



Department of Justice

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WEDNESDAY, SEPTEMBER 20, 2006
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JUSTICE DEPARTMENT SUES FLORIDA CITY CHALLENGING ORDINANCE THAT DISCRIMINATES AGAINST PERSONS WITH DISABILITIES

WASHINGTON – The Justice Department today filed a lawsuit against the City of Boca Raton, Fla., alleging that a city zoning ordinance discriminates against individuals with disabilities.

The complaint, filed in the U.S. District Court for the Southern District of Florida, alleges that a zoning ordinance passed by the city in 2002 and amended in 2003, excludes housing for persons recovering from alcohol or drug dependency from residential areas of the city and unreasonably restricts their operation in commercial zones in violation of the Fair Housing Act. The only zones in the city in which “substance abuse treatment facilities” (SATFs) may operate as of right under the ordinance are “medical center” districts. The complaint alleges that the ordinance intentionally and on its face targets housing for persons in recovery and subjects it to different and substantially more onerous requirements than other types of housing.

“No citizen should be refused an equal opportunity for housing in their community,” said Wan J. Kim, Assistant Attorney General for the Civil Rights Division. “The Justice Department is committed to preventing such housing discrimination against people with disabilities.”

“The Fair Housing Act protects all Americans from housing discrimination, including those persons recovering from substance abuse problems,” said R. Alexander Acosta, U.S. Attorney for the Southern District of Florida. “My office, in conjunction with the Civil Rights Division, is deeply committed to enforcing the laws that provide equal protection to all Americans.”

The suit seeks to prevent the city from enforcing the ordinance, monetary damages to compensate victims, civil penalties, and a court order barring future discrimination.

The federal Fair Housing Act prohibits discrimination in housing on the basis of

race, color, religion, sex, familial status, national origin and disability. Since Jan. 1, 2001, the Justice Department's Civil Rights Division has filed 208 cases to enforce the Fair Housing Act, including 97 based on disability discrimination. For more information about the Civil Rights Division and the laws it enforces, visit <http://www.usdoj.gov/crt>.

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