

# **Fair Housing Center of Southeast & Mid Michigan**

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## **FOR IMMEDIATE RELEASE**

October 25, 2023

Media Contacts: Attorney Robin Wagner 248-658-0016; A copy of the filed complaint is available upon request.

### **Lansing Man with Disabilities Settles New Accessibility Lawsuit**

Daniel Black, a man with dwarfism, has settled his lawsuit after a five-year struggle against Capital Commons Apartments and First Housing Corporation in Lansing, Michigan.

Black requested that his federally subsidized apartment be outfitted with a roll-in shower to accommodate his disability. He asked management at Capital Commons to replace the bathtub that was increasingly dangerous for him to use. He also requested that the building install an accessible electric entrance door so that he, other seniors, and people with disabilities could freely come and go without assistance from their accessible apartments.

With no progress on his request, Mr. Black contacted the Fair Housing Center of Southeast & Mid Michigan (FHC). During the summer of 2022, FHC staff wrote letters, spoke with representatives, including their attorney, met with Capital Commons staff, and brought in the local housing inspector in an effort to resolve the complaint with Capital Commons and management company First Housing. “Each time we made a request on behalf of Daniel Black, the landlord and corporate management had another reason for denying and delaying the accommodation,” said Niki Green, FHC Coordinator of Investigations and Legal Research.

According to Black, “I was tired of contorting myself to get over the side of the bathtub. It was dangerous, especially since I had already endured four back surgeries to relieve spinal pain. I have extensive metal hardware in my spine that severely limits my mobility. I wasn’t seeking anything unreasonable. I needed a reasonable modification to my ground floor accessible apartment. I wanted what everyone else had, access to their bathing and showering facilities.”

Under the Federal Fair Housing Act it is unlawful to refuse to permit a reasonable modification of a dwelling occupied by a person with a disability if that modification “may be necessary to afford such person full enjoyment of the premises. . . .”

FHC Cooperating Attorney Robin Wagner of Pitt, McGehee, Palmer, Bonanni & Rivers spent a few more weeks attempting to resolve the complaint without litigation. She filed the lawsuit on December 2, 2022, in US Federal District Court in the Western District of Michigan. The case was assigned to the Honorable Robert J. Jonker.

According to the suit, “Defendants threatened Mr. Black with eviction in order to intimidate him because he sought to exercise his rights to have modifications made to his bath/shower and to the front door of his apartment building.”

Eventually, Capital Commons installed the shower and an electric entrance door to the building. The lawsuit settled for an undisclosed amount.

*The Fair Housing Center of Southeast & Mid Michigan, founded in 1992, actively protects the civil rights of those who are discriminated against in the rental, sale, or financing of housing through investigation, education, advocacy, and legal action. The FHC takes an average of 250 complaints each year from its 10-county service area – Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Monroe, Shiawassee, and Washtenaw.*

*The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Federal Government.*

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