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BELLA VISTA HOMES SUED BY CIVIL RIGHTS GROUP FOR DISCRIMINATION AGAINST PERSONS WITH DISABILITIES

May 7, 2024, San Antonio, Texas – Today, the Fair Housing Council of South Texas (FHCST) filed a federal lawsuit against Bella Vista Homes for discriminating against persons with disabilities in violation of the federal and Texas Fair Housing Acts. The lawsuit alleges that Defendant refused to grant reasonable modification and accommodation requests to allow prospective residents 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 complaint describes how Defendant’s 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 a roll-in shower with grab bars, accessible routes from the street, 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 this case that Defendant’s 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 this case that Bella Vista Homes’ policies of not allowing modifications combined with their existing floor plans restrict housing choices for disabled homebuyers.

“We filed this lawsuit to ensure that homebuilders comply with fair housing laws and homebuyers with disabilities don’t face obstacles in their search for housing which restrict their choices, discourage them from building a home, or prevent them from living independently. It is important that homebuilders of new construction, single-family homes grant requests from disabled homebuyers to incorporate accessibility features into the building plans so that common barriers throughout the home can be removed which will allow people with disabilities to have better access to and use of their living environment,” said Sandra Tamez, FHCST’s Executive

Director. “By incorporating accessibility features that accommodate individuals with disabilities, homebuilders are upholding a consumer’s right to equality in housing and creating a more equitable and just society where all individuals have the freedom to live with dignity, build relationships with their neighbors, actively engage with their community, and have a better quality of life.”

By way of relief, FHCST seeks damages and a court order requiring the Defendant 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 here: <https://bit.ly/4babae6>

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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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