Bucks County Apartment Complex Pays $80,000 for Failure to Make Reasonable Accommodations for Residents with Disabilities

Fort Washington, PA - The Housing Equality Center of Pennsylvania ("HECP"), Jane Moyra Flannery, and an additional Bucks County resident entered into a conciliation agreement resolving federal housing discrimination complaints against Brittany Springs Apartments and HUB Realty for violating the disability portion of the federal Fair Housing Act.

In May of 2018, HECP received a complaint from Ms. Flannery who lived at Brittany Springs Apartments in Levittown, Pennsylvania. She needed reasonable accommodations for a transfer to a first floor unit and a reserved parking space near her unit due to a disability that impaired her ability to walk long distances.

HECP assisted Ms. Flannery with attempting to negotiate these reasonable accommodations and drafted several letters on her behalf in order to educate the staff of the apartment complex on their obligation to comply with the Fair Housing Act. Brittany Springs denied Ms. Flannery's requests for these disability-related accommodations and engaged in retaliation in response to her exercising her fair housing rights by charging extra fees, an eventual transfer to a substandard unit, and a subsequent eviction filing.

When attempts at resolution failed, HECP conducted an investigation, documenting the unwillingness of Brittany Springs to allow reserved parking spaces for residents with disabilities and assisted Ms. Flannery and a second complainant with filing a complaint with the Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity.

Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act, makes it unlawful to discriminate in connection with any housing related transactions, based on race, color, religion, national origin, sex, disability, or familial status. Housing providers are obligated under this law to permit reasonable accommodations, or changes in policies or practices, when necessary for
residents with disabilities to use and enjoy their dwelling. Furthermore, the Fair Housing Act prohibits housing providers from retaliating against any individual because they asserted their rights under the law. Disability has been protected under the Fair Housing Act since 1988.

“A housing provider’s refusal to allow reasonable accommodations can have a significant effect on the health and day-to-day quality of life of people with disabilities. The denial of an individual’s right to a reserved handicapped parking space or a transfer to a more accessible unit can result in increased physical pain and worsening of disability-related symptoms. Denying a person with a disability the right to have a reserved parking space or a transfer to an accessible unit as a reasonable accommodation, charging extra fees as a condition of granting a reasonable accommodation, or attempting to evict a person with a disability because he or she requests a disability-related accommodation are all actions that violate the Fair Housing Act.” said Rachel Wentworth, Executive Director of HECP.

Ms. Flannery said of her experience, “As a tenant I was at the mercy of the ignorant and unfair practices at my apartment complex and was unable to resolve them with the management. They continued to refuse accommodations or follow rules of the Fair Housing Act. Thanks to the HECP I was able to correct the illegal practices at my apartment complex. HECP helped me find justice through the legal system, and get what was rightfully mine to help me live a better life.”

Brittany Springs admitted no wrongdoing, but signed an agreement that will result in payments totaling $80,000 to the two complainants and to HECP to cover a portion of the costs incurred to bring about the agreement and to provide future consumer education regarding the fair housing rights of persons with disabilities. Additionally, Brittany Springs has agreed to participate in a comprehensive fair housing training and to revise their policies to comply with the Fair Housing Act.

The Housing Equality Center of Pennsylvania has worked since 1956 to eliminate housing discrimination through education, advocacy, and enforcement of fair housing laws. HECP’s work serves a population of over 4.65 million in the seven-county Philadelphia and Lehigh Valley regions. As the nation’s oldest fair housing agency, HECP’s successes include eradicating discriminatory practices at over 48,000 units of housing. HECP’s investigations are funded by the Fair Housing Initiatives Program of the U.S. Department of Housing and Urban Development. HECP and the individual complainants were represented in this matter by Abara Law Firm.

Anyone suspecting that they were denied housing for discriminatory reasons, or any housing provider who wants information on how they can operate their business in compliance with the Fair Housing Act should contact HECP at 267-419-8918 or visit www.equalhousing.org.