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U.S. House of Representatives
Washington, DC 20515

Dear Representative:

The 1.3 million members of the National Association of REALTORS® (NAR) urge you to cosponsor H.R. 620, the “ADA Education and Reform Act of 2017,” sponsored by Representatives Poe (R-TX), Peters (D-CA), Calvert (R-CA), Bera (D-CA), Speier (D-CA), and Conaway (R-TX). This bipartisan bill would make an important improvement to the Americans with Disabilities Act (ADA) by adding a “notice-and-cure” provision, 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 are filing lawsuits indiscriminately against commercial property owners under the ADA. The ADA’s lack of a notice requirement leaves those property owners, who may in good faith believe that their businesses are in compliance with the law, vulnerable. Once a suit is filed, there is no opportunity to cure the infraction, and property owners spend time and money on attorneys and paying fees instead of directing these limited 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 them 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 cosponsor H.R. 620 and bring this legislation to the floor expeditiously. This commonsense, bipartisan bill will strengthen and improve the ADA by ensuring that businesses spend their resources fixing alleged violations instead of on lengthy legal processes.

Sincerely,

Elizabeth Mendenhall
2018 President, National Association of REALTORS®



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