

Facilities Prevent ADA Compliance Violations Through Inspection and Remediation

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Code enforcement against businesses violating The Americans with Disabilities Act (ADA) continue to rise, while civil lawsuits set record levels year over year. [California](#) is particularly active in penalizing ADA code violations. In the first half of 2019, the state represented a staggering 43% of the country's ADA lawsuits according to [Seyfarth Shaw LLP](#). ADA compliance is an important aspect of [facility management](#).

Courts continue to rule against businesses violating the ADA for failing to meet legal regulations with curb cuts, parking, signage, wheelchair ramps, countertops, and restroom facilities. Quite often, business owners have no idea of the violations prior to the lawsuit.





In addition to statutory citations, California courts are fraught with cases brought about by plaintiffs and law firms targeting small businesses for ADA violations. While Federal law offers a \$1,000 minimum for violations, California awards a \$4,000 minimum per violation plus plaintiff attorney fees, making the state a hotbed for lawyers seeking quick, out-of-court settlements.

Some of these cases are brought about by vexatious litigants seeking to shakedown business owners for unjust profit. One [study](#) showed 46% of the ADA lawsuits in California were filed by just 14 plaintiffs.

In recent years federal and state lawmakers have attempted to reform the rules around filing ADA cases. Some require giving a business time to make repairs prior to the filing of a lawsuit. However, plaintiffs have been quick to adjust, often moving lawsuits from one jurisdiction to another to circumvent such requirements. ADA lawsuits can typically be filed in state or federal court.

Most cases do not proceed through to a full court trial as businesses tend to settle these grievances out of court. The legal fees and penalties can be substantial, so businesses often begrudgingly settle with plaintiff attorneys for less than the estimated cost of a legal defense. This is especially true when a business is likely to be found in violation, whether they knew about the regulation or not.

It is clear that avoiding these types of complaints and lawsuits is most advantageous. The best way is to hire a company for an ADA inspection. If violations are found, repairs should be immediate. Most property managers find it advisable to hire one company that does both the ADA inspection and the ADA remediation, leaving no room for dispute.

In addition to code enforcement, California regulators also certify professionals specifically trained in ADA remediation. A Certified Access Specialist for Property

Inspection (CAsp) is educated and licensed through the Division of the State Architect (DSA) to inspect buildings and properties for compliance with state and federal accessibility standards. These certified CAsp experts are best qualified to lead ADA compliance efforts.

As facility professionals in California since 1987, [CAM Property Services](#) is well equipped to handle any ADA concerns you might have. CAM offers ADA inspections, repairs, and [remediation](#), for existing and new construction. CAM facility experts have extensive experience with buildings, access points, parking lots, and other common areas. Their certified CAsp experts are available to assess and manage your ADA concerns.

Problematic ADA lawsuits can arrive without warning. Fortunately, property managers in California can call [800-576-3050](tel:800-576-3050) now for a consultation about ADA compliance before it becomes an even bigger issue.

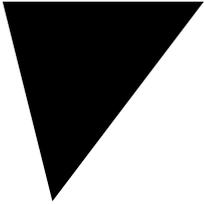
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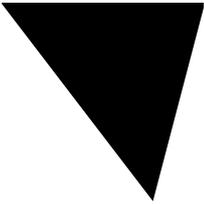


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