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GENERAL NEWS

DOJ Settles Disability Discrimination Suit against Owners and Developers of 82 Apartment Complexes in 13 States

In a [press release](#) Tuesday, the Department of Justice ([DOJ](#)) and the U.S. Attorney’s Office for the Southern District of Ohio announced that they have reached a settlement with the owners, developers, and builders of 82 multifamily housing complexes in 13 states. The settlement resolves allegations that they violated the [Fair Housing Act](#) and the Americans with Disabilities Act ([ADA](#)) by designing and constructing apartment complexes that are inaccessible to persons with disabilities.

The agreement, which must still be approved by the U.S. District Court for the Southern District of Ohio, settles one of the largest housing accessibility lawsuits that the Justice Department has filed. The housing complexes at issue, many of which were built with financial assistance from the federal government’s low-income housing tax credit (LIHTC) program or other federal programs, are located in Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, and West Virginia, and contain more than 3,000 units that are required to have accessible features.

Under the terms of the [agreement](#), the defendants must take extensive corrective actions to make the complexes accessible to persons with disabilities. These include replacing excessively sloped portions of sidewalks, installing properly sloped curb ramps and walkways to allow persons with disabilities to access units from sidewalks and parking areas, providing sufficient room for wheelchair users in bathrooms and kitchens, and removing accessibility barriers in public and common use areas at the complexes. The defendants will pay \$400,000 to establish a settlement fund to compensate individuals with disabilities who were harmed by the accessibility violations and \$75,000 in civil penalties to the government to vindicate the public interest. The settlement also requires the defendants to receive training about the Fair Housing Act and the Americans with Disabilities Act to take steps to ensure that their future multifamily housing construction complies with these laws, and to provide periodic reports to the Justice Department.

The Fair Housing Act prohibits discrimination on the basis of disability. The Act also requires housing built after March 1991 to contain accessible features for persons with disabilities. Failure to meet these standards it is considered unlawful discrimination.



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