



## **Fair Housing Council settles complaint against Steiner + Associates, Developer of Bayshore Town Center in Glendale**

On December 10, 2012, Judge Thomas M. Rose, of the U.S. District Court for the Southern District of Ohio approved a settlement in Miami Valley Fair Housing Center et al, v. Steiner + Associates, et al, requiring Defendants to retrofit covered apartment units and adjacent common areas at three apartment complexes, consisting of 395 covered units in three states, to ensure that they are accessible to people with disabilities.

The litigation commenced in April 2008, after an extensive investigation by the Metropolitan Milwaukee Fair Housing Council, the Miami Valley Fair Housing Center, and the National Fair Housing Alliance uncovered substantial architectural barriers at three town centers developed by Steiner: Gilbert Court at The Greene Phase I, in Beavercreek, OH; Lofts at Zona Rosa in Kansas City, Missouri; and Bayshore Town Center in Glendale, Wisconsin. While not all violations were found in every development, the investigation identified violations such as:

- Apartment units with steps and narrow hallways on the route to the bedrooms, making the bedrooms inaccessible to people with mobility impairments;
- Apartment units with bathrooms with insufficient space for a wheelchair user to enter and close the door behind him or her;
- Bathrooms with a lack of centered, clear-floor space at the lavatories to allow a wheelchair user to use the faucets and bowl;
- Thresholds within apartment units at doors to terraces, porches, balconies and laundry rooms which were either too high or had abrupt level changes for passage by persons in wheelchairs;
- Objects in common area bathrooms, such as toilet paper dispensers and grab bars, that were inappropriately located for use by persons with mobility impairments;

Under the terms of the Stipulated Judgment approved by the judge, the defendants will be solely responsible for the costs of alterations or retrofits, and are required to bring the common use facilities and exteriors of the properties into compliance, as agreed by the parties, within 24 months; and the interiors of

covered units into compliance within 36 months. The Stipulated Judgment also names an inspector, to be paid solely by the defendants, who is then responsible for conducting or supervising an on-site inspection at each retrofit property to determine if alterations have been performed according to the terms of the Stipulated Judgment.

The Stipulated Judgment also provides for a settlement payment, the amount of which was not disclosed, to be made to the fair housing organizations for alleged damages and expenses for the alleged diversion of resources, and alleged frustration of the organizations' missions; reimbursement for alleged costs and expenses relating to the investigation; and litigation costs and expenses, including attorney fees.

"Every time housing is made accessible for people with disabilities, our communities grow more open and fair," said William R. Tisdale, President and CEO of the Metropolitan Milwaukee Fair Housing Council. "I am pleased that the resolution of this case will help expand housing opportunities in Glendale."