

ADA Accessibility

From hotels and restaurants to retail storefronts, we help businesses navigate the rising wave of ADA-related lawsuits by delivering integrated solutions for physical accessibility and digital inclusivity, including websites and apps. Partnering with our team provides the strategic insight needed to resolve current challenges and prevent future litigation through rigorous compliance.

Litigation Defense

We defend businesses and property owners and managers against private litigants before federal and state courts, as well as cases brought by the U.S. Department of Justice, on claims related to Title III of the ADA and state law equivalents. Representative cases include allegations regarding:

- Physical accessibility barriers (inaccessible entrances, improper signage, lack of accessible parking, non-compliant restrooms, lack of pool lifts, etc.)
- Website and digital accessibility claims (lack of text alternatives for images, screen reader incompatibility, compliance with Website Content Accessibility Guidelines (WCAG), keyboard navigation issues, inaccessible websites or mobile apps)
- Website claims alleging a hotel's failure to sufficiently identify and describe accessible features in public spaces and guest rooms
- "Drive-By" and "Serial Plaintiff" accessibility lawsuits
- Inadequate accommodations for individuals with visual or speech disabilities (failure to provide interpreters, listening devices, etc.)
- Inaccessible guest rooms and guest room reservation systems
- Lack of accessible seating in restaurants, bars, and lounges

Counseling and Compliance

Understanding the common types of ADA Title III claims and state law equivalents is critical to managing risk and implementing effective compliance strategies. We provide day-to-day counseling on complex ADA accessibility issues that arise throughout the employment relationship.

- Partnering with ADA consultants to reviewing websites, mobile apps, and digital platforms for ADA/WCAG compliance
- Drafting website accessibility statements and pages identifying and describing accessible features in hotels and guest rooms providing

- Advising on remediation strategies and vendor contracts for accessibility compliance
- Conducting proactive inspections and audits of all accessibility features at properties, including entrances, restrooms, parking, and other public spaces (and hotel guestrooms, if applicable)
- Conducting HR and management training on accessibility requirements and compliant response procedures
- Counseling on state and municipal accessibility laws (California's Unruh Act, the New York State Civil Rights Law, etc.)
- Developing and revising workplace policies that instruct staff on how to properly and lawfully interact with individuals with disabilities

Representative Experience

- Serve as nationwide litigation counsel for a global hotel company defending ADA access claims.
- Defend hotel ownership and management groups, restaurants, and retail stores in lawsuits alleging that their websites were inaccessible to individuals with disabilities and failed to comply with the ADA and Web Content Accessibility Guidelines (WCAG).
- Advise hotel groups on how to legally draft a website to avoid claims by an individual with a disability alleging a hotel's failure to identify and describe accessible features in public spaces and guest rooms