

APPENDIX A: FEDERAL/STATE COMPLAINTS AND PRELITIGATION LETTERS RECEIVED

In 2017, federal complaints accounted for 73 percent of the case filings (complaints received excluding prelitigation letters), in comparison to 67 percent in 2016; 47 percent in 2015; 52 percent in 2014; and 24 percent in 2013. At this time, CCDA is unable to ascertain the factors that are contributing to the growth in federal complaints.

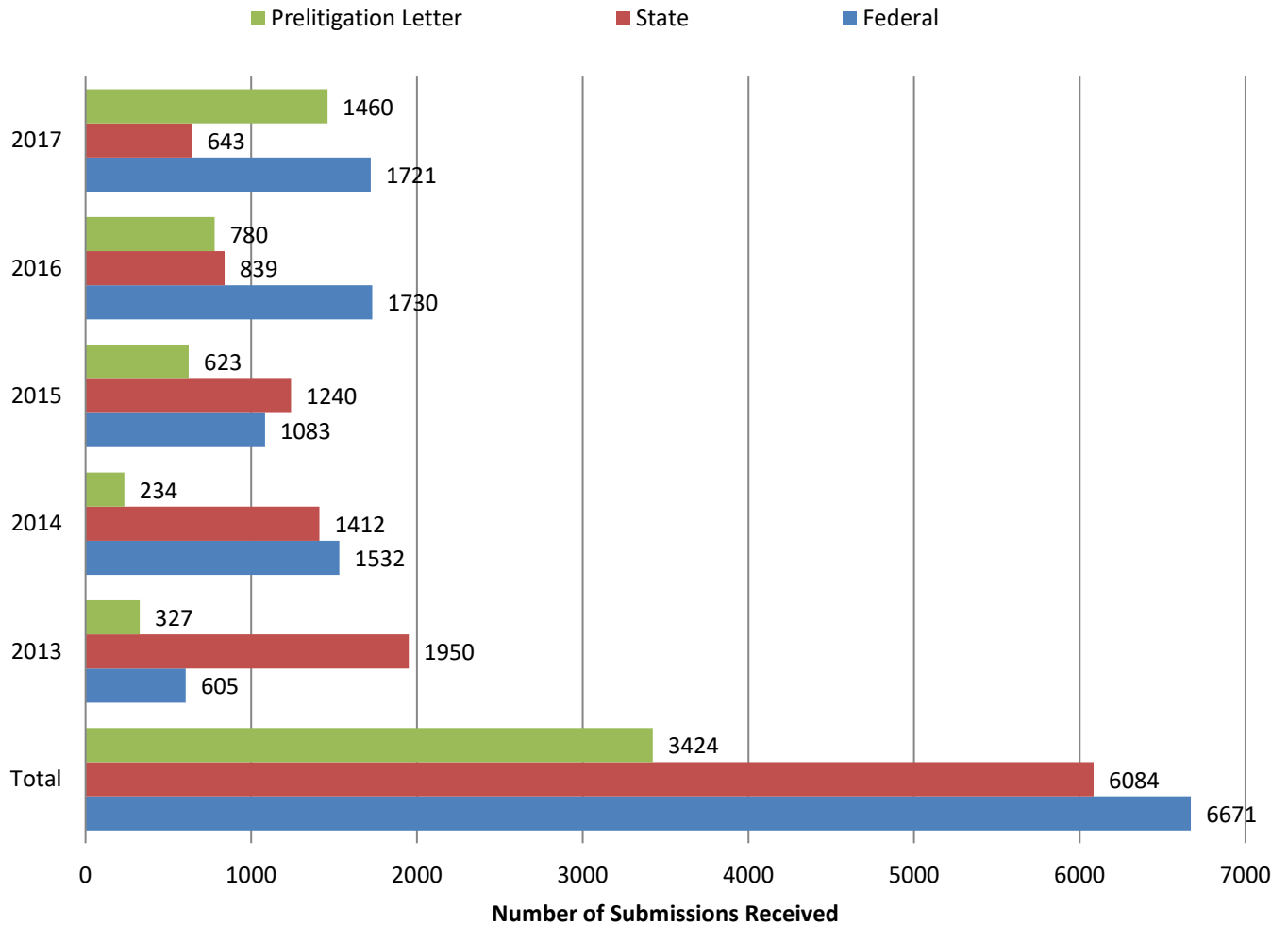
Prelitigation letters continue to grow substantially for reasons unknown. They accounted for 38 percent of the 3,826 letters received in 2017 and grew by 87 percent over 2016.

