

HUD No. 10-038
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HUD CHARGES PUERTO RICO CONDO DEVELOPER WITH DISCRIMINATING AGAINST HOMEOWNER WITH DISABILITIES

Woman denied use of a designated accessible parking space

WASHINGTON – The U.S. Department of Housing and Urban Development today announced that it is charging a San Juan, PR, housing developer with violating the Fair Housing Act by allegedly denying a homeowner with disabilities an accessible parking space close to her home, even though the woman can only walk very short distances. HUD's **charge** further alleges that the developer, HAL Development Corporation (HAL), offered her the use of a handicapped parking space on a first-come, first-served basis; an option that was unacceptable, given the homeowner's mobility limitations.

The Fair Housing Act makes it unlawful to refuse to make reasonable accommodations when they are needed to enable persons with disabilities to fully use and enjoy their home.

"Housing providers have a legal obligation to provide people with disabilities reasonable accommodations. HUD will vigorously enforce that law," stated John Trasviña, HUD Assistant Secretary for Fair Housing and Equal Opportunity.

The case came to HUD's attention after the homeowner, who lives in Carolina, PR, filed a complaint alleging that HAL had denied her request for an accessible parking space. The woman originally requested a parking space about 100 feet from her apartment that is near an accessible route with railings she can use for support. The parking space she is currently assigned is an additional 135 feet away from the space she requested, severely limiting her ability to come and go.

The HUD charge will be heard by a United States Administrative Law Judge unless any party to the charge elects to have the case heard in federal district court. If an administrative law judge finds after a hearing that discrimination has occurred, he may award damages to the complainant for her damages as a result of the discrimination. The judge may also order injunctive relief and other equitable relief to deter further discrimination, as well as payment of attorney fees. In addition, the judge may impose civil penalties in order to vindicate the public interest. A federal district court judge may also award punitive damages to the complainant.

FHEO and its partners in the Fair Housing Assistance Program investigate more than 10,000 housing discrimination complaints annually. People who believe they are the victims of housing discrimination should contact HUD at 1-800-669-9777 (voice), 800-927-9275 (TTY). Additional information is available at www.hud.gov/fairhousing.

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HUD is the nation's housing agency committed to sustaining homeownership; creating affordable housing opportunities for low-income Americans; and supporting the homeless, elderly, people with disabilities and people living with AIDS. The Department also promotes economic and community development and enforces the nation's fair housing laws. More information about HUD and its programs is available on the Internet at www.hud.gov and espanol.hud.gov.