



Housing Opportunities Made Equal of Virginia, Inc.

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Judge Reinstates Shockoe Valley View Apartments Fair Housing Disability Discrimination Case

Richmond, Va. - Just days after the U.S. Department of Justice asked the U.S. District Court, Eastern District of Virginia, Richmond Division to reconsider its decision to dismiss HOME and NFHA's fair housing complaint, Judge James R. Spencer has entered an order to reinstate the case. In the opinion issued (attached), the Court agreed that HOME and NFHA's allegations of discrimination against people with disabilities are "fit for judicial resolution" because, if true, **Shockoe Valley View apartments** have been designed and built out of compliance with basic fair housing accessibility requirements.

The Court cites the DOJ's Statement of Interest filed May 28, 2015, which pointed out that "the nature of the alleged barriers—stairs to unit entrances, doorways that are too narrow to accommodate wheelchairs, and kitchens and bathrooms that are configured without adequate clear floor space for a person using a wheelchair... are [barriers] that are unlikely to change in the construction process absent a redesign of the complex, the submission of new design plans for approval, and the approval of those revised designs by the building department."

HOME discovered the alleged violations in June of 2014, confirmed them again in October with a tester using a wheelchair, and continues to observe obvious inaccessible features like stairs leading into unit entrances. As noted in HOME and NFHA's updated complaint, already filed with the Court, as of May 8, 2015, all of the units in the apartment complex are either being rented to members of the public or are available to the public to rent immediately. The website page of Shockoe Valley View Apartments in Richmond, Va. (<http://www.shockoevalleyapartments.com/floorplans.aspx>) on May 8, 2015, listed 47 available apartments for rent. As of today, the website shows 35 units for rent. The City of Richmond has issued temporary and partial certificates of occupancy permitting residence throughout the apartment complex. Nevertheless, these units allegedly do not comply with the accessibility requirements of the FHAA, and are therefore not usable by many people with disabilities.

"We are very pleased that DOJ is standing along with us in our efforts to promote equal access to housing for people with disabilities," said Shanna L. Smith, President and CEO of the National Fair Housing Alliance. "The very serious design and construction violations we have identified need to be

addressed immediately so as to not further limit the choices of people with disabilities in their housing search.”

The new opinion reinstates the case, which will soon be set for trial. “We are pleased that we’ll have our day in court,” said Heather Mullins Crislip, president and CEO of HOME. “Every unit built out of compliance with longstanding fair housing law violates the rights of people with disabilities – an outcome for which we will not stand.”

Read Judge Spencer’s new [opinion](#) and [order](#) for HOME and NFHA’s case against Hunt Investments, LLC, et al.

Housing Opportunities Made Equal of Virginia, Inc. (HOME), founded in 1971, is a statewide fair housing non-profit. HOME's mission is to ensure equal access to housing for all people. HOME investigates housing discrimination and provides support for discrimination victims. You can learn more about HOME and all of its services at www.HOMEofVA.org.

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