

NORTHWEST FAIR HOUSING ALLIANCE

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FOR IMMEDIATE RELEASE

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NWFHA Settles Complaint Alleging Violations of Fair Housing Act Design and Construction Requirements At Pasco Apartment Complex: Respondents will pay \$18,000 In Damages and Must Retrofit Non-Compliant Dwelling Units and Common and Public Areas

SPOKANE, WA – Northwest Fair Housing Alliance (NWFHA) has reached an agreement that resolves a complaint it filed with the U.S. Department Housing & Urban Development in December 2005 alleging that a 14 building, 252 dwelling unit Apartment complex in Pasco, Washington was designed and constructed in non-compliance with the handicap accessibility requirements of the federal Fair Housing Act (FHA). The owner, contractor, architect, and civil engineer were named in the complaint; Respondents deny violating the FHA but agreed to settle the matter in a HUD approved conciliation agreement.

Under the terms of the conciliation agreement, Respondents will pay NWFHA \$18,000. This sum is reimbursement for diverted agency resources and frustration of agency mission, and includes a sum to be donated to a disability rights organization in the Pasco region. Additionally, Respondents are required to provide an accessible route to building entrances and public and common use areas (including replaining curb ramps and sidewalk portions to achieve compliant slope measurements), provide an accessible clubhouse and pool area (including remounting hardware, urinals, and dispensers, installing grab bars in shower, and adding accessible counterops), and making ground floor dwelling units compliant (installing beveled transitions on the interior edges of sliding door thresholds, repositing thermostats, reinforcing bathroom walls for installation of grab bars, and ensuring that all cabinets under sinks are

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removable). Respondents will also participate in training on the Fair Housing Act design and construction requirements.

The Fair Housing Act requires that ground floor dwelling units in non-elevator buildings with 4 or more dwelling units built for first occupancy after March 13, 1991 comply with seven accessibility criteria:

1. Accessible Building Entrance on an Accessible Route
2. Accessible and Usable Public and Common Areas
3. Usable Doors
4. Accessible Route Into and Through the Covered Dwelling Units
5. Light Switches, Electrical Outlets, Thermostats and Other Environmental Controls in Accessible Locations
6. Reinforced Walls for Grab Bars
7. Usable Kitchens and Bathrooms

Following the filing of the complaint with HUD by NWFHA, HUD's investigation revealed violations in 6 of these 7 categories.

NWFHA routinely performs on-site audits of newly constructed multi-family housing complexes in Eastern and Central Washington.



Shawn Nikar, NWFHA Testing Coordinator