



For Immediate Release

Ashley White, Equal Rights Center, 202.370.3204

awhite@equalrightscenter.org

EQUAL RIGHTS CENTER FILES DISCRIMINATION SUIT AGAINST LARGEST PRIVATE REAL ESTATE DEVELOPER IN D.C. AREA

Lerner Enterprises, latest developer included in ERC initiative to further fair housing

WASHINGTON, D.C., August 31, 2010 – Today, the [Equal Rights Center](http://www.equalrightscenter.org) (ERC), a national non-profit civil rights organization, announced that it has filed a federal lawsuit against Lerner Enterprises, the largest private real estate developer in the Washington, D.C. metropolitan area. The lawsuit alleges discrimination against persons with disabilities by Lerner at several of its residential apartment and condominium properties.

The lawsuit is the latest action by the Equal Rights Center against residential apartment and condominium developers who are alleged to have failed to include in their residential housing, the basic features of accessibility required by federal civil rights laws. Since beginning its accessible housing initiative just six years ago, the ERC has reached agreements with more than a dozen national, regional and local multifamily companies resulting in the alteration of more than 35,000 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.

Today's complaint alleges that Lerner has engaged in continuous and systematic violations of the Fair Housing Act ("FHA") and the Americans with Disabilities Act ("ADA") in the design and construction of three of their residential properties, including more than 1,200 units.

"Despite the fact that there are more than 55 million people in this country with disabilities, some multifamily housing developers continue to ignore the rights of these individuals," said Don Kahl, the Executive Director of the Equal Rights Center. "As a major developer, Lerner Enterprises should recognize that designing accessible buildings is not only legally and ethically required, it is a sound business model, particularly in this tight housing market.

Lerner Enterprises, based in Rockville, Maryland, is Washington, D.C.'s largest private real estate developer and is involved in all phases of commercial, residential, retail, hotel and mixed-use real estate. This includes planning, development, construction, leasing, asset and property management. Lerner has developed and currently manages more than 15 million square feet of office buildings, retail centers and residential communities. Lerner has developed over 7,000 apartment units in the Washington, D.C. metropolitan area, Richmond and Newport News, Virginia.

"The accessibility requirements for both the Fair Housing Act and the Americans with Disabilities Act have been in place for nearly twenty years, yet we continue to discover inaccessible housing" said Megan Whyte, Director of the Fair Housing Project at the Washington Lawyers' Committee for Civil Rights and Urban Affairs. "Lerner Enterprises, the largest private real estate developer in the area, should be leading by example, and has no excuse not to adhere to these requirements."

According to the complaint, after receiving complaints regarding the accessibility of multifamily

properties in the Washington metropolitan area, the ERC conducted an investigation of Lerner's properties covered by the FHA and the ADA. The ERC investigation identified accessibility violations at each of the surveyed properties. Inaccessible features included inaccessible ramps; inaccessible features in common areas and residential units; and bathrooms, both in common areas and throughout apartment designs that did not allow a person in a wheelchair to maneuver about the space.

The ERC is represented by the Washington Lawyers' Committee for Civil Rights & Urban Affairs and the law firm Gilbert LLP.

###

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

Originally formed in 1983, the Equal Rights Center (ERC) is a national non-profit civil rights organization based in Washington, D.C. With members located in 33 states and the District of Columbia, the ERC works nationally to promote equal opportunity in housing, employment, disability rights, immigrant rights, and access to public accommodations and government services for all protected classes under federal, state, and local laws.

About the Washington Lawyers' Committee for Civil Rights and Urban Affairs (<http://www.washlaw.org/>)

The Washington Lawyers' Committee for Civil Rights and Urban Affairs was established in 1968 to provide pro bono legal services to address issues of discrimination and entrenched poverty. Since its founding, the Committee has handled more than 5,000 cases on behalf of individuals and advocacy organizations in the areas of equal employment, fair housing, public accommodations, public education, asylum and refugee rights, and disability rights. For more information about the Committee, see www.washlaw.org. The Committee can be reached at 202.319.1000.

About Gilbert's LLP (<http://www.gilbertslaw.ca/home.html>)

Gilbert's LLP is an agile, energetic law firm with an astonishing track record, at the heart of some of North America's most complex and sophisticated litigation and legal issues. The firm's history is rooted in advocacy, regulatory negotiations, government relations, and intellectual property challenges, across borders. Gilbert's LLP makes business sense of the complex and unconventional, allowing it to provide clients with unique solutions. Its focus and noteworthy accomplishments are related to pharmaceuticals, life sciences, technology, engineering, the environment and other areas of invention and original thought.