



## CHILD CARE LAW CENTER

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### **CHILD CARE LAW CENTER WINS IMPORTANT VICTORY FOR FAMILY CHILD CARE PROVIDERS**

CCLC is pleased to announce we have won an important case that will positively impact family child care providers throughout the state. The case, *Morrison v. Vineyard Creek, L.P., et al*, resulted in a favorable and just settlement for our client. With this success, CCLC and our co-counsel have ensured that California's legal protections for family child care provider tenants extend to providers who rent apartments in multi-unit buildings.

In February 2007, CCLC took on the case of a small family child care provider who was threatened with retaliation and eviction for trying to open a family child care home in her rented apartment. Ms. Sarah Morrison informed her landlord that she intended to open a licensed family child care home in her apartment at Vineyard Creek Apartments, a 232 unit apartment complex in Sonoma County. Immediately after notifying the property management company, Ms. Morrison received a letter from their attorney stating that she was not allowed to open and if she attempted to do so she would be sued by the company. The company took the position that California law does not protect family child care providers who live in rental units in apartment buildings, despite the fact that Health and Safety Code section 1597.40 is specifically designed to protect family child care providers against restrictions on the use of their homes for providing care.

CCLC knew this interpretation of the law was wrong and recognized the importance of challenging Vineyard Creek's actions for the benefit of both Ms. Morrison and of family child care providers throughout the state. CCLC worked with Western Center on Law and Poverty, pro bono counsel Heller Ehrman LLP, and a private Sonoma County attorney, Nancy Palandati to clarify the law so that Ms. Morrison and all family child care providers in rental housing receive the protections to which they are entitled. After more than a year spent in litigation, Vineyard Creek settled and agreed to all the terms sought by our client. Ms. Morrison was able to open her child care without fear of eviction, retaliation, or discrimination; she is able to continuously renew her lease and she received a monetary award to compensate her for her losses in having to delay the opening of her family child care home. Ms. Morrison's case serves as a cautionary tale for other landlords who violate their tenants' rights. This case confirms the legal protections available to all family child care providers in California. If you would like more information about this case or the settlement, please feel free to contact Claire Ramsey, CCLC Staff Attorney at 415-394-7144 or at [cramsey@childcarelaw.org](mailto:cramsey@childcarelaw.org).