



CCIM Institute
Commercial Real Estate's
Global Standard for Professional Achievement

Dear CCIM Members,

This week the U.S. House of Representatives will be considering H.R. 620 the "ADA Education and Reform Act of 2017."

Issue Background

Under the ADA, attorneys may collect fees related to pursuing claims of non-compliance of the law, but plaintiffs are not permitted to collect damages. Some attorneys have abused this by sending "drive-by" demand letters or pursuing actual lawsuits to collect these fees, without regard for creating accessibility for the disabled. These suits often target easily correctable infractions. Owners of these properties often have a reasonable belief that they comply with the law. Because of "drive-by" ADA suits, they are subject to paying high fees – money that would be better spent on making improvements to their accessibility.

CCIM Institute supports this bipartisan legislation that would provide a "notice and cure" provision in the ADA. H.R. 620 requires a plaintiff to give specific notice to the property owner about an alleged violation(s) so they can make necessary repairs before a lawsuit can move forward. We believe that those facing possible sanctions under the law should be entitled to written notice of the alleged violation in combination with a reasonable time to cure the alleged violation before facing economic sanctions or costly lawsuits, except in the most grievous circumstances involving a repeat pattern and practice of violations.

Take Action Now

Ask your Representative to vote YES on H.R. 620, the Americans with Disabilities Act Education and Reform Act of 2017! Help bring important reform

to the ADA by limiting "drive-by" lawsuits. Contact your Representative and urge them to pass this important legislation.

TAKE ACTION NOW



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