



Department of Justice

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TUESDAY, MAY 19, 2009
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JUSTICE DEPARTMENT SUES GARNER, NORTH CAROLINA, FOR DISABILITY DISCRIMINATION

WASHINGTON – The Justice Department today announced that it has filed suit against the town of Garner, N.C., and the town’s board of adjustment alleging that they violated the Fair Housing Act when they refused to allow up to eight men recovering from drug and alcohol addictions to live together as a reasonable accommodation for their disabilities.

The suit, filed in U.S. District Court in Raleigh, also alleges that the defendants have engaged in a denial of rights to a group of persons or a pattern or practice of discrimination by failing or refusing to recognize their obligation to make reasonable accommodations. The home is chartered by Oxford House Inc., a non-profit organization that assists in the development of self-governing houses in which persons in recovery support one another’s determination to remain sober. Garner permits up to six persons to live in the home, but has refused to consider requests by Oxford House Inc. to increase the number to eight.

“The Fair Housing Act requires jurisdictions to make reasonable accommodations in their rules when necessary to provide persons with disabilities an equal opportunity to housing. We will continue to enforce the Act vigorously,” said Loretta King, Acting Assistant Attorney General for the Civil Rights Division.

“Enforcement of Fair Housing laws prohibiting discrimination against people with disabilities is a priority of the U.S. Attorney in Eastern North Carolina. These federal laws provide a vital tool in enabling disabled persons to have access to decent and affordable housing in our communities,” said George E. B. Holding, U.S. Attorney for the Eastern District of North Carolina.

This lawsuit arose as a result of a complaint filed with the U.S. Department of Housing and Urban Development (HUD) by Oxford House. HUD conducted an investigation and referred the matter to the Justice Department.

The suit seeks monetary damages for the victims, a civil penalty and a court order requiring Garner to grant the requested accommodation and establish a procedure for considering future accommodation requests. The complaint is an allegation of unlawful conduct. The allegations must still be proven in federal court.

Fighting illegal housing discrimination is a top priority of the Justice Department. The Federal Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, familial status, national origin and disability. More information about the Civil Rights Division and the laws it enforces is available at www.usdoj.gov/crt. Additional information about the Fair Housing Act is also available at www.HUD.gov.

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