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UNITED STATES SETTLES DISABILITY DISCRIMINATION CASE INVOLVING A RESIDENT
WITH A DISABILITY AT THE PHILADELPHIAN

PHILADELPHIA - The United States today announced a \$40,000 consent decree that resolves a dispute alleging that the condominium association for The Philadelphian violated the Fair Housing Act by refusing to grant a resident's request for a reasonable accommodation, announced United States Attorney Zane David Memeger. The Philadelphian consists of 776 units and is located on the Benjamin Franklin Parkway.

The consent decree was filed today, with a complaint, in U.S. District Court for the Eastern District of Pennsylvania. The complaint alleges that The Philadelphian refused to grant a reasonable accommodation so that a resident with a disability could keep a small dog, named "Lucy," in the condominium she owned in order to help her cope with the effects of depression. The lawsuit further alleges that the defendant's policy, with respect to reasonable accommodation, violated the Fair Housing Act with respect to this individual specifically, and constituted an illegal pattern or practice.

Under the consent decree, the defendants will pay \$15,000 to the resident with a disability, \$10,000 as a civil penalty to the United States, and \$15,000 into a fund to pay any other residents of The Philadelphian who may have claims based on The Philadelphian's policy. Additionally, the defendants will attend fair housing education and training; implement a new reasonable accommodation policy for owners of assistance animals; and comply with notice, monitoring and reporting requirements. The consent decree requests that the Court maintain jurisdiction over this case for three years.

"Enforcing the fair housing rights of persons with disabilities in the Eastern District of Pennsylvania, including those with mental health disabilities, is a priority of this office," said Memeger. "We will continue to work to ensure that those individuals with disabilities are not denied accommodations they need to live independently."

"Assistance animals are not pets. They play a vital role in helping people with disabilities live their lives fully," said John Trasviña, HUD Assistant Secretary for Fair Housing and Equal Opportunity. "HUD and the Department of Justice will continue to ensure that condominium associations grant reasonable accommodations when they are needed."

The lawsuit arose as a result of a complaint that the resident filed with the U.S. Department of Housing and Urban Development (“HUD”). After an investigation of the complaint, HUD issued a charge of discrimination. Based on this complaint, other complaints filed by other residents of The Philadelphian, and the written policies issued by The Philadelphian, the Assistant Secretary of HUD determined that this defendant had engaged in a pattern or practice of discrimination. The resident and the board of The Philadelphian elected to have the case heard in federal court.

This matter was handled by Jennifer Cass, Esquire, with the Civil Rights Division of the Department of Justice, Assistant United States Attorney Thomas Johnson and auditor Allison Barnes, from the United States Attorney’s Office for the Eastern District of Pennsylvania.

The federal Fair Housing Act prohibits discrimination in housing based on race, color, religion, national origin, sex, disability, and familial status. More information about the Civil Rights Division and the laws it enforces is available at www.justice.gov/crt. Individuals who believe that they may have been victims of housing discrimination can call the Housing Discrimination Tip Line at 1-800-896-7743, email the Justice Department at fairhousing@usdoj.gov, or contact HUD at 1-800-669-9777.

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