Condo association barred elderly resident from using front door

A New Jersey condo association has been charged with discrimination by the U.S. Department of Housing and Urban Development after an elderly resident was repeatedly barred from using the front door with her service pet.

The woman, unidentified in the complaint but described as elderly with an impairment that substantially limit her ability to walk, see and hear, was repeatedly forced to use a service entrance leading to her condo at 1203 River Road in Edgewater, New Jersey, according to HUD.

On Monday, the department charged Hudson Harbour Condominium Association, Inc with violating the Fair Housing Act, a 1968 law that makes it illegal to deny people housing based on factors such as race, familial status, religion and, among others, disability. The multi-resident condo building has 246 units. A studio apartment rents for approximately $1,950 a month.

This charge rose out of a series of incidents in 2013 — the daughter and primary caretaker of the elderly resident claimed her mother had been barred from using the building's main entrance with her service dog. Although the building had a no-pets policy, an allowance was made for the dog, a mix of beagle and Australian sheepdog. She relied on the animal to get around and, based on a doctor's note, required its presence with her when alone.

But the building had a rule requiring that all pets be in carriers while in common areas and the elderly resident was eventually fined $100 for walking the dog there. The complaint, which the resident's daughter filed with HUD, further alleges her mother was made to use a service door in the back of the building when accompanied by animal.

"Rules that limit access to condominium common areas for persons with disabilities who need an assistance animal violate the Fair Housing Act," said J. Paul Compton Jr., HUD's General Counsel, in a prepared statement. "This charge represents HUD's commitment to ensuring that persons with disabilities are allowed to fully use and enjoy their homes."

Brokers beware! That old tech is eating at your profits

How neglecting your back office systems can undermine your growth READ MORE

This charge will be heard in the coming month. In the past month, several landlords and homeowners have been charged with violating the Fair Housing Act for their rental practices.

“Subjecting someone to different residency requirements because they use an assistance animal prevents that person from fully enjoying their home and is against the law,” said Anna María Farías, HUD’s Assistant Secretary for Fair Housing and Equal Opportunity, in a prepared statement. “Condo associations have an obligation to comply with the requirements of the Fair Housing Act when it comes to reasonable accommodations and HUD is committed to ensuring that they meet that obligation.”

Email Veronika Bondarenko

Source: click here