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FOR IMMEDIATE RELEASE

Settlement: NYCHA to Adopt Policies and Procedures Accommodating Visually Impaired New Yorkers

JANUARY 13, 2014, STATEN ISLAND, NY—U.S. District Court Judge Pamela K. Chen today ordered final approval of a settlement agreement between the New York City Housing Authority (NYCHA) and a Staten Island resident who is blind. Under the settlement, NYCHA will affirmatively adopt and implement policies and procedures providing reasonable accommodations for Section 8 applicants and participants who are visually impaired, including disability discrimination training for NYCHA staff.

The agreement stems from a 2010 lawsuit filed by Justin Williams, a Section 8 voucher recipient represented by **Legal Services NYC’s Staten Island program, MFY Legal Services, and Philip Smith**, a litigation partner at **Seyfarth Shaw LLP**, who provided vital assistance pro bono. Mr. Williams challenged NYCHA’s termination of his Section 8 rental subsidy without providing him with notice in an accessible format as a reasonable accommodation of his visual impairment, in violation of the Americans with Disabilities Act.

The new agreement will ensure that Mr. Williams and hundreds of others like him will not face homelessness because they cannot read or respond to notices that may affect their Section 8 eligibility.

“Just because you have a visual impairment doesn’t mean you should be forgotten,” said **Mr. Williams**. “I’m glad NYCHA will make accommodations for visually impaired people so that they can follow NYCHA’s rules and maintain their housing.”

Among the terms of the settlement, NYCHA will:

- Modify its Section 8 application form to offer communications in an alternative format as a reasonable accommodation to people with visual impairments;
- Upon receipt of a request for communications in an alternative format, contact the applicant or participant to obtain any necessary information and ensure that the applicant or participant is designated as “Visually Impaired” in NYCHA records and that future communications are sent in an appropriate format; and
- Modify its procedure “Reasonable Accommodations in Housing for Applicants, Section 8 Voucher Holders, and NYCHA Residents,” to include providing communications in

alternative formats and providing assistance in completing documentation necessary to obtain or retain a Section 8 Voucher as examples of reasonable accommodations.

- Reasonable alternate accommodation formats will include, but will not be limited to: audio compact disc; data disc in a locked pdf format; a follow-up telephone call to read a notice within five business days from the date of the notice; Braille; large print notice; or notification to an alternative representative.

NYCHA will also adopt a new policy entitled “Communications in Alternative Formats for Section 8 Applicants, Voucher Holders and Participants Who Are Blind or Have a Visual Impairment,” which will be posted and distributed to relevant organizations. Additionally, NYCHA will provide disability discrimination training, including the requirement to provide alternative formats and auxiliary aids and services for people who have visual impairments, to the Section 8 Reasonable Accommodation Coordinator, and all staff of the Department of Equal Opportunity’s Services for People with Disabilities Unit.

“We look forward to other New York City agencies following NYCHA’s lead in ensuring equal access to government benefits for people who are blind,” said **Kevin M. Cremin of MFY Legal Services, Inc.**

“This is a great settlement,” said **Shelly Agarwala of Staten Island Legal Services.** “We are happy NYCHA is adopting new policies and practices sensitive to the needs of the visually impaired so no other person has to go through what Mr. Williams did.”

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