

## COMPLAINT ALLEGES DISCRIMINATION AGAINST VICTIM OF DOMESTIC VIOLENCE

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PHILADELPHIA--The Public Interest Law Center of Philadelphia has filed a complaint alleging that the Days Inn Horsham discriminated against a victim of domestic violence by denying her public accommodations. The complaint was filed with the Pennsylvania Human Relations Commission against the Days Inn Horsham and its management company on behalf of the victim and the Fair Housing Rights Center in Southeastern Pennsylvania.

Under the Pennsylvania Human Relations Act, public accommodations, like the Day Inn Horsham, cannot discriminate based on gender. The complaint alleges that discrimination on the basis of a woman's status as a victim of domestic violence is gender discrimination. While this issue has been decided in other jurisdictions, it will be a case of first impression for Pennsylvania.

The discriminatory conduct of the Days Inn Horsham has caused the victim [hereinafter, "Ms. J"] and her family significant hardship. While Ms. J had initially thought that leaving her abuser would solve her problems, now she "can't move on."

Ms. J and her four children fled her abuser and checked into the Days Inn Horsham on June 9, 2009. During her stay, she disclosed her status as a victim of domestic violence to hotel staff. When she attempted to extend her stay on June 15<sup>th</sup>, she was denied accommodations and told by the Days Inn Horsham that the hotel was a business, not a shelter. At this time the hotel also falsely represented to her that there were no rooms available. With no other choice but to leave the hotel, she grabbed the family's belongings and left the Days Inn Horsham. While she attempted to find alternative accommodations she was unable to find a place that would be able to accept all four of her children, three of whom have disabilities, as well as the family pet. The family was forced to separate and have yet to reunite.

According to Michael Churchill, a Senior Attorney at the Public Interest Law Center, domestic violence has a disproportionate impact on women, and the case seeks to ensure that public accommodations cannot refuse service based on a woman's status. "Women fleeing their abusers should not be further victimized by public accommodations, like the Days Inn, refusing service. Not only would such a policy discourage women from leaving their abusers, it would also encourage public accommodations to continue discriminatory practices." Rachel Garland, a Housing Attorney at Community Legal Services concurs with Churchill's views, stating, "Her efforts to keep her family safe and together should have received the full support and compassion of our community, not thwarted by further victimization in the form of discrimination."

"In the midst of a housing crisis, it is especially important that domestic violence survivors have access to public accommodations in order to shelter themselves and their families," said Sandra Park, a staff attorney at the ACLU Women's Rights Project who has litigated housing discrimination cases on behalf of domestic violence survivors. "Domestic violence will continue to be a primary cause of homelessness for women and children so long as discrimination continues."

The Law Center is also representing the Fair Housing Rights Center, which supplied the testers who were told rooms were available at the time the victim was denied accommodations. Angela McIver, Executive Director at the Fair Housing Rights Center in Southeastern Pennsylvania stated, “To say the hotel was a business, not a shelter was degrading, insensitive, and inexcusable under the PA Human Relations Act. All women, regardless of personal circumstances, have a right to seek public accommodations during attempts to flee from abuse without fearing that hotel staff will deny access to lodging.”

Churchill said that victims of domestic violence, including children, “should not be victimized twice.” The forced separation of the family after the Days Inn Horsham refused them accommodations is of great concern. Angela McIver responded to the family’s plight stating, “Voiceless, vulnerable, and sometimes frail victims of domestic violence are innocent children who are likely to experience homelessness or displacement along with or away from their battered mothers. Social research shows that the harm that accompanies domestic violence has the potential to permeate many areas of children’s lives including: their actual or perceived sense of safety; performance in school; self-esteem; psychological state; other relationships; as well as impact their overall development, which can take a lifetime to counteract.”