

## FHA COMPLIANCE

A law firm by the name of Legal Justice Advocates has been circulating a demand letter and pre-written complaint to community banks throughout the Southeast region. The demand letter and complaint allege that the recipient bank's website is not compliant with the Fair Housing Act (FHA), as certain portions of the website are inaccessible to disabled individuals and, therefore, are discriminatory against those individuals by not allowing them reasonable access to real estate loans and related transactions. This is an attempt to mirror American Disability Act (ADA) claims that we have seen far too often in the past.

There is no legal precedent for this claim, and for all intents and purposes, is being used as an attempt to abuse the legal system to recoup attorney's fees. From our research, no claim for website compliance under the FHA has ever been litigated. Unlike ADA regulations, which specifically require website accessibility compliance, the FHA does not contain similar regulations. It is possible that a hyper-technical reading of the regulations would allow a court to find discriminatory behavior, but it has not been done before. If you receive one of these demand letters and complaints from the Legal Justice Advocates, give us a call to discuss how you may want to respond. You will need to act quickly, as there is only a small timeframe to resolve this issue.



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