



GOVERNMENT AFFAIRS

The U.S. House of Representatives is expected to vote on the [ADA Education and Reform Act \(H.R. 620\)](#) this week.

We need you to act now. Tell your Representative to vote **YES** on H.R. 620 and bring critical reform to the ADA by limiting "drive-by" lawsuits.

ACT NOW

What are "drive-by" lawsuits?

Drive-by lawsuits occur when attorneys seek out Americans with Disabilities Act (ADA) violations under Title III (public accommodations) by literally driving by a property (or even simply using Google maps) looking for ADA violations. Subsequently, attorney's send demand letters to businesses trying to force a monetary settlement. As the ADA is written, a plaintiff is not allowed to personally collect any damages from a settlement. However, the plaintiff's attorney can collect fees.

In recent years there has been a significant increase in so-called "drive-by" lawsuits. From 2013 to 2016 the number of federal ADA Title III lawsuits more than doubled. In many cases, a single attorney has filed dozens, even hundreds, of cases across a geographic area alleging violations under the ADA. Often without the resources to contest the suit or even verify the standing of the

complainant, countless businesses are left with little choice but to pay costly settlements.

About H.R. 620

If passed, H.R. 620 will add a “notice and cure” provision that gives businesses a reasonable amount of time to respond to the alleged violation and make necessary repairs before a lawsuit can move forward. This would allow business owners the opportunity to rectify a violation within a reasonable amount of time before being threatened with costly lawsuits or a demand letter for a monetary settlement.

IREM believes that this will protect building owners while still holding them accountable for ensuring accessibility to all Americans.

Contact Your Representative

