



## **FOR IMMEDIATE RELEASE**

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### **LENNAR HOMES & D.R. HORTON SUED BY CIVIL RIGHTS GROUP FOR DISCRIMINATION AGAINST PERSONS WITH DISABILITIES**

**November 1, 2023, San Antonio, Texas** – Today, the Fair Housing Council of South Texas (FHCST) filed federal lawsuits against Lennar Homes and D.R. Horton for discriminating against persons with disabilities in violation of the federal and Texas Fair Housing Acts. The lawsuits allege that both Defendants refused to grant reasonable modification and accommodation requests to allow prospective resident to have accessibility-related modifications made during construction at the consumer’s expense, in order to accommodate a household member’s disability.

FHCST’s federal complaints describe how both Defendants’ sales representatives refused to allow changes to the floor plans for their new construction, single family homes in order to add accessibility features. Simple modifications, such as installing grab bars in the bathroom, a roll-in shower, accessible routes from the garage door and back patio into the home, and doorframes wide enough for a wheelchair to pass through. As set forth in the complaint, the builders refused to allow the changes during construction even though the consumer proposed to pay for all costs associated with the modifications.

FHCST asserts in the case that Defendants’ policies of not allowing homes to be put under contract until the home is built to a certain stage has a disparate impact on disabled homebuyers. These policies do not allow any additional grading of the construction site before building in order to incorporate accessible routes into and around the home or for the building frame to be modified to incorporate necessary accessibility features. These policies result in higher retrofitting costs for disabled homebuyers and, as described in the complaints, there is no substantial, legitimate, non-discriminatory business need for policies. FHCST asserts in the case that Lennar Homes and D.R. Horton’s policies of not allowing modifications combined with their existing floor plans restrict housing choices for disabled homebuyers.

Two homebuyers join the FHCST in the case against D.R. Horton. Both families sought to have changes made to the house plans to ensure that their family members with disabilities could use and enjoy the homes. D.R. Horton did not grant their requests and built the homes according to the standard plans. One Plaintiff continues to suffer today because the necessary modifications became much more expensive once the home was built and she cannot afford the changes post-construction. She cannot use and enjoy her home without the necessary accessibility features.

The other Plaintiff spent over \$10,000 to make alterations that would have been much cheaper if done when the home was being built. Her father who lived with her in the home had needed the changes so he could comfortably live in the home with his mobility impairments. Because they could make all of the necessary changes—such as widening doorways to allow him to pass from room to room with his walker—he had to live out the last days of his life unable to move freely around his home.

“We filed these lawsuits to ensure that homebuyers with disabilities are not denied an equal opportunity to achieve the American dream of homeownership. It is important that all homebuilders comply with fair housing laws and realize the importance of granting requests from disabled homebuyers to incorporate accessibility features into new construction, single-family home plans in order to create living spaces and neighborhoods that are inclusive and accommodating for everyone,” said Sandra Tamez, FHCST’s Executive Director. “By incorporating elements that cater to individuals with mobility challenges, visual impairments, or other disabilities, homebuilders can do their part to bridge the gap and ensure that everyone can enjoy and navigate their homes without obstacles, maintain their independence, and feel a true sense of belonging within their own living space and neighborhood.”

By way of relief, FHCST seeks damages and a court order requiring Defendants to bring their policies into compliance with the fair housing laws and to ensure that future homebuyers are not subjected to similar discrimination.

You can access a copy of the complaint against Lennar here: <https://bit.ly/475twLb>

You can access a copy of the complaint against D.R. Horton here: <https://bit.ly/3QPFIIO>

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### **About Fair Housing Council of South Texas**

The Fair Housing Council of South Texas (FHCST) is a private, non-profit 501(c)(3) corporation founded in 1996 to promote fair housing and eliminate discriminatory housing practices in the areas of rental housing, real estates, mortgage lending, and homeowners’ insurance. Originally established to serve the residents of San Antonio and Bexar County, FHCST has expanded its service area to include 36 other counties in South Texas.

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