FOR IMMEDIATE RELEASE

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March 31, 2011 – Orlando, FL, a federal court jury awarded compensatory and punitive damages yesterday to two visually impaired women from a Daytona apartment complex that denied them housing.

On June 24, 2009, Amber Herrin visited an advertisement on Craigslist from Vanessa Apartments in South Daytona, Florida, and called the owner Lamachy’s Village of Indigo Lakes, Inc., to inquire about renting an apartment for her and her roommate, Rebecca Hesselmeyer. Herrin was advised that Lamachy’s could not rent a second floor apartment without first checking with their insurance carrier. Lamachy’s believed that it was for Ms. Herrin’s own good and safety if she did not have a seeing eye dog or a sighted person living with her. Herrin complained to her mother and the Fair Housing Continuum. The Fair Housing Continuum is a non-profit organization in Brevard County, Florida, whose mission is to ensure equal housing opportunities and to eliminate discrimination in housing in Florida. Herrin’s mother, Elva Rose Davis, also spoke with Defendant and was also advised that Defendant’s insurance would not allow Herrin as a tenant and the Defendant would lose their license if they allowed her or her roommate to rent at the apartment building. Executive Director of the Fair Housing Continuum, David Baade attempted to assist Herrin and was hung up on by Defendant.

Lamachy’s Village of Indigo Lakes, Inc. claimed that they wanted to check with their insurance company to make sure whether they could rent to Herrin and Hesselmeyer, but offered them a first floor unit in another development that they owned six to seven miles away in Daytona Beach. The property manager of the Vanessa Apartments called their insurance broker and was immediately told that there was no prohibition to having a blind person on the second floor and they should obtain legal counsel. At no time after speaking with their insurance agent did the property manager attempt to speak with Ms. Herrin or Mr. Baade. As a result of their actions, Ms. Herrin and Hesselmeyer moved to another apartment.

The Fair Housing Act makes it illegal to discriminate, to limit a person’s choice in housing, or express a preference based on race, color, national origin, religion, gender, disability, or familial status. The case was tried by Miami civil rights lawyer and Burton Blatt Institute (BBI) at Syracuse University advisory board member, Matthew W. Dietz, and Aaron C. Bates of the Maher Law Firm of Orlando, FL. The jury entered a verdict awarding Ms. Herrin and Hesselmeyer damages and found that the acts of Lamachy’s Village were done in malice or in reckless indifference to the rights of Ms. Herrin and Ms. Hesselmeyer and the Fair Housing Continuum. Dietz states that the Fair Housing Act requires that persons with disabilities have the same opportunities to live anywhere where anyone else may live without the consideration of unfounded myths and stereotypes regarding disabilities.

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