

Have you been sued under ADA?
Here's what to do next.

Dealing with an ADA Violation Lawsuit

Act Fast



Call Insurer &
Landlord



Remove
Barriers

Get a Lawyer



Document
Everything

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Accessibility regulations, like the Americans with Disabilities Act (ADA), protect the rights of people with disabilities to do everyday activities, like shopping at a store or going to a restaurant.

However, questionable ADA lawsuits against NYC small businesses are on the increase.

If you (or someone you know) has been sued for an ADA violation, check out our top five tips for what to do next.

The tips provided are not a substitute for talking to a lawyer. See number 5. →→

Want to learn more?

For more information and resources, contact:

Your local Business Improvement District
www1.nyc.gov/site/sbs/neighborhoods/bid-directory.page

NYC Mayor's Office for People with Disabilities
www.nyc.gov/site/mopd/index.page

NYC Department of Small Business Services
www1.nyc.gov/site/sbs/index.page

ADA Business Info
www.ada.gov/business.htm

1. Read your complaint or demand letter closely.

Do NOT ignore this letter—you may have only 21 days to respond from the date of the letter. Figure out how many days you have left and act quickly. The faster you act on the steps below, the better your chances of keeping your costs low.

2. Call your insurance company & your landlord.

Ask your insurer whether they will pay for a defense lawyer. Check if your lease says who is responsible for accessibility issues: you or your landlord. Contact your landlord about the lawsuit. Negotiate with your landlord about paying for improvements and lawyer's fees.

3. Document everything.

Take pictures of everything on your property and make photocopies of documents like the demand letter and your lease. These could be important pieces of evidence in your defense.

4. Get guidance to make the right improvements.

Talk to your landlord about making immediate improvements. You could get your case dismissed if you make improvements quickly. You can also hire an ADA specialist to inspect your business and figure out what needs to be fixed. Unfortunately, settling one ADA lawsuit doesn't protect you from getting sued again. The best way to protect your small business is to comply with city, state, and federal accessibility laws.

5. Hire a lawyer.

Find a lawyer who is experienced in handling ADA cases. Small business owners can find a qualified lawyer through the New York City Bar Association's legal referral service, by calling (212) 626-7373 or visiting citybarlegalreferral.org. In NYC, lawyer's fees for ADA cases tend to be from \$5,000 to \$15,000, but can be higher depending on your situation. Some law firms provide a free initial consultation.