

Legal Aid of North Carolina, Inc.

Fair Housing Project

2101 Angier Avenue, Suite 300 • Durham, NC 27703
855.797-FAIR (3247) • Fax 919.861-1887
www.fairhousingnc.org
www.legalaidnc.org

Ensuring fair housing throughout North Carolina

George R. Hausen, Jr., Esq.
Executive Director

Jeffrey Dillman
Jack Holtzman
Project Co-Directors

For Immediate Release

Media Contact

Sean Driscoll, Director of Public Relations, Legal Aid of N.C., 919-856-2132,
SeanD@legalaidnc.org

Builders, architects, owners of 5 NC housing complexes settle discrimination cases; agree to make \$1.3 million in accessibility modifications

RALEIGH, November 10, 2020 – Legal Aid of North Carolina (LANC) announced today that it has settled housing discrimination complaints against the architects, builders, and owners of five apartment complexes located in the Triad area of North Carolina. The five complaints, which our Fair Housing Project filed with the U.S. Department of Housing and Urban Development (HUD), alleged that the respondents failed to design and construct the complexes to make them accessible to persons with disabilities in compliance with the federal Fair Housing Act (FHA).

The complaints identified a number of alleged violations of FHA accessibility requirements in individual ground floor units as well as in common and public use areas. The respondents in the cases denied the allegations.

The complexes involved are: Brightwood Crossing Apartments, located in Whitsett; Chamberlain Place Apartments, located in Clemmons; Granite Ridge Apartments, located in Greensboro; Lafayette Landing Apartments, located in Jamestown; and Robinhood Court Apartments, located in Winston-Salem.

As a result of the conciliation agreement signed by the parties and approved by HUD on October 5, 2020, accessibility modifications will be made in 325 ground floor units, as well as in common areas in each of the properties. The respondents have estimated the cost of the modifications will be \$1.3 million.

The agreement sets forth detailed requirements for the Respondents to undertake a wide variety of remediations, including:

- Provide accessible routes to certain buildings with apartment units
- Replace door hardware on unit entrance doors and on interior doors
- Retrofit kitchens to provide adequate clear floor space at the sink, range, and refrigerator



- Retrofit the bathroom sink cabinets to allow adequate clear floor space
- Ensure that thermostats, light switches, and least one electrical outlet in each room meet required height accessibility requirements
- Upon request of a tenant with a disability, install grab bars in bathrooms
- Retrofit doors within clubhouses and similar common areas
- Retrofit garages to comply with accessibility requirements
- Reassign mailboxes to increase accessibility
- Retrofit laundry rooms to provide accessible routes and door hardware
- Reposition or make changes in the access to playgrounds, pool areas, volleyball and tennis courts, dog parks, and other recreation areas so they have accessible routes

In addition to the accessibility modifications, employees of the builders, architects and owners with direct responsibility for the design and construction of covered multi-family dwellings will undergo training on relevant sections of both the Fair Housing Act and Americans with Disabilities Act.

Jeffrey Dillman, co-director of the Fair Housing Project, noted that the accessibility provisions of the Fair Housing Act are of great importance to people with disabilities, stating, “Accessible housing is an essential means of ensuring that people with disabilities are able to fully participate in the community. Designers and builders must ensure that housing meets these modest federal accessibility requirements, in addition to state and local codes.”

The cases were filed with HUD in June 2017. The cases arose from accessibility testing performed by Legal Aid’s Fair Housing Project, which uncovered the alleged violations.

The Fair Housing Act prohibits discrimination in housing because of disability. Among other things, it requires all multifamily housing constructed after March 13, 1991, to have basic exterior and interior accessibility features. The requirements apply to units, as well as for public and common use areas, such as a leasing office, clubhouse, parking, dumpsters, mailboxes, picnic areas, and other site features or amenities.

The respondents in the case are BSC Holdings, Inc., Chamberlain Place Apartments, LLC, Granite Ridge Investments, LLC, Robinhood Court Apartment Homes, LLC, Lafayette Landing Apartments and Villas, LLC, Brightwood Crossing Apartments, LLC, Salem Commercial Contracting, L.L.C., dBF Associates, Architects, Inc., Windsor Contracting, LLC, and Erskine-Smith Architecture, PLLC.

Legal Aid was represented in these cases by Jack Holtzman, an attorney with the North Carolina Justice Center, a public interest law firm located in Raleigh. Legal Aid of North Carolina's involvement in this litigation was made possible in part by a grant from the U.S. Department of Housing and Urban Development's Fair Housing Initiatives Program.

Individuals may obtain information about fair housing by contacting the Fair Housing Project of Legal Aid of North Carolina at (855) 797-3247.

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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 through education, outreach, public policy initiatives, advocacy and enforcement. To learn more, visit www.legalaidnc.org and www.fairhousingnc.org.*

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Media Contact

Sean Driscoll, Director of Public Relations, Legal Aid of N.C., 919-856-2132,
SeanD@legalaidnc.org

