

# PRESS RELEASE



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**FOR IMMEDIATE RELEASE**

## **Fair Housing Organization and Evanston Developers Reach Agreement to Make High-rise Accessible to People with Disabilities** *175 Apartments to Become Open to All*

**Winnetka, IL, February 12, 2016** - Open Communities, the fair housing enforcement agency serving Chicago's northern suburbs, has reached an agreement with Focus Development, Inc. and Booth Hansen, Ltd., the building's architects, to make 1717 Ridge, an eight-story Evanston rental building built in 2013, compliant with the accessibility requirements of the federal Fair Housing Act. Focus Development has agreed to make alterations to the building over the next five years so the apartments and all common areas will be accessible for people with disabilities, resolving a lawsuit Open Communities filed in U.S. District Court.

"Today we celebrate a victory for people with disabilities in Evanston. And by upholding their fair housing rights, we also uphold the rights of all people, including those with mobility impairments, to live in the housing of their choice," says Gail Schechter, Executive Director of Open Communities, hailing the settlement.

Reinforcing the settlement, Evanston Mayor Elizabeth Tisdahl stresses, "Accessible housing is important to providing the highest quality of life for all Evanston residents and to achieving our goal of being the most livable city." Increasing the supply of rental housing for people with disabilities is a top priority. The City of Evanston is working with Open Communities to ensure that all developers and contractors understand their obligations under Federal, state, and local fair housing laws.

The agreement settles Open Communities' claims that Focus Development and Booth Hansen discriminated against people with disabilities by designing or constructing buildings without the required accessibility and adaptability features. The renovations will make bathrooms and kitchens useable for wheelchair users. Threshold obstructions will be eliminated so wheelchair users have access to the balconies. In the common areas, mailboxes will be lowered and the parking spaces in the garage will be restriped or otherwise modified to allow entrance without obstruction by columns. Outside the building, a curb cut on Ridge Avenue will be added to allow access into the building. This will be financed by a substantial retrofit fund for all 21 floor plans of the building's one-, two-, and three-bedroom apartments.

In addition to making these modifications, Focus Development and Booth Hansen will pay a total of \$175,000 to Open Communities for damages, attorneys' fees and costs, and frustration of its mission, which is to educate, advocate and organize to promote just and inclusive communities in north suburban Chicago.

Open Communities initially filed the fair housing complaint with the Illinois Department of Human Rights (IDHR) in 2014 as part of a systemic investigation of new construction multi-family housing in the northern suburbs funded by the U.S. Department of Housing and Urban Development (HUD) under its Fair Housing Initiatives Program (FHIP). In July and August 2013, Open Communities sent trained volunteer testers to view three separate units. The testers observed barriers to accessibility such as kitchen counters and refrigerators that were difficult to reach and blocked access aisles near the handicap-accessible parking spaces. In one situation, the tester in a wheelchair could not even enter or maneuver in the bathroom. Upon further investigation in March 2014 by a licensed architect, Open Communities determined that none of the units inspected in the newly constructed multifamily

apartment building was fully accessible or adaptable as required by law for a person in a wheelchair.

This is the largest fair housing settlement in Evanston in more than twenty-five years since Open Communities (then known as the Interfaith Housing Center of the Northern Suburbs) and the City of Evanston successfully sued five real estate firms for racial steering and discriminating against African Americans home buyers.

Open Communities commends Focus Development and Booth Hansen for working together with the agency and its attorney, Jeffrey Taren of Kinoy, Taren & Geraghty P.C., to ensure that the building and future developments that Focus is involved in will now be accessible. “We hope that this settlement will send a message to other architects and builders. Compliance with the accessibility requirements of the Fair Housing Act is simple, inexpensive and makes good business sense,” said Taren. “Getting sued for violating the law is expensive, time-consuming and bad for business. It should be an easy choice.”

In the litigation, Focus and Booth Hansen denied Open Communities’ allegations with respect to discrimination, disagreed with the interpretations of Open Communities’ expert witness, and agreed to settle the disputed claim to avoid the cost and disruption of protracted litigation.

This is the second fair housing settlement for disability access that Open Communities has recently settled. (See: [\\$2.7 Million Settlement to Make Housing Complexes Accessible for People with Disabilities, includes Glenview properties](#))

The federal Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, national origin, disability, and familial status. In addition, Illinois protects individuals from housing discrimination on the basis of age, marital status, sexual orientation, ancestry, or military discharge status. Cook County adds source of income and housing status as protected classes. Those seeking housing in the northern suburbs who believe they are victims of illegal discrimination can call Open Communities at (847) 501-5760 to have their questions answered and complaint investigated.

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The consent decree in this matter is available [here](#).

### **About [Open Communities](#)**

Founded in 1972, Open Communities is a nonprofit organization whose mission is to educate, advocate and organize to promote just and inclusive communities in north suburban Chicago. The agency works with current and prospective residents and local groups to promote economically and culturally diverse communities in north suburban Chicago. Its services include the investigation of fair housing discrimination and landlord/tenant complaints, foreclosure and predatory lending counseling and prevention, Homesharing, immigrant leadership development, education justice, fair housing education and advocacy, and grassroots organizing.

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