



***United States Attorney
Southern District of New York***

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**MANHATTAN U.S. ATTORNEY RESOLVES CIVIL RIGHTS
LAWSUIT AGAINST DEVELOPERS AND ARCHITECT
OF MANHATTAN RENTAL COMPLEX**

*Defendants Agree To Remove Obstacles To Accessibility At Avalon
Chrystie Place And Six Other New York City Apartment Complexes*

PREET BHARARA, the United States Attorney for the Southern District of New York, announced today that the United States has settled a civil rights lawsuit filed against the developers and architect of Avalon Chrystie Place, a 361-unit residential apartment complex in Manhattan, for unlawfully discriminating against people with disabilities in the design and construction of Avalon Chrystie Place. The settlement ensures the removal of obstacles to accessibility by requiring the retrofitting of Avalon Chrystie Place, and the inspection and retrofitting of each of the six other Avalon Bay Communities properties in New York City, a total of 2,557 apartment units. The settlement also provides for a fund for victims, a civil penalty, and a fund for accessibility improvements at Avalon Chrystie Place, together totaling more than \$2.2 million. The agreement, in the form of a Consent Decree, was approved by U.S. District Judge SIDNEY H. STEIN in Manhattan federal court. The Complaint that led to today's settlement was the first suit brought by the United States alleging violations of the Fair Housing Act in the design and construction of multi-family housing in Manhattan.

Manhattan U.S. Attorney PREET BHARARA said: "People with disabilities should not have limited housing options when they want to live in apartment complexes. The obligation that housing developers have to make apartment units accessible to all people is especially important in New York City, where space is at a premium. This settlement ensures that thousands of apartments will be made accessible to people with disabilities and that victims of unlawful discrimination will be justly compensated."

According to the Complaint filed previously in Manhattan federal court:

The defendants CVP I, LLC, DOWNTOWN MANHATTAN RESIDENTIAL, LLC, CHRYSTIE VENTURE PARTNERS, LLC, AVALON BAY COMMUNITIES, INC., and SLCE ARCHITECTS, LLP, violated the Fair Housing Act in the design and construction of Avalon Chrystie Place by failing to create public and common areas that are readily accessible to persons with disabilities, failing to construct accessible routes into and through dwellings, and failing to provide kitchens and bathrooms usable by persons with disabilities. The Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, familial status, national origin, and disability. Since 1991, the Fair Housing Act has required that new multi-family housing complexes with four or more units be built with certain accessible features.

The Consent Decree addresses the following Avalon Bay Communities rental properties in New York City:

- Avalon Chrystie Place, 229 Chrystie Street, New York, New York
- Avalon Bowery Place I, 11 East 1st Street, New York, New York
- Avalon Bowery Place II, 11 East 1st Street, New York, New York
- Avalon Riverview, 2-01 50th Avenue, Long Island City, New York
- Avalon Riverview North, 4-75 48th Avenue, Long Island City, New York
- Avalon Fort Greene, 343 Gold Street, Brooklyn, NY
- Avalon Morningside Park, One Morningside Drive, New York, New York

At Avalon Chrystie Place, the Consent Decree requires CVP I, LLC, DOWNTOWN MANHATTAN RESIDENTIAL, LLC, CHRYSTIE VENTURE PARTNERS, LLC, and AVALON BAY COMMUNITIES, INC., to reconfigure bathrooms, kitchens, closets, and pantries to accommodate people who use wheelchairs, and to retrofit common areas, including the lobby, leasing office, toilet rooms, mailboxes, elevators, fitness center, billiard room, trash rooms, and storage rooms to make them more accessible to persons with disabilities. At the other six properties, the consent decree provides for inspections for accessibility compliance, with retrofits to be provided by AVALON BAY COMMUNITIES, INC., as needed, following inspection.

To compensate victims of discrimination at all of the Avalon Bay Communities rental properties in New York City, the Consent Decree establishes a Settlement Fund of \$2,045,600. Through this fund, compensation will be available to any person harmed by the lack of accessible features at Avalon Chrystie Place, Avalon Bowery Place I, Avalon Bowery Place II, Avalon Riverview, Avalon Riverview North, Avalon Fort Greene, or Avalon Morningside Park. People who were injured or discouraged from living at any of these properties because of the lack of accessible features, who paid to have an apartment at these properties made accessible to persons with disabilities, or who were otherwise discriminated against on the basis of disability as a result of the design or construction of any of these properties may be entitled to receive monetary relief from this fund. Anyone who believes that he or she may be entitled to monetary relief should write to the Chief of the Civil Rights Unit at the U.S. Attorney's Office, 86 Chambers Street, Third Floor, New York, New York 10007, or contact the Civil Rights Complaint Line at (212) 637-2987. A TDD line is available at (212) 637-0039.

In addition to the Settlement Fund, the Consent Decree establishes an Accessibility Project Fund in the amount of \$72,000 and a civil penalty in the amount of \$90,000. The Accessibility Fund must be used prior to the termination of the Consent Decree to increase accessibility of kitchens. The Consent Decree also requires the defendants to undergo training on the requirements of the Fair Housing Act. The Consent Decree further requires defendants to design and construct any new apartments in compliance with the Fair Housing Act.

Mr. BHARARA thanked the Department of Justice's Civil Rights Division and the Department of Housing and Urban Development for their assistance in the case.

The case is being handled by the Office's Civil Rights Unit. Assistant U.S. Attorneys SARAH E. LIGHT, BRIAN M. FELDMAN, and LI YU are in charge of the case.

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