



February 13, 2018

United States House of Representatives
Washington, D.C. 20515

Dear Representative:

The National Multifamily Housing Council and National Apartment Association represent America's apartment industry, and we urge House passage of "The ADA Education and Reform Act of 2017" (H.R. 620). Our industry is fully committed to creating communities that are accessible to people with disabilities. Therefore, we strongly support this bipartisan bill that upholds the objectives of the Americans with Disabilities Act (ADA) while providing commonsense reforms to deter costly and frivolous lawsuits.

H.R. 620 responds to a growing problem of "drive-by" ADA lawsuits – where lawsuits solely driven by financial gain use technical violations to compel monetary settlements largely involving attorney's fees. According to recent statistics, the number of federal ADA Title III lawsuits has been increasing by double digits year-over-year, with a 37 percent increase in 2016, and another 16 percent increase in 2017. Often, one individual is behind the filing of dozens, and sometimes hundreds, of lawsuits against businesses.

Housing providers recognize the importance of creating and maintaining accessible spaces for our residents, employees and visitors. However, these lawsuits create significant challenges for apartment firms, with no intention on the part of litigants to improve accessibility needs. Instead, H.R. 620 recognizes an alternative approach to access complaints that would provide a business owner with a period of notice and cure. This simply provides businesses with the opportunity to identify and fix easily resolved problems before the initiation of lengthy and costly litigation.

The apartment industry supports the goals of the ADA, and we urge you to pass H.R. 620, refocusing attention on ADA compliance and improving property access while preventing abusive lawsuits.

Sincerely,

Douglas M. Bibby
President
National Multifamily Housing Council

Robert Pinnegar
President & CEO
National Apartment Association