



For Immediate Release

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Federal Judge Gives Green Light to Lawsuit Challenging Housing Discrimination by Nation's Largest Housing Developer

Equal Rights Center granted standing to challenge accessibility violations at nearly 300 Equity Residential properties across the nation

WASHINGTON, D.C., July 27, 2011– On Friday, July 22nd, federal Judge Catherine Blake held that the [Equal Rights Center](#) (ERC), a national non-profit civil rights organization based in Washington, D.C., has standing to sue Equity Residential (Equity), the largest U.S. multi-family housing developer, for violating the Fair Housing Act (FHA). Judge Blake, of the U.S. District Court for the District of Maryland, denied Equity's summary judgment motion, finding that Equity's housing violations undermined the ERC's mission by forcing the ERC to abandon victim counseling, seminars, education and other outreach activities. This decision ensures that the ERC will have an opportunity to have this massive accessibility lawsuit, covering nearly 300 properties nationwide, decided on the merits.

"A person's right to choose where to live is a basic right of all in America, including people with disabilities," said Don Kahl, Executive Director of the Equal Rights Center, "By developing inaccessible properties all across the country, Equity has erected substantial barriers to equal housing opportunity, and we are pleased that the federal Court is allowing us to address that issue."

"This is an important decision for the ERC's effort to ensure that Equity complies with federal housing law. This was Equity's last opportunity to have the case thrown out on technical grounds and it failed. Now the ERC will get its day in court," said Joseph M. Sellers, a partner at Cohen Milstein Sellers & Toll PLLC. "Judge Blake's well-reasoned opinion is also a major positive development for all civil rights organizations that challenge fair housing violations through research, investigations and lawsuits in federal court."

Headquartered in Chicago, Equity is one of the nation's largest owners and developers of multi-family housing. In 2006, after testing 61 properties owned by Equity for accessibility and finding wholesale violations of the FHA at every property tested, the ERC filed suit against Equity alleging accessibility violations at nearly 300 properties. The ruling on Friday is the second time the Court has refused to stop the ERC's lawsuit, having denied a motion to dismiss from Equity in 2007. In its lawsuit, the ERC seeks injunctive relief to ensure that Equity's properties are made more accessible to people with disabilities, as well as damages for the harm that the ERC suffered when it was forced to divert resources to investigating and combating Equity's violations.

“The evidence shows that the ERC suffered an injury when, pursuant to its mission to promote fair housing for persons with disabilities, it expended resources to investigate and counteract Equity’s alleged discriminatory practices,” Judge Blake wrote. The evidence shows that “Equity’s alleged nationwide discriminatory practices perceptibly impaired the ERC’s ability to advance its mission.”

The Court also rejected Equity’s argument that the ERC’s claims should be limited only to properties in the nation’s capital. “Although the ERC’s office is in Washington, its mission is a national one,” Judge Blake wrote. “It does not seek merely to protect the rights of person with disabilities in the Washington area; its mission is to combat discrimination against persons with disabilities wherever they live, and to ensure that accessible multifamily housing is available throughout the country.”

The Equal Rights Center is represented by Joseph M. Sellers and Peter Romer-Friedman of Cohen, Milstein, Sellers & Toll PLLC, Washington, D.C.; John Heintz of Dickstein Shapiro LLP, and Megan Whyte and Robert Bruskin of the Washington Lawyers’ Committee for Civil Rights and Urban Affairs.

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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 46 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