



For Immediate Release October 21, 2014

Contact:

Mike Burnette, Housing Opportunities Made Equal of Virginia, Inc. (HOME)  
(804) 354-0641 x118, [mburnette@HOMEofVA.org](mailto:mburnette@HOMEofVA.org)

Kevin Paul, National Fair Housing Alliance  
(202) 898-1661 x 119, [kpaul@nationalfairhousing.org](mailto:kpaul@nationalfairhousing.org)

## **Federal Court Lawsuit Alleges Discrimination Against People with Disabilities at Shockoe Valley View Apartments**

*HOME and National Fair Housing Alliance File Lawsuit Against Hunt Investments, LLC  
and Others in Richmond Based on Design and Construction Violations*

RICHMOND, VA — Today, Housing Opportunities Made Equal of Virginia, Inc. (HOME) and the National Fair Housing Alliance (NFHA) in Washington, D.C. filed a federal housing discrimination suit against Hunt Investments, LLC and other entities alleging discrimination against people with disabilities. The complaint is being filed with the United States District Court in the Eastern District of Virginia for failure to design and construct Shockoe Valley View Apartments (1904 Cedar Street, Richmond, Va.) in accordance with the disability requirements under the federal Fair Housing Act.

The complaint alleges that Shockoe Valley View Apartments presents clear barriers for people who use wheelchairs or have other mobility impairments. According to the complaint, the kitchen design makes it challenging for someone in a wheelchair to cook on the stove or even to open the refrigerator. The complaint alleges that the layout of the bathrooms makes it impossible for someone in a wheelchair to use the sink or even successfully maneuver inside and close the door. Pathways to some of the first-floor apartments are alleged to have one or more steps and/or thresholds into their only entrances and to have overly narrow and steep routes throughout the property.

Since 1991, The Fair Housing Act requires all new multifamily dwellings to be accessible and usable by persons with disabilities. All 151 units at Shockoe Valley View Apartments are required to be accessible under this law. Based on HOME's and NFHA's investigations, the complaint alleges, the property has multiple violations that Hunt must retrofit to comply with the law. Moreover, Hunt must ensure that all future developments are constructed in ways that make them accessible to Virginians with disabilities.

Heather Mullins Crislip, president & CEO of HOME emphasized Congress' intent on the passage of fair housing laws that protect people with disabilities by stating, "The Fair Housing Act was amended in 1988 and signed into law by President Reagan. The intent was to make sure all multi-family buildings are accessible to people with disabilities. However, the physical barriers found at Shockoe Valley are just like posting a sign that says, 'Disabled People Are NOT Welcome.'"

The private fair housing organizations have also brought the complaint against additional entities that designed and/or constructed the property including: Cedar Street Genesis, LLC; Genesis Homes Manager, LLC; Walter Parks, Architect, PLLC; and MGT Construction Management, Inc.

"Builders, developers, and architects are required by law to build accessible units," said Shanna Smith, president and CEO of NFHA. "Our complaint alleges that Hunt Investments has grossly neglected this requirement by making its apartments inaccessible. Anytime you put steps at entrances or in hallways, you exclude people with mobility challenges."

HOME and NFHA are represented in this matter by Relman, Dane & Colfax, PLLC of Washington, D.C. and Shelley Cupp Schulte, P.C. of Richmond.

Karen Michalski-Karney, president of the Virginia Association of Centers for Independent Living (VACIL), stated that, "One of the biggest barriers faced by individuals with disabilities who want to live in the community is their inability to find affordable, accessible housing. It is absolutely ridiculous that in the year 2014, more than 20 years after the signing of the Fair Housing Act amendments and more than 25 years after the signing of the Americans with Disabilities Act, developers are still constructing multifamily dwellings that are not accessible."

You can see actual footage from the complex here: <http://bit.ly/1zj6GgJ>

---

**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](http://www.HOMEofVA.org).

**The National Fair Housing Alliance (NFHA)** was founded in 1988. NFHA is a consortium of more than 220 private, non-profit fair housing organizations, state and local civil rights agencies, and individuals from throughout the United States. Headquartered in Washington, D.C., the National Fair Housing Alliance, through comprehensive education, advocacy and enforcement programs, provides equal access to apartments, houses, mortgage loans and insurance policies for all residents in the nation.

---

#### **Educational Takeaways:**

- The federal Fair Housing Act makes it illegal to discriminate based on race, color, national origin, religion, sex, disability, and familial status.
- The law was amended in 1988 to add protections for people with disabilities. Builders, developers, architects, and others have had to comply with accessible design and construction requirements since March 13, 1991.

- The Fair Housing Act requires all “covered multifamily dwellings” designed and constructed for first occupancy after March 13, 1991, to be readily accessible to and usable by persons with disabilities. In buildings with four or more dwelling units and at least one elevator, all dwelling units and all public and common use areas are subject to the Act’s design and construction requirements.
- According to the 2004 American Community Survey conducted by the U.S. Census Bureau, more than 51 million Americans (nearly one in five) have some form of disability, and one in eight has a severe disability. Of that number, more than 2.7 million people over the age of 15 years use a wheelchair and that number is expected to increase as the population ages and medical care allows people with disabilities to live longer and fuller lives. Another 7 million use a cane, crutches, a walker, or other mobility aid. Accessible housing is an essential means of ensuring that people with disabilities are able to fully participate in community life.
- In considering the 1988 disability amendments to the Fair Housing Act, Congress stressed that enforcement of the civil rights laws is necessary to protect people with disabilities from the “devastating” impact of housing discrimination, including “architectural barriers” erected by developers and builders who fail to construct dwellings and public accommodations accessible to and adaptable by, people with disabilities. H.R. REP. NO. 100-711, at 25 (1988), *reprinted in* 1988 U.S.C.C.A.N. 2173, 2186.

#### **Other Resources:**

Joint Statement of the Department of Housing and Urban Development and the Department of Justice Accessibility (Design and Construction) requirements for covered multifamily dwellings under the Fair Housing Act: <http://portal.hud.gov/hudportal/documents/huddoc?id=JOINTSTATEMENT.PDF>

Requirement 1: Accessible building entrance on an accessible route.

Requirement 2: Accessible and usable public and common use areas.

Requirement 3: Usable doors.

Requirement 4: Accessible route into and through the covered dwelling unit.

Requirement 5: Light switches, electrical outlets, thermostats and other environmental controls in accessible locations.

Requirement 6: Reinforced walls for grab bars.

Requirement 7: Usable kitchens and bathrooms.