



# Department of Justice

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## Justice Department Sues Evansville, Indiana Retirement Home for Discriminating Against Persons with Disabilities

WASHINGTON -

The Justice Department announced today that it has sued the owners and managers of the Rathbone Retirement Community, an Evansville, Ind., retirement home, for not allowing residents with disabilities to use motorized wheelchairs or scooters in the dining hall or in their apartments and for forcing out two tenants who used motorized wheelchairs.

"Persons with disabilities should not lose their rights to fair housing when they choose to make their homes in retirement communities," said Grace Chung Becker, the Acting Assistant Attorney General for the Civil Rights Division. "I appreciate the hard work of our HUD partners who investigated this matter and share our commitment to enforcing the Fair Housing Act."

The lawsuit, filed today in the Southern District of Indiana, alleges that the defendants discriminated against two former residents of the Rathbone Retirement Community by adopting and maintaining a policy prohibiting the use of motorized wheelchairs and scooters in residents' apartments and in the facility's dining room during meals. The complaint also alleges that the defendants' actions constituted a pattern or practice of discrimination and/or a denial of rights to a group of persons. The defendants in this suit include Charles and Janet Ludwyck, the owners of the Rathbone; Rathbone Retirement Community, Inc., the corporation through which they manage the property; and Norma Helm, the onsite administrator.

The complaint seeks an order requiring the defendants to stop discriminating against individuals on the basis of disability, to pay monetary damages to those harmed by the defendants' policy, and to pay a civil penalty to the United States.

The case originated when two individuals filed discrimination complaints with the U.S. Department of Housing and Urban Development (HUD). HUD investigated the complaints and referred the matters to the Justice Department.

The federal Fair Housing Act prohibits discrimination in housing based on race, color, religion, national origin, sex, disability and familial status. Since Jan. 1, 2001, the Justice Department's Civil Rights Division has filed 277 cases to enforce the Fair Housing Act, 127 of which have alleged discrimination based on disability. More information about the Civil Rights Division and the laws it enforces is available at <http://www.usdoj.gov/crt/>. Individuals who believe that they may have been victims of housing discrimination can call the Housing Discrimination Tip Line (1-800-896-7743), e-mail the Justice Department at [fairhousing@usdoj.gov](mailto:fairhousing@usdoj.gov), or contact the U.S. Department of Housing and Urban Development at 1-800-669-9777.

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