



MMFHC resolves accessibility complaint: Holmen apartment complex will be retrofitted

In October 2012, MMFHC successfully settled a housing accessibility complaint against Halfway Creek Apartments in Holmen, Wisconsin, and its architect, Thomas B. Lyons.

MMFHC's complaint, filed with the US Department of Housing and Urban Development (HUD) in December 2011, was based on a testing investigation at Halfway Creek, an 80-unit complex in LaCrosse County. MMFHC's investigation uncovered inaccessible entrances, as well as inaccessible public and common use areas. For instance, the complex's fitness room was located on the second floor in a building with no elevator. MMFHC's HUD complaint alleged that these conditions violated the accessibility requirements of the Federal Fair Housing Act.

As part of the settlement, the respondents will designate an accessible parking space and make numerous physical modifications to apartments in the complex in order to improve accessibility. For instance, modifications will be made to bathroom doors to ensure sufficient floor space clear of the doors' swing, and wood beveling will be installed to reduce balcony door thresholds to three-quarters of an inch or less. Further, upon tenants' request, grab bars will be installed adjacent to toilets and bathtubs in ground-floor units; bathroom cabinets will be removed in order to provide for a frontal approach to sinks; bathroom doors with at least 30.5" width will be installed; and kitchen cabinet doors and knobs may be removed in order to provide the required 30" by 48" clear floor space. Halfway Creek Apartments will notify all current residents of their rights to request accessibility-related modifications made at the complex's expense, and for the next 3 years, will also notify all prospective tenants that they may request such modifications, too. Halfway Creek has also moved its fitness room to a first-floor location. The respondents will pay MMFHC \$3370.00 toward its costs and legal fees, and will use a fair housing poster in its rental office and a fair housing logo or slogan in its rental applications, promotional signage and advertisements. Finally, one or more partners in Halfway Creek Apartments will obtain fair housing training.

MMFHC President and CEO William R. Tisdale notes that "Physical accessibility is a key component of fair housing choice for many people with disabilities and for seniors, and it's good business. The more prospective tenants who can

access an apartment complex, the better, for both housing consumers and providers alike. It's a shame that multifamily housing is still being built out of compliance with the law."

MMFHC was represented by Katherine L. Charlton of Hawks Quindel, S.C.