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Tenants with disabilities file federal class action lawsuit challenging housing project’s failure to maintain a functioning elevator system

July 2, 2018, Compton, CA – Donald Eblaan is a tenant of St. Timothy’s Tower and Manor, an eight-story housing project in Compton. The 62-year-old worked for many years as a nurse until he developed a severe mobility impairment and could no longer climb stairs. He must use building elevators to get to and from his eighth floor apartment. He was trapped in the main elevator twice in the same day during a recent string of breakdowns.

“I was frightened to be stuck in there and I’m scared of being trapped in the elevators again when they stop working in the middle of a trip,” he said.

Eblaan is one of five tenants who filed a federal class action lawsuit Friday asking the owners to fix and maintain the building’s elevators. Disability Rights California (DRC) and Derby, McGuinness & Goldsmith, LLP are representing the plaintiffs.

Over 100 low-income senior citizens live in the upper floors of St. Timothy’s Tower and Manor. More than half of them of have disabilities that make it hard to stand, walk or use stairs. The elevators have been out of service for most of the last six months. The owners reported 48 outages to the U.S. Department of Housing and Urban Development in January.

“Many building owners choose to ignore warnings from state inspectors and their own service companies and put off needed repairs until the elevators break down,” said Steve Derby, attorney with Derby, McGuinness & Goldsmith, LLP.

State and federal laws require public housing projects to ensure program access for people with disabilities. This includes maintaining accessible features like elevators. Despite reportedly spending $4 million in recent renovations, the owners refuse to fix the elevators. The lawsuit seeks to force the owners to use some of the millions of dollars in state and federal aid they receive to fix the elevators and maintain a functional elevator system moving forward.

“Our clients have spent the last year asking the owners to fix these elevators to no avail,” said Srividya Panchalam, attorney with DRC. “They want to come and go from their home like any other person—to medical appointments, to the grocery store, and to church.”

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Disability Rights California advocates, educates, investigates, and litigates to advance the rights, dignity, equal opportunities, and choices for all people with disabilities. For more information, visit www.disabilityrightsca.org.

Steven Derby, Celia McGuinness and Anthony Goldsmith formed Derby, McGuinness & Goldsmith, LLP to dedicate their combined talents and experience in the service of disability rights law and advocacy. The firm brings their collective legal talents, their personal attention and their passion to each matter they handle. For more information, visit www.dmglawfirm.com.