

Legal Aid of North Carolina, Inc.

FAIR HOUSING PROJECT

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Ensuring fair housing throughout North Carolina

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For Immediate Release

Fair Housing Project settles discrimination suit against Raleigh homeowners association

RALEIGH, March 23, 2015 – A Raleigh homeowners association and their property manager have agreed to pay \$20,000 to settle a housing discrimination lawsuit that accused them of discriminating based on disability. The lawsuit was filed by North Carolina Human Relations Commission (NCHRC) in Wake County Superior Court in January 2013. The NCHRC had previously determined that reasonable grounds existed to believe that the Defendants had engaged in unlawful discriminatory housing practices. Private homeowners Cindy and Ian Block, represented by Legal Aid of NC’s Fair Housing Project, subsequently joined in the case. The NCHRC and the Blocks alleged that the Defendants violated the Fair Housing Act when they imposed discriminatory terms and conditions on the Blocks’ request to retain a handicap ramp they had previously constructed at their home as an accommodation for a family member’s disability.

Dr. Cindy Block, who has a congenital visual impairment, is legally blind and needed the use of a ramp to accommodate her disability. The lawsuit alleged Defendants violated federal and state fair housing laws by demanding that the Blocks remove the ramp from their property at their own expense should the Blocks’ home cease to include someone who is disabled or if they sold their property to a buyer who did not have a “certifiable disability.” Such a condition would have required the Blocks to interview any prospective buyer to determine his or her disability status.

Under the settlement, the Defendants -- Carriages at Allyn’s Landing Owners Association, VPJ Enterprises, and Mr. Victor Jones -- agreed to pay \$20,000, to participate in approved fair housing training, and formally acknowledged that their conduct and actions are subject to state and federal fair housing laws. Five thousand dollars of the settlement will be donated to Operation FINALLY HOME, a charitable organization chosen by the Blocks that builds mortgage-free homes for wounded and disabled veterans. The remainder will cover Legal Aid of North Carolina’s attorneys fees and costs related to litigation of the case.

“Homeowners associations are obligated to follow fair housing laws and must grant reasonable accommodations that enable individuals with disabilities to fully use and enjoy their homes,” said Jack Holtzman, Co-Director of Legal Aid of NC’s Fair Housing Project and one of the Blocks’ attorneys. “We will continue to assist homeowners and tenants in North Carolina seeking to protect their right to housing free of discrimination.”



The Settlement Agreement, the complaint filed by the Blocks, and the NCHRC's Administrative Determination can be accessed on the website of the Fair Housing Project of Legal Aid of NC.

The Blocks were pleased with the settlement. Dr. Block stated, "I'm glad the homeowners association and property manager acknowledged that their conduct is covered by state and federal fair housing laws. Hopefully, no future homeowners association members will experience the problems I had in trying to keep my handicap ramp."

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Legal Aid of North Carolina is a statewide, nonprofit law firm that provides free legal services in civil matters to low-income people in order to ensure equal access to justice and remove legal barriers to economic opportunity. Legal Aid's Fair Housing Project works to eliminate housing discrimination and to ensure equal housing opportunity for all people in North Carolina through education, outreach, public policy initiatives, advocacy and enforcement. To learn more, visit www.legalaidnc.org and www.fairhousingnc.org.

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