



UNITED STATES ATTORNEY'S OFFICE *Southern District of New York*

U.S. ATTORNEY PREET BHARARA

FOR IMMEDIATE RELEASE
Thursday, October 6, 2011
<http://www.justice.gov/usao/nys>

CONTACT: Ellen Davis, Jerika Richardson,
Carly Sullivan
(212) 637-2600

MANHATTAN U.S. ATTORNEY BRINGS CIVIL RIGHTS SUIT TO IMPROVE ACCESSIBILITY IN MANHATTAN RENTAL COMPLEX

*Developer Agrees To Accessibility Enhancements, Civil Penalties, And Aggrieved Persons Fund;
Suit Against Architect Goes Forward*

PREET BHARARA, the United States Attorney for the Southern District of New York, announced today that the United States filed and simultaneously settled by consent decree a federal civil rights lawsuit in Manhattan federal court alleging that The Larkspur, a residential apartment complex that provides largely low- and middle-income housing in Manhattan, is inaccessible to persons with disabilities. The United States' suit alleges that LARKSPUR, LLC, the owner and developer of The Larkspur and its operating manager LARKSPUR MANAGERS LLC, violated the design and construction provisions of the federal Fair Housing Act, which require that new multi-family housing complexes include certain features accessible to persons with disabilities. The U.S. also sued LARSEN SHEIN GINSBERG SNYDER LLP, the architectural firm that designed The Larkspur, and that case is still pending. The consent decree approved by U.S. District Judge DEBORAH A. BATTS was filed today.

Manhattan U.S. Attorney PREET BHARARA said: "Today's settlement with The Larkspur's developers will provide accessible housing to low- and middle-income New Yorkers with disabilities. This Office is committed to enforcing the federal laws that ensure people with disabilities will have full access to New York City's rental housing market, and will not tolerate violations of those laws."

According to the Complaint, the Larkspur, a 115-rental unit building located at 304 West 117th Street in Manhattan, was designed and constructed with multiple inaccessible features, including high thresholds interfering with accessible routes, an excessively steep building entrance ramp, insufficient space within bathrooms and kitchens for people in wheelchairs, and protruding objects in common areas not detectable by canes used by people with visual impairments.

The consent decree requires LARKSPUR, LLC and LARKSPUR MANAGERS LLC to remove obstacles to accessibility and further enhance accessibility at The Larkspur. LARKSPUR, LLC and LARKSPUR MANAGERS LLC also committed to affirmatively market their rental complex to people with disabilities, train employees on the requirements of the Fair Housing Act, and construct any new apartment buildings in compliance with that act. Finally, LARKSPUR, LLC and LARKSPUR MANAGERS LLC will pay a \$35,000 civil penalty to the United States and dedicate an additional \$60,000 to compensate people who have been harmed by Fair Housing Act violations.

The claims against the architectural firm LARSEN SHEIN GINSBERG SNYDER LLP were not resolved by the consent decree and will go forward. The United States seeks a court order enjoining the firm and its successors from designing multi-family housing without the accessibility features required by federal law. The United States also seeks, among other relief, damages for persons harmed by LARSEN SHEIN GINSBERG SNYDER LLP's unlawful practices, and a civil penalty to vindicate the public interest.

Mr. BHARARA thanked the Department of Justice's Civil Rights Division for its assistance in the case.

The case is being handled by the Office's Civil Rights Unit. Assistant U.S. Attorneys CARINA H. SCHOENBERGER and LI YU are in charge of the case.

Individuals who were injured or discouraged from living at The Larkspur because of the lack of accessible features, who paid to have an apartment at The Larkspur made accessible, or who were otherwise discriminated against on the basis of disability as a result of the design or construction of The Larkspur may be entitled to receive monetary compensation.

If you believe you may be entitled to compensation you should file a Complaint, by either contacting the Civil Rights Complaint Line at (212) 637-2987 (a TDD line is available at (212) 637-0039) or using the Civil Rights Complaint Form available on the United States Attorney's Office's website, www.usdoj.gov/usao/nys. Written complaints should be sent to:

U.S. Attorney's Office, Southern District of New York
86 Chambers Street, 3rd Floor
New York, New York, 10007
Attention: Chief, Civil Rights Unit

11-301

###