

Protecting Diverse Families and Relationships across the United States

Executive Summary

Discrimination protections have increased over time, however, gaps remain. This proposed ordinance would add "family or relationship structure" as protected categories into a city's existing non-discrimination laws, ensuring that all residents—regardless of how they structure their families or consensual relationships—have equal access to housing, services, and opportunities.

Who These Protections Benefit

The United State's diverse population includes large numbers of residents whose families and relationships fall outside of normative models.

Family Structure / Household Composition

- Only 18% of U.S. households resemble the nuclear family model of married parents living with their biological children¹
- 16% of children live in blended families with step-siblings or step-parents²
- A record 20% of Americans live in multi-generational households³
- In 2024, 1 in 3 home purchases involved co-buyers (non-married individuals buying together), reflecting both housing costs and evolving living arrangements⁴
- 28% of Americans live alone, many forming important care networks and chosen families beyond biological or spousal ties⁵
- The children of LGBTQIA+ parents do not benefit from existing nondiscrimination protections on the basis of sexual orientation, as they are not asserting these protections on the basis of *their* identity, but rather on the identity of their family members, i.e. family structure.

¹ United States Census Bureau: "America's Families and Living Arrangements: 2016." October 8, 2021

² *ibid*

³ Pew Research Center: "A record 64 million Americans live in multigenerational households." April 15, 2018

⁴ CoBuy: "Co-buying & Co-owning a Home 2024 Report." April 19, 2024

⁵ United States Census Bureau: "Share of One-Person Households More Than Tripled from 1940 to 2020." June 8, 2023

Relationship Structure

- Approximately 4-5% of American adults describe their current relationship as "consensually non-monogamous," an umbrella term that encompasses a range of other relationship practices and identities including polyamory, polyfidelity, open relationships, and more⁶
- One in five adults will be in a consensually non-monogamous relationship at some point in their life⁷
- Over one-third of Adults describe their *ideal* relationship as something other than complete monogamy⁸
- Members of the LGBTQIA+ community are more likely to practice non-monogamy⁹

Why These Protections Are Needed

Despite large strides toward equity for all, residents with non-normative family or relationship structures face discrimination in crucial areas of life. Without explicit legal protections, they can be:

- Denied housing or steered away from certain neighborhoods
- Refused service at businesses and healthcare facilities
- Excluded from school and childcare involvement

The lack of legal protections forces many individuals to hide their family and relationship structures to avoid discrimination. The stress of constantly navigating which spaces are safe for disclosure, managing different levels of "outness," and facing rejection when relationships are revealed takes a significant toll on mental health. Additionally, concealment often prevents individuals from accessing appropriate healthcare, building authentic community connections, or advocating for their families' and loved ones' needs.

Evidence of Discrimination

Family Structure / Household Composition:

- In 2021, familial status discrimination accounted for 8.5% of all housing discrimination complaints reported under the Fair Housing Act¹⁰
- Renters with children are 2.5 times more likely to face discrimination in housing than those without children.¹¹

⁶ Journal of Sex & Marital Therapy: "Prevalence of Experiences With Consensual Nonmonogamous Relationships: Findings From Two National Samples of Single Americans." July 2017.

⁷ *ibid*

⁸ YouGov Survey: "Monogamy in Relationships." February 2023.

⁹ *ibid* 6

¹⁰ U.S. Department of Housing and Urban Development: "State of Fair Housing: Annual Report to Congress FY 2021."

¹¹ *ibid*

Relationship Structure

A 2024 survey by OPEN (Organization for Polyamory and Ethical Non-monogamy) collected responses from 4,500 individuals. Among California adults:

- Four out of five respondents reported “social stigma or fear of stigma” as a barrier.
- Three out of five respondents reported experiencing “stigma or discrimination on the basis of [their] non-monogamous identity in at least one area of their life, including¹²:
 - 5% in housing
 - 9% in employment
 - 9% in city, state, or federal services
 - 11% in divorce or child custody
 - 23% in healthcare or mental healthcare

Proposed Legislation

The proposed ordinance would add “family or relationship structure” as a basis for protections wherever protected groups are articulated within existing city code. Model legislation is available, and city-specific legislative language can be drafted by the Polyamory Legal Advocacy Coalition in coordination with the City Attorney.

Key Definitions

“Family or relationship structure” encompasses:

- The composition and interrelationships within a household
- Involvement in intimate personal relationships between consenting adults
- Non-normative and non-nuclear family arrangements including multi-partner and multi-parent families, blended (step) families, multi-generational households, single-parents-by-choice, and more

Implementation and Enforcement

The ordinance would be enforced through civil action by aggrieved individuals, or optional action by the City Attorney. Damages for each violation are three times actual harm or a minimum \$1,000, plus attorney's fees for successful claims

¹² Percentages reflect the proportion of people who answered “yes” or “no,” excluding all “does not apply to me” respondents.

Cost and Impact

- No additional city staff or resources required
- No impact on city budget
- Enforcement through existing legal mechanisms
- Significant positive impact on family stability and well-being

Precedent and Support

Precedent

Municipalities:

Similar protections have been successfully implemented in:

- Berkeley and Oakland (2024)
- Cambridge and Somerville, MA (2023)

These cities have reported straightforward implementation, no impacts on city budget, and positive community response.

State level:

California has recently taken significant steps to recognize diverse family structures at the state level. In 2023, the state legislature passed two landmark bills:

- The Family Caregiver Anti-Discrimination Act (AB 524) prohibits workplace discrimination based on family caregiver status, acknowledging that family obligations extend beyond traditional definitions
- The Paid Family Leave for Chosen Family Act (AB 518) expands leave benefits to include care for "chosen family," recognizing that many Californians' support networks extend beyond biological or legal family ties

As Assemblymember Buffy Wicks noted when introducing these bills, "Who we count as members of our family and choose to care for includes so many more Californians than what our current laws recognize." This state-level momentum demonstrates growing recognition that our laws must evolve to protect all families.

Contact

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