

## Discrimination represents the number one claim driver, **COMPRISING 18% OF ALL CLAIMS\***

- Half of the discrimination claims are based on race, gender, age, familial status and sexual orientation
- 29% of discrimination claims are based on selective enforcement
- 13% are alleged violation of the Americans With Disabilities Act (ADA)
- 8% involve requests for an emotional support animal

### Claim Example:

A female homeowner 85 years of age requested and was granted a parking spot closer to her unit. She requested the spot because she did not want to walk from her car to her unit and she knew there was a spot right in front of her home. The space also was located in the shade, which would keep her car relatively cool during hot weather.

Another homeowner, a male 32 years of age, was denied a similar request for a parking spot closer to his unit. He requested a closer spot because as an amputee, walking long distances can represent a challenging experience, especially in inclement weather or if he is returning from the grocery store and is carrying heavy bags.

The association stated that its decision was based upon its belief that the 85 year old woman should not be required to walk long distances from her car to her home due to her age. The association also was concerned that she may have trouble seeing at night. The association had concern that as an older female, she may be nervous walking from her car by herself notwithstanding the lack of current safety concerns within the community. Despite the good intentions of the association, the male homeowner instituted a lawsuit based upon disability, gender and age discrimination. He succeeded in his suit and was awarded \$120,000. The litigation was protracted and expensive, with \$80,000 in defense costs.

**Thought corner: Good intentions are not a defense to violations of the law.**

Endorsed by:



Underwritten by:



Administered by:



\*Based on CNA claim data from January 2021 to December 2023.

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