



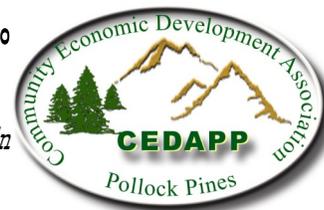
Thought of the Day

Even when laws have been written down, they ought not always to remain unaltered. —Aristotle

Law is order, and good law is good order. —Aristotle

The law often permits what honor prohibits —Bernard Joseph Saurin

The trouble with law is lawyers —Clarence Darrow



ADA ABUSE RELIEF?



A couple of issues ago we passed on information from Tim Roffe about the movement of Senate Bill 1186 through the state legislature.

Today we have this, forwarded from the office of District five Supervisor, Norma Santiago.

Yesterday, the Governor signed SB 1186, (Dutton/Steinberg) this is a new law to help curb the ADA lawsuits. This law doesn't do everything that had been hoped but does provide some immediate help to small businesses (the law was an urgency clause so it is effective immediately).

Some of the main provisions of SB 1186 include:

- If a businesses is in a location that was completed after Jan. 1, 2008 or any business in California that has received a Certified Access Specialist (CASp) inspection, that business will have 60 days to fix that violation and their statutory damages may be reduced from \$4,000 to \$1,000 – a 75 percent reduction.

- Small businesses with 25 or fewer employees that have not had a CASp inspection will have 30 days to fix a violation and can see their statutory

damages reduced from \$4,000 to \$2,000 – a 50 percent reduction.

- SB 1186 ends “demand for money” letters from attorneys. Letters can still be sent to a business alerting them of a potential violation or infraction, but that letter can't include a “demand for money”. Attorneys sending those letters will be required to also send a copy of the letter to the California State Bar, who will examine the letter to make sure it meets the requirements of the law.

- Attorneys will also be required to send a copy of letters sent to businesses to the California Commission on Disabilities (CCDA). They will be required to compile a “Top 10” list of violations to be posted on their website by July 1, 2013 and also a list of those attorneys and law firms who are filing the bulk of the lawsuits.

- SB 1186 provides an avenue for local cities and counties to expand the CASp program in their communities, to help bring local businesses into ADA compliance and develop tools to help educate the business community in expanding ADA access.

Congratulations Pollock Pines. Making noise got things started.

CEDAPP

(COMMUNITY ECONOMIC DEVELOPMENT ASSOCIATION OF
POLLOCK PINES)

P. O. Box 424

Pollock Pines, CA 95726

Tel: 530 419 3957

E-mail: cedapp@pollockpines.biz

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