



WASHINGTON LAWYERS' COMMITTEE
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For Immediate Release

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Equal Rights Center and AvalonBay Settle Litigation and Agree to Expand Accessible Housing

WASHINGTON, D.C., November 2, 2009 — In a settlement approved today by the United States District Court for the District of Maryland, AvalonBay Communities based in Alexandria, VA, has reached agreement with the Equal Rights Center (ERC)—a national civil rights organization based in Washington, D.C.—with respect to accessible housing for people with disabilities in AvalonBay's communities.

Under the parties' agreement, AvalonBay will survey and remediate up to 8,250 housing units across the United States, along with the public use and common use areas associated with those units. AvalonBay will also become the newest member of the ERC's Multifamily Housing Resource Program (MHRP), making a 10-year commitment to the program. The MHRP is a proactive collaboration between the ERC and housing developers to increase the number of residential housing units in the United States that are accessible to persons with disabilities, and to enhance housing industry compliance with federal state and local accessibility laws through the use of "best practices," employee training, and collaboration with disability advocates.

"The Equal Rights Center is pleased to welcome AvalonBay to our growing MHRP network, and we look forward to continuing our work with them," said Don Kahl, Executive Director of the Equal Rights Center. **"We applaud AvalonBay and its senior management for their willingness to proactively address issues of accessibility. The real winners here are the tens of millions of people in this country with disabilities who will now have more opportunities as they choose where they want to live."** Added Mary Hahn, the Director of the Fair Housing Project at the Washington Lawyers' Committee for Civil Rights and Urban Affairs: **"As Congress recognized in passing the Fair Housing Act Amendments in 1988, barriers in the built environment exclude people with disabilities from living in the housing of their choice. After receiving complaints about the widespread lack of accessible housing, the Equal Rights Center began its initiative to ensure equal housing opportunities for people with disabilities. We are delighted that AvalonBay has joined the ERC's efforts and has agreed to make thousands of units more accessible."**

Under the agreement, in addition to its 10-year commitment to the MHRP, AvalonBay will train its employees with respect to fair housing and accessibility issues, and will list all housing it remediates on the National Accessible Apartment Clearinghouse web-site, a national searchable

data base of accessible apartment housing. AvalonBay has also agreed to pay damages and attorneys' fees to the ERC.

The MHRP, a fair housing program of the ERC, was created in 2008 as a collaboration between the ERC and national apartment developer Trammell Crow Residential. Today, the MHRP works with developers owning hundreds of apartment properties across the nation to address housing accessibility issues in a proactive way.

Since beginning its accessible housing initiative just 5 years ago, the ERC has reached agreements with 11 national, regional and local multifamily companies resulting in the alteration of more than 33,000 apartment and condominium units at more than 200 complexes in 18 states and the District of Columbia, to make them more accessible to people with disabilities.

AvalonBay joins other major multifamily companies, including Archstone Smith Trust, Bozzuto, Camden Property Trust, Dittmar, Kettler, and Trammell Crow Residential in multi-year commitments to proactively work with the ERC to improve and ensure accessibility in housing.

“The ERC will work closely with AvalonBay to implement practices that will better ensure that people with disabilities have access to AvalonBay communities,” said Kahl. **“We are extremely grateful to AvalonBay for their dedication to finding a positive resolution to these issues.”**

The ERC was represented in negotiating its agreement with AvalonBay by the Washington Lawyers' Committee for Civil Rights & Urban Affairs, and the Washington law firms of Dechert LLP and Gilbert LLP. AvalonBay was represented by the law firms of Holland & Knight LLP and Latham & Watkins LLP.

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About the Equal Rights Center (www.equalrightscenter.org)

Since 1983, the Equal Rights Center (ERC), a national non-profit civil rights organization, has worked to identify, challenge, and eliminate discrimination. The ERC combats discrimination in housing, employment, access to public accommodations and government services, disability rights and immigrant rights, through education and outreach, research, testing, counseling, advocacy and enforcement.

About the Washington Lawyers' Committee (www.washlaw.org)

Founded in 1968 by leaders of the private bar in the District of Columbia, the Washington Lawyers' Committee for Civil Rights and Urban Affairs is a private nonprofit organization working with volunteer attorneys to provide pro bono legal representation in civil rights cases and poverty matters.