

REASONABLE ACCOMMODATION IN PUBLIC ACCOMMODATIONS

On January 1, 2008, a new law took effect that now requires places of public accommodation to take certain actions to assure that people with disabilities have access to their facilities, programs, and/or services. See [New York State's Human Rights Law § 296.2](#). The definition of "places of public accommodation" is broad and encompasses a number of different kinds of businesses and operations, such as medical facilities, pharmacies, malls, and restaurants.

IF YOU ARE A PERSON WITH A DISABILITY AND BELIEVE THAT YOU HAVE BEEN DISCRIMINATED AGAINST BY A PLACE OF PUBLIC ACCOMMODATION, you may file a complaint in court or file a complaint directly with the Division. If you file with us, we will determine whether you have a possible claim under this new law, will investigate that claim, and then will assess whether you may be entitled to relief under the law. To file a complaint with the Division, [please download our complaint form](#) and return it to the nearest Division regional office.

IF YOU ARE A BUSINESS THAT MAY BE A "PUBLIC ACCOMMODATION" UNDER THIS LAW, the Division encourages you to determine immediately if your operations are covered by this new provision. If they are, you should conduct an assessment of whether they meet standards that are generally accepted as providing reasonable access to people with all forms of disabilities. (Although the Division is not bound by Federal standards, you may want to use the guidelines established under Title III of the [Americans with Disabilities Act](#) to inform and guide your assessment.) You should then use your assessment to determine what, if anything, needs to be done to ensure that your operations are reasonably accessible to people with disabilities, and to make any changes, alterations, and/or additions as soon as practicable. This work, including specifically your corrective action, may assist you in preventing and/or defending against complaints, although the Division cannot guarantee that, as complaints are extremely fact-specific and are decided on a case-by-case basis.



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NEW YORK STATE
DIVISION OF
**HUMAN
RIGHTS**

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Please be advised that there are a number of resources available to assist you in understanding your general obligations for accessibility and/or making your assessment:

- For information on the ADA accessibility standards generally, you may want to refer to the Title III Technical Assistance Manual and/or the ADA Standards for Accessible Design, both of which are available free of charge at <http://ada.gov>.
- Small businesses may also find the ADA Guide to Small Business helpful. That downloadable, illustrated guide can also be found at <http://ada.gov>.
- There are also a number of independent living centers (“ILCs”) across the State that will actually conduct an assessment of your operations for you, for a fee. For information on this service and/or for recommendations of ILCs in your local area that provide this service, please contact the New York Association on Independent Living (“NYAIL”), the umbrella organization for independent living centers across the State. NYAIL can be reached at 518/465-4650 (phone) and at <http://www.ilny.org/index.asp>.
- For general information on issues affecting people with disabilities, including rights and responsibilities under the ADA and the Human Rights Law, you can contact the New York State Commission on Quality of Care & Advocacy for Persons with Disabilities, toll-free at 800/624-4143 (Voice/TTY/APanish) and at www.cqcapd.state.ny.us.

Through this new legislation, the New York Legislature and the Governor have set the standard of accessibility in New York State. By working together, we will ensure that this standard is met in a way that responds to the rights of New Yorkers with disabilities, and, at the same time, enhances business, business operations, and business services in the State of New York.



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