

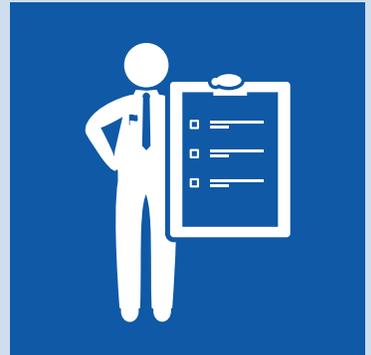
Running a small business? Is it accessible?
Get more customers and avoid lawsuits!

Five Tips to Make Your Business Accessible

Welcome
All Customers



Protect Against
Lawsuits



Be Digitally
Accessible

Be Physically
Accessible

Know
the Rules

Five Tips to Make Your Business Accessible

Is your business accessible?

Get more customers and avoid lawsuits!

Accessibility regulations, like the Americans with Disabilities Act (ADA), protect the rights of people with disabilities to do everyday activities, like shopping at a store or going to a restaurant.

All new and existing businesses in New York City are required to follow accessibility rules.

It's never too late to make your business more accessible!

Check out our top five tips for existing businesses. →→→

Want to learn more?

Contact your local Business Improvement District for one-to-one help.

You can also visit:

NYC Mayor's Office for People with Disabilities
<http://www.nyc.gov/mopd>

NYC Department of Small Business Services
<https://www.nyc.gov/nycbusiness/>

ADA Business Info
<https://www.ada.gov/business.htm>

1. Understand the value of making your business accessible.

More than 1 million New Yorkers live with a disability. Access laws protect people's rights, and they're good for business. When you do the decent, legal thing for disabled neighbors, you also help other customers, including people with strollers and temporary injuries.

2. Comply with city, state, and federal accessibility requirements.

Each level of government has different rules—and all apply to you. If NYC Dept. of Buildings rejects your architectural plans over accessibility, you can ask NYC Mayor's Office for People with Disabilities (MOPD) for a waiver. But there is no waiver process for state or federal accessibility civil rights laws.

3. Be aware of the risk from ADA lawsuits.

Hundreds of NYC businesses are sued, more every year. Even if you follow city rules, you can be sued under state or federal laws. It can cost \$50,000+ in legal fees to fight a federal ADA lawsuit. Many businesses settle lawsuits for \$5,000 to \$15,000 to avoid court costs. Settling doesn't protect you from being sued again.

4. Get help making your business location(s) more accessible.

NYC Department of Small Business Services offers free consultations to help businesses understand regulations, including those for accessibility. You can also hire an accessibility consultant to tell you what needs to be fixed. Federal tax credits (up to \$5,000) and tax deductions (up to \$15,000) can help cover alteration expenses.

5. Make sure that your website is accessible, too.

Many NYC businesses have been sued over website accessibility. Check that your website meets standards known as WCAG 2.0 AA. Ask your web developer or test your site for compliance using free online screening tools.

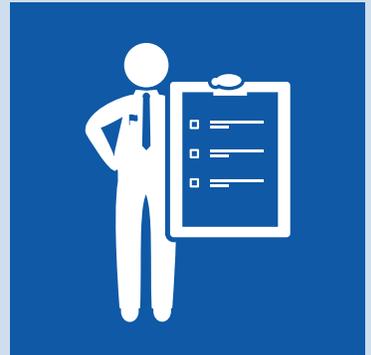
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Five Tips for Opening an Accessible Business

Is your new business accessible?

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All new and existing businesses in New York City are required to follow accessibility rules.

It's easiest to make your business accessible before you open!

Check out our top five tips for new businesses. →→→

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1. Review your lease for accessibility responsibility.

Ask your lawyer, or contact NYC Dept. of Small Business Services for free commercial lease help. Many NYC leases make accessibility the tenant's responsibility—or don't say who is responsible. Negotiate with the property owner before signing, and ask if any prior tenants were sued.

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Have you been sued under ADA?
Here's what to do next.

Five Tips to Deal with an ADA Violation Lawsuit

Act Fast



Get a Lawyer



Call Insurer &
Landlord

Make
Improvements

Document
Everything

Five Tips to Deal with an ADA Violation Lawsuit

Have you been sued under ADA?

Here's what to do next.

Accessibility regulations, like the Americans with Disabilities Act (ADA), protect the rights of people with disabilities to do everyday activities, like shopping at a store or going to a restaurant.

However, questionable ADA lawsuits against NYC businesses are on the increase.

If you (or someone you know) has been sued for an ADA violation, check out our top five tips for what to do next.

The tips provided are not a substitute for talking to a lawyer. See number 3. →→

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1. Read your complaint or demand letter closely.

Do NOT ignore this letter—you may have only 21 days to respond from the date of the letter. Figure out how many days you have left and act quickly. The faster you act on the steps below, the better your chances of keeping your costs low.

2. Call your insurance company & your landlord.

Ask your insurer whether they will pay for a defense lawyer (this is not common). Check if your lease says who is responsible for accessibility issues: you or your landlord. Call your landlord and tell them about the lawsuit. (They may have also received a complaint letter—sometimes tenants and landlords are sued at the same time.) Negotiate with your landlord about paying for improvements and lawyer's fees.

3. Hire a lawyer.

Find a lawyer who is experienced in handling ADA cases. These cases tend to be difficult to settle without a lawyer. Ask each lawyer how much they will charge you. In NYC, lawyer's fees for ADA cases tend to be from \$5,000 to \$15,000, but can be higher depending on your situation. Some law firms provide a free initial consultation.

4. Document everything.

Take pictures of everything on your property and make photocopies of documents like the demand letter and your lease. These could be important pieces of evidence in your defense.

5. Make accessibility improvements.

Talk to your lawyer and landlord about making immediate improvements. You could get your case dismissed if you make improvements quickly. You can also hire an ADA specialist to help you carefully inspect your business and figure out what needs to be fixed. Unfortunately, settling one ADA lawsuit doesn't protect you from getting sued again. Businesses in NYC have been sued multiple times. The best way to protect your business is to comply with city, state, and federal accessibility laws.