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JUSTICE NEWS

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Justice Department Files Lawsuit Alleging Disability-Based Housing Discrimination at Nine Apartment Complexes in Three States

WASHINGTON – The Justice Department today filed a lawsuit against the owners, developers and design professionals involved in the design and construction of nine multi-family housing complexes in Mississippi, Louisiana and Tennessee. The nine complexes comprise more than 2,000 apartments with more than 800 ground-floor units that are required by the Fair Housing Act to contain accessible features. Eight of the complexes contain leasing offices that are required by the Americans with Disabilities Act (ADA) to contain accessible features.

The complaint names the Bryan Company; Bryan Construction Company Inc.; Steve Bryan; Mid-South Houston Partners; Mid-South Development LLC (aka MSD LLC); the Vineyards Apartments LLC; Equity Properties LLC (formerly known as Windsor Lake Apartment LP); Cypress Lake Development LLC; Stephen G. Hill; Pickering Firm Inc. (aka Pickering Inc.); Larry Singleton (dba Singleton Hollomon Architects); H D Lang and Associates Inc.; Richard A. Barron, Architect; Shows Dearman & Waits Inc.; Timothy R. Burge, PA (dba Professional Associates Inc.); Canizaro Cawthon Davis (formerly known as Canizaro Trigiani Architects); Smith Engineering & Surveying Inc. (aka Smith Engineering Firm Inc., aka S.E.C.O. Inc., dba Smith Engineering Co. Inc.); Evans-Graves Engineers; and J.V. Burkes & Associates Inc. as the parties responsible for violating these laws. The complaint also names eleven current owners as necessary parties in whose absence complete relief cannot be afforded.

The suit, filed in the U.S. District Court for the Southern District of Mississippi, alleges that the nine properties are inaccessible to persons with disabilities because they, for example, lack accessible pedestrian routes; lack accessible parking; have steep cross and running slopes; have doors that are not sufficiently wide enough to allow passage by persons in wheelchairs; have insufficient accessible routes into and through the units; have light switches, electrical outlets, thermostats and other environmental controls in inaccessible locations; and/or have kitchens and bathrooms that are inaccessible to persons in wheelchairs. Further, the complaint alleges that the leasing offices are inaccessible to persons with disabilities because, for example, they lack accessible pedestrian approach routes, lack compliant parking spaces, have inaccessible counters, and/or have inaccessible door hardware.

"The Fair Housing Act and the Americans with Disabilities Act include provisions to ensure that persons with disabilities have opportunities to find and live comfortably in multifamily housing across the nation," said Thomas E. Perez, Assistant Attorney General for the Justice Department's Civil Rights Division. "The department will continue its vigorous pursuit of equal housing opportunities for all people, including those with disabilities."

"The design and construction of multi-family apartment complexes must comply with the Fair Housing laws and the Americans with Disabilities Act," said John M. Dowdy, U.S. Attorney for the Southern District of Mississippi. "My office remains vigilant in its efforts to eradicate discrimination and to ensure that persons with disabilities have legally accessible accommodations in which to live. We will remain steadfast in making sure that developers, owners, architects and civil engineers design and develop apartments and other buildings which comply with these laws."

The suit seeks a court order declaring that the defendants' actions violate the Fair Housing Act and the ADA, prohibiting the defendants from engaging in future discrimination in the design and construction of multi-family housing; requiring the defendants to bring the covered multi-family dwellings, and public and common use areas into compliance with fair housing laws; and awarding monetary damages to persons harmed by the defendants' discriminatory housing practices.

The federal Fair Housing Act prohibits discrimination in housing based on race, color, religion, national origin, sex, disability and familial status. Title III of the ADA requires, among other things, that public accommodations comply with specific requirements related to architectural standards to ensure accessible public and common use areas. More information about the Civil Rights Division and the laws it enforces is available at www.usdoj.gov/crt. Individuals who believe that they may have been victims of housing discrimination can call the Housing Discrimination Tip Line at 1-800-896-7743, email the Justice Department at fairhousing@usdoj.gov, or contact the U.S. Department of Housing and Urban Development at 1-800-669-9777.

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Attorney General