

Housing Research & Advocacy Center
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Housing Group Sues K&D Group, Stonebridge Apartments & Condos: Alleges Discrimination Against Disabled in Federal Lawsuit

CLEVELAND, OH – The Housing Research & Advocacy Center, a Cleveland-based non-profit fair housing group, filed a civil rights lawsuit today in federal court against the K&D Group, Inc., and others involved in the design and construction of the Stonebridge apartments and condominiums. The lawsuit, filed in the United States District Court, Northern District of Ohio, alleges that the defendants violated federal and state accessibility laws in designing and building the massive upscale residential and commercial development, located on the west bank of the Cuyahoga River in downtown Cleveland. In addition to the K & D Group, the lawsuit names Stonebridge Building & Design, Inc., Stonebridge Waterfront, Inc., and Berardi + Partners, Inc., the architects for the project, as defendants.

Jeffrey D. Dillman, Executive Director of the Housing Center, stated, “Accessible housing is an essential means of ensuring that people with disabilities are able to fully participate in community life. By failing to design and construct these buildings in compliance with the law, K&D Group and the other defendants have just as effectively excluded people using wheelchairs and other mobility aids as if they had posted a sign saying ‘No Disabled People Allowed.’”

Investigations by the Housing Center and the Ohio Civil Rights Commission (OCRC) revealed numerous and substantial violations of the federal Fair Housing Act and the Ohio Revised Code at each of the apartment and condominium buildings constructed or under construction at Stonebridge. Stonebridge is the largest single residential project in Cleveland in 97 years, with more than 2,000 residential units planned. In February, the Ohio Civil Rights Commission found probable cause that the defendants had violated Ohio civil rights laws in building the housing complex based on a complaint filed by the Housing Center.

The lawsuit states that the units at Stonebridge have steps, inaccessible bathrooms and kitchens, passageways and doors that are too narrow for wheelchairs, light switches and electrical outlets beyond the reach of wheelchair users, as well as other features that prevent people with mobility impairments from using and accessing the residential units. In addition, Defendants constructed common restrooms and recreational facilities in such a way as to make them inaccessible to wheelchair users.

The complaint further states that Defendants have engaged in a continuous pattern and practice of discrimination against people with disabilities in violation of the federal Fair Housing Act and the Ohio Revised Code by designing and constructing multi-family housing in such a manner as to deny people with disabilities full access to and the use of these facilities. The lawsuit seeks a court order requiring the defendants to modify the buildings to bring them into compliance with federal and state laws and prohibiting future discrimination by the defendants, as well as

monetary damages to compensate victims. It also asks the court to order the defendants to stop construction on the building that is not completed until they can show plans to bring it into compliance with the law.

The Housing Center is represented in the case by Relman & Dane, a civil rights law firm based in Washington, D.C., with an office in Perrysburg, Ohio, and Cooper & Walinski, an Ohio-based firm with offices in Cleveland and Toledo.

Cooper & Walinski Attorney Diane Citrino, one of the Housing Center's attorneys, stated: "New housing in Cleveland is exciting and needed, but it must welcome all of our residents, including those who are disabled."

According to 2007 data from the U.S. Census Bureau, there were 202,749 individuals in Cuyahoga County with a disability, including 16,252 between the ages of 5 and 15, 111,947 aged 16-64, and 74,550 aged 65 and over. These numbers are expected to increase as the population ages, as wounded veterans return from Iraq and Afghanistan, and as medical care allows people with disabilities to live longer and fuller lives.

Federal law prohibits discrimination in the rental or sale of housing, and in the mortgage lending and homeowners insurance markets, based on race, color, religion, national origin, sex, familial status, and handicap. In addition, Ohio law prohibits discrimination based on ancestry and military status. Among other things, federal and state law requires that new multifamily housing developments be designed and constructed with basic accessibility features, including usable doors, kitchens, and bathrooms, reinforced walls for grab bars, and accessible and usable public and common use areas.

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The Housing Research & Advocacy Center is a nonprofit fair housing organization whose mission is to eliminate housing discrimination and assure choice in Northeast Ohio by providing those at risk with effective information, intervention, and advocacy. The Housing Center is a member of Greater Cleveland Community Shares.