



# Department of Justice

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## **JUSTICE DEPARTMENT SETTLES DISABILITY DISCRIMINATION LAWSUIT** **AGAINST HOUSING AUTHORITY OF BALTIMORE CITY**

### **WASHINGTON, D.C.**

- The Justice Department today announced the settlement of a lawsuit alleging a pattern of discrimination by the Housing Authority of Baltimore City (HABC) against low-income persons with disabilities. The agreement, the first of its kind, enforces regulations promulgated by the Department of Housing and Urban Development (HUD) against a public housing authority. Under the agreement, HABC will implement changes to its housing facilities, programs, policies and practices; commit several million dollars to provide over 2,000 new housing opportunities for individuals with disabilities; and pay \$1,039,000 in damages.

This complaint, filed with the United States District Court for the District of Maryland, enforces Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA). The complaint alleges that HABC engaged in a pattern or practice of discrimination against persons with disabilities. Specifically, it alleges that HABC discriminated in both its public housing and Section 8 subsidized housing programs by refusing to admit non-elderly persons with disabilities; failing to make its public housing units, their common areas, and its administrative offices accessible; and failing to provide sufficient assistance to persons with physical or mental disabilities who sought to rent private units through HABC's Section 8 housing subsidy program.

"Housing is a basic building block of community life and participation," said R. Alexander Acosta, Assistant Attorney General for the Civil Rights Division. "The law protects the right of individuals with disabilities to access public spaces, services, and accommodations, yet without accessible housing, individuals with disabilities can hardly avail themselves of these wider opportunities. By expanding our enforcement effort to this critical area, we help individuals with disabilities enter communities and begin to enjoy a much wider circle of access."

The Justice Department's lawsuit is being resolved together with a lawsuit filed by three individuals with disabilities, who are represented by the Maryland Disability Law Center. "We are very pleased that the Housing Authority of Baltimore City was willing to work with the Civil Rights Division and the Maryland Disability Law Center to formulate a realistic plan for ensuring that Baltimore's citizens with physical and mental disabilities have access to HABC's programs," noted Assistant Attorney General Acosta.

The complaint and a consent order resolving the lawsuit were filed together today in federal court. Under the consent order, which is subject to court approval, HABC is required to establish a \$1,000,000 fund to compensate individual victims of discrimination who will be identified through a claims process and pay a total of \$39,000 to the individuals who filed the private lawsuit. In addition, the ten-year agreement requires HABC to:

- Provide 830 federally-compliant accessible public housing units; create 1,850 new affordable housing opportunities for non-elderly persons with disabilities through both public housing and through Section 8 rental subsidy programs; and provide extra assistance to persons with disabilities seeking to use Section 8 subsidies to rent privately-owned housing units in Baltimore;
- Identify privately-owned housing units in the City of Baltimore that have accessibility features useful for persons with physical disabilities and encourage landlords to rent these units to low-income persons with disabilities;

- Implement an effective system for responding to tenants' and applicants' requests for reasonable accommodations in HABC's rules or practices as well as modifications to public housing units if needed for disability-based reasons;
- Adopt and implement effective nondiscrimination policies and procedures; implement training programs for HABC employees to ensure compliance with the consent order and with federal civil rights laws prohibiting disability discrimination; and develop procedures for effective communications with persons with disabilities.

Persons with disabilities who believe they may be victims of discrimination by the Housing Authority of Baltimore City should call 1-800-896-7743 and select option 3 to obtain information on how they can file a claim for monetary damages.

Since January 1, 2001, the Justice Department's Civil Rights Division has filed 136 cases to enforce the Fair Housing Act, including 60 based on disability discrimination. The Division has resolved more than 1400 disability discrimination complaints under the ADA through consent decrees, through informal means, through formal settlement agreements, and complaints through mediation.

A copy of the consent decree can be obtained on the Justice Department's website at <http://www.usdoj.gov/crt/housing/caselist.htm>.

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