restriction. If so, the County will sign the form and record it. The recorded document will be returned by mail to the applicant. No payment is required as these documents are free to revise and record.

FOR MORE INFORMATION PLEASE VISIT:

URL: https://lcf.ca.gov/fair-housing/