

JUL 12, 1996

The Honorable Lynn Woolsey
Member, U.S. House of Representatives
1101 College Avenue
Suite 200
Santa Rosa, California 95404

Dear Congresswoman Woolsey:

This is in response to your inquiry on behalf of your constituent, Mr. XX who seeks information about the applicability of the Americans with Disabilities Act (ADA) to a mobile home park. I apologize for the delay in responding.

Title III of the ADA prohibits discrimination on the basis of disability by places of public accommodation and commercial facilities. Strictly residential facilities do not fall within the statutory definitions of places of public accommodation and commercial facilities. Accordingly, the individual dwelling units in residential communities (such as mobilehomes in mobilehome parks) are not covered by title III of the ADA. Common areas (such as recreational facilities) in such communities are also not covered where use is restricted exclusively to residents and their guests. However, if a residential community opens up common areas to general use by non-residents, it may lose its strictly residential character. Areas open to the public will probably be covered by the ADA if common area activities or facilities fall within one of the twelve categories of places of public accommodation in title III. For example, rental offices that are open to the public would be considered rental establishments or service establishments under title III. Meeting rooms, if not restricted to tenants and their guests, would be places of public gathering covered by the ADA. Parking, entrances, access routes, and restrooms serving the areas covered by the ADA would also be covered. If certain facilities are made available to the public only for certain events, they will be covered by the ADA only for those events that are open to people other than tenants and their guests.

Mobile home parks may also be covered by the Fair Housing Act, 42 U.S.C. SS 3600-3620. That Act prohibits discrimination on the basis of disability in the sale or rental of dwellings.

cc: Records, Chrono, Wodatch, McDowney, Milton, FOIA
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01-04301

- 2 -

For more information about the Fair Housing Act, your constituent may contact the Information Clearinghouse for Fair Housing at (800) 343-3442 (voice), or (800) 483-2209 (TTY).

I hope this information will be useful to you in responding to your constituent.

Sincerely,

Deval L. Patrick
Assistant Attorney General
Civil Rights Division

01-04302

Congress of the United States
House of Representatives
Washington, DC 20515-0506

December 22, 1995

To: Department of Justice
Faith Burton, Assistant Attorney General
Office of Legislative Affairs
Room 1603
U.S. Department of Justice
Washington, DC 20530

Re: XX

On November 9, 1995, I sent an inquiry to your office regarding the above named constituent. Enclosed is additional information concerning this matter. Please review your files and advise me on the current status of the inquiry.

I would appreciate a written reply, as soon as possible, to the attention of Jim Chaaban of my Sonoma County office.

If you have any questions, Jim can be reached at 707-542-7182.

Thank you for your assistance.

Sincerely,

Lynn Woolsey

Member of Congress

01-04303

November 24, 1995
XX
XX California XX

Lynn Woolsey
Member of Congress
439 Cannon Bldg
Washington, D.C. 20515

Dear Congresswoman Woolsey:

While attending your meeting with Veterans, that was postponed once, on October 4, 1995 at the Petaluma Veterans Memorial Building in Petaluma, California, the subject matter of enforcement of The Americans With Disabilities Act within mobilehome Parks were addressed. Your Field Representative, Jim Chaaban stated to me he would look- up the previous records and contact me. Your letter dated November 8, 1995, which was received on November 17, 1995 addressed a very, very limited reply that I'm totally dissatisfied with.

This problem was addressed, to you to resolve, not assignment of "PROJECTS" for me to work off for resolution!!!

ITEM 1: Mr. Grable was indeed contacted at the number provided (707 528-9941) on many occasions, it took a call to your Santa Rosa Office to complain he did not bother to return my calls for his office to respond. When they did, a female that could not speak nor understand English well contacted me three and a half (3 1/2) weeks after to tell me in exceptionally broken words they could not help me.

ITEM 2: Golden State Mobilehome Owners League were contacted even prior to my contacting your office for assistance. They mentioned it was a Federal Law and could not assist me. A Mr. Coleman C. Persily sent you a copy of my letter dated April 4, 1995 (see Encl) requesting a copy of the law, to date, nothing has been received.

This problem was addressed to you Congresswoman Woolsey, not for you to think up someone else to address the problem to. In short, there is an error in the Federal Law, you are my Representative in Congress, and its your sworn job for you/or your office to correct, not my job to bounce from one recommendation your staff can think up to "Get out of WORK".

ITEM 3: Senator Mike Thompson were also contacted, he also sent you, under cover letter a copy of my complaint. To date, no reply.

WHAT THE HELL IS GOING ON CONGRESSWOMAN
WOOLSEY???????????????????????????????? I

deserve an answer, If your Jim Chaaban were ever in my platoon, he would be reduced to the lowest grade, and kicked out of the Corps for not doing his job.

My original letter were dispatched to your office (see Encl 2)February 18,
1995 and no positive reply to date, other than you most recent (see Encl 3)
November
8, 1995 assignment of work-projects. If you want Veterans support, this is a
piss poor way.

Sincerely,
XX

01-04304