

## Court: Web site liable for postings

*by UPI*

SAN FRANCISCO - A court in San Francisco ruled that a roommate-matching Web site may be held accountable for what users say about their preferences.

A three-judge panel of the federal appeals court ruled in favor of two California fair housing groups that brought the complaint against Roommate.com, saying the Web site violates the Fair Housing Act by allowing users to specify roommate preferences based on sex, race, religion and sexual orientation, The New York Times reported Wednesday.

The ruling took away the main argument of the defense: that a 1996 ruling granting immunity to Internet service providers that transmit unlawful material supplied by others extended to the case. The judges ruled that the law was not applicable because Roommates.com created the menus that invite the unlawful information.

Eric Goldman, a law professor at Santa Clara University, said the decision represented an important shift.

"To date," he said, "The law has been almost uniform that a Web site isn't liable for what its users say. The problem here is that the Web site offered up choices for users to structure their remarks. That creates a hole plaintiffs can exploit."

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