

# Americans with Disabilities Act - Title III

## Enforcement Procedures



Title III of the Americans with Disabilities Act (ADA) covers places of public accommodation and commercial facilities.

### Enforcement

The ADA establishes the following methods of enforcing the requirements of Title III:

- An individual who was subjected to discrimination or who has reasonable grounds for believing that he or she is about to be subjected to discrimination by a place of public accommodation or commercial facility may file a private lawsuit; and
- The U.S. Department of Justice (DOJ) may file a lawsuit whenever it has reasonable cause to believe that there is a pattern or practice of discrimination, or that discrimination raises an issue of general public importance. The DOJ will investigate complaints and conduct compliance reviews of covered entities.



There is no provision for state or local civil rights agencies to directly enforce Title III.

### Available Remedies

Remedies available in private lawsuits may include a permanent or temporary injunction, restraining order, or other order, but not compensatory or punitive monetary damages or civil penalties. Remedies available in civil actions filed by the DOJ include those available in private lawsuits. In addition, in a lawsuit brought by the DOJ, the court may award other appropriate relief.

Also, to vindicate the public interest, the court may assess a civil penalty against the covered entity in an amount:

- Not exceeding \$50,000 for a first violation, and
- Not exceeding \$100,000 for any subsequent violation.

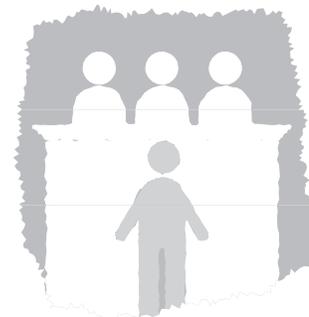
The prevailing party, other than the United States, in any action or administrative proceeding under Title III may recover attorney's fees in addition to any other relief granted.



## Filing a Complaint

A qualified individual with a disability may file a complaint against a private entity for violating any of the nondiscrimination provisions of Title III. The DOJ will accept complaints at the address below.

Disability Rights Section  
Civil Rights Division  
U.S. Department of Justice  
P.O. Box 66738  
Washington, D.C. 20035-6738



## ADA Information

Call the DOJ Toll-Free ADA Information Line for answers to general and technical questions about the ADA and to order technical assistance materials: 800-514-0301 (voice) 800-514-0383 (TTY). Visit the DOJ ADA web site to see the Title III regulations and related guidance at [ada.gov](http://ada.gov).



### **DISABILITY AND COMMUNICATION ACCESS BOARD**

919 Ala Moana Blvd., Room 101 • Honolulu, HI 96814  
Oahu: (808) 586-8121 (Voice/TTY), (808) 586-8129 (Fax)

#### **Call toll free from:**

**Maui:** 984-2400, ext. 6-8121# (Voice)

**Molokai & Lanai:** 1(800) 468-4644,  
ext. 6-8121# (Voice)

**Kauai:** 274-3141, ext. 6-8121# (Voice)

**Big Island:** 974-4000,  
ext. 6-8121# (Voice)

**E-mail:** [dcab@doh.hawaii.gov](mailto:dcab@doh.hawaii.gov) • **Web Site:** [www.hawaii.gov/health/dcab/](http://www.hawaii.gov/health/dcab/)

