



Housing Opportunities Made Equal of Virginia, Inc.

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Another Win for Accessible Housing in Richmond, Va. **Case settles for \$50,000 and ensures The Lofts at River's Fall will become accessible.**

RICHMOND, VA – Housing Opportunities Made Equal of Virginia, Inc. (HOME) has settled a housing discrimination case with Historic Housing L.L.C., Bacon Housing SCP L.P., Canal Walk Lofts IV L.P., SWA Architects-VA, Inc., and SWA Construction, Inc. that alleged Defendants failed to design and construct The Lofts at River's Fall (1810 East Cary St) in accordance with the accessibility requirements for new construction under the federal Fair Housing Act. The Defendants have agreed to retrofit the property to make it accessible and compensate HOME for its damages of \$50,000. The settlement resolves all claims in this case.

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.

Under the terms of the agreement, Defendants agreed to retrofit the complex by making extensive modifications, including alterations to ensure accessible bathrooms, environmental controls, and kitchens within units; creation of accessible parking spaces and storage units; and alterations to ensure accessible interior and exterior routes throughout the complex including access to all public and common amenities.

Helen Hardiman, vice president of HOME stated: "We commend the developers, builders, and architects of The Lofts at River's Fall for their willingness to come to the table with us and work on an accessibility plan that will ultimately make this complex an equal housing opportunity for residents and guests with mobility disabilities."

David White, of Historic Housing L.L.C. agreed, "We pride ourselves on the quality of the housing communities we develop and manage throughout the Richmond region. And that quality extends to always providing equal and fair housing for all. Upon learning of the accessibility issues that were present at The Lofts at River's Fall, and as supporters of HOME's mission, we were happy to partner with them to make necessary accessibility modifications. We are pleased with the outcome of this joint effort."

HOME reminds architects, builders, and developers that there are many components in building new multifamily construction that can present barriers to people with mobility disabilities.

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.

More details can be found in the *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>

Other Information:

- 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.
- According to the Americans with Disabilities 2010 Study conducted by the U.S. Census Bureau, more than 56 million Americans (nearly one in five) have some form of disability, and one in eight has a severe disability. Of that number, more than 3.6 million people over the age of 15 years use wheelchairs, 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 11.6 million people use canes, crutches, walkers, or other mobility aids. Accessible housing is an essential means of ensuring that the many members of the community who have disabilities can fully participate in community life.

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 victims of discrimination. You can learn more about HOME and all of its services at www.HOMEofVA.org.

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