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September 05, 2017

The Honorable Bob Goodlatte  
Chairman  
House Judiciary Committee  
2309 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable John Conyers, Jr.  
Ranking Member  
House Judiciary Committee  
2426 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

On behalf of the more than 1.2 million members of the National Association of REALTORS® (NAR), thank you for holding this markup of H.R. 620, the ADA Education and Reform Act of 2017. This bipartisan bill would make an important improvement to the Americans with Disabilities Act (ADA) by adding a “notice-and-cure” provision to it, giving business owners accused of a violation an opportunity to fix it before a costly legal process begins.

Title III of the ADA is intended to make places and opportunities accessible to people with disabilities. However, in some states, a few attorneys have filed lawsuits indiscriminately against commercial property owners on behalf of disabled persons. The ADA’s lack of a notice requirement leaves commercial property owners, who may in good faith believe that their businesses and buildings are in compliance with the law, vulnerable to these lawsuits. Once a suit is filed, there is no opportunity to cure the infraction, so property owners spend time and money on attorneys and paying fees instead of directing these resources to quickly fixing the infraction. The ADA does not allow victims to collect damages, so much of that money goes to paying attorneys’ fees.

H.R. 620 is bipartisan and commonsense, adding a critical “notice-and-cure” provision to the ADA, to give business owners the opportunity to rectify a violation within a reasonable period before they are threatened with a costly lawsuit or a demand letter. This is a more effective method of addressing alleged ADA violations, as it creates an incentive for businesses to fix violations quickly. Additionally, H.R. 620 would create an education program between the Department of Justice, state and local governments, and property owners on strategies to increase access to public accommodations for persons with a disability.

NAR strongly supports the ADA and urges you to support H.R. 620, which would improve it by ensuring that businesses spend their resources fixing alleged violations instead of on lengthy legal processes. Thank you again for your consideration of this bill, we look forward to continuing to work with you to see it passed into law.

Sincerely,

William E. Brown  
2017 President, National Association of REALTORS®

cc: House Judiciary Committee



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