	Category	Total	Percent
2017	Federal complaint	1,722	45%
	State complaint	643	17%
	Prelitigation letter*	1,461	38%
	Total	3,826	
2016	Federal complaint	1,730	52%
	State complaint	839	25%
	Prelitigation letter*	781	23%
	Total	3,340	
2015	Federal complaint	1,083	37%
	State complaint	1,240	42%
	Prelitigation letter*	623	21%
	Total	2,946	
2014	Federal complaint	1,532	48%
	State complaint	1,412	44%
	Prelitigation letter*	234	8%
	Total	3,178	
2013	Federal complaint	605	21%
	State complaint	1,950	68%
	Prelitigation letter*	327	11%
	Total	2,882	

*CCDA is unable to ascertain whether prelitigation letters resulted in an actual case being filed in federal or state court.

APPENDIX A: FEDERAL/STATE COMPLAINTS AND PRELITIGATION LETTERS RECEIVED

2013-2017 Complaints & Prelitigation Letters



APPENDIX B: FEDERAL/STATE COMPLAINTS AND PRELITIGATION LETTERS RECEIVED BY CATEGOR

CCDA organizes alleged constructed-related access violations into six categories. As indicated by the table below, parking-related violations are the largest category and represented 37 percent of the 10,608 alleged violations in 2017; 44 percent of the 11,468 alleged violations in 2016; and 42 percent of the 9,643 alleged violations in 2015.

2017	Category	Total	Percent
	Toilet Rooms and Bathrooms	1,497	14%
	Parking	3,888	37%
	Accessible Route and Entry	2,705	26%
	Access within Public Facility	1,304	12%
	Equipment within Public Facility	573	5%
	General Alleged Violations	641	6%
	Total	10,608	

2016	Category	Total	Percent
	Toilet Rooms and Bathrooms	1,756	15%
	Parking	5,047	44%
	Accessible Route and Entry	2,801	24%
	Access within Public Facility	1,214	11%
	Equipment within Public Facility	219	2%
	General Alleged Violations	431	4%
	Total	11,468	

2015	Category	Total	Percent
	Toilet Rooms and Bathrooms	1,681	17%
	Parking	4,037	42%
	Accessible Route and Entry	2,210	23%
	Access within Public Facility	1,256	13%
	Equipment within Public Facility	147	2%
	General Alleged Violations	312	3%
	Total	9,643	

APPENDIX B: FEDERAL/STATE COMPLAINTS AND PRELITIGATION LETTERS RECEIVED BY CATEGORY

2014	Category	Total	Percent
	Toilet Rooms and Bathrooms	2,212	21%
	Parking	3,926	38%
	Accessible Route and Entry	2,206	21%
	Access within Public Facility	1,276	12%
	Equipment within Public Facility	245	2%
	General Alleged Violations	542	5%
	Total	10,407	

2013	Category	Total	Percent
	Toilet Rooms and Bathrooms	1,905	22%
	Parking	3,552	41%
	Accessible Route and Entry	1,730	20%
	Access within Public Facility	999	12%
	Equipment within Public Facility	296	3%
	General Alleged Violations	167	2%
	Total	8,649	

APPENDIX C: ADA VIOLATION CODES LIST

CCDA categorizes the types of construction-related alleged ADA violations using 51 key codes consistent with Title 24 of the California Code of Regulations.

CATEGORY	KEY CODE	DESCRIPTION
Toilet Rooms And Bathrooms	1	Entry doors are not accessible or not on an accessible route.
	2	Clear Floor Space. Non-accessible fixtures and controls or insufficient turn around space.
	3	Doors [Toilet stalls]. Non-accessible doors to toilet stalls.
	4	Door space is not compliant.
	5	Lavatories and mirrors are not accessible.
	6	The location/height of toilets, urinals, flush controls, or toilet paper dispensers is not compliant.
	7	Grab Bars. Grab bars in bathroom are non-existent, or existing grab bars are not compliant.
	8	Insufficiently covered, coat racks too high, light switch too high.
	9	Faucets. Non-accessible lever-operated, push-type, or electronically controlled mechanisms.
	10	Bathtubs or showers are not accessible.
	39	Toilet seat cover dispenser not accessible.
	40	Hand sanitizer, liquid soap or paper towel dispenser not accessible.
	46	Lack of unisex ADA bathrooms or any accessible bathrooms.
Parking	11	Number of spaces. Parking lot does not contain minimum number of accessible parking spaces.
	12	Parking Spaces. Existing parking spaces are not compliant.
	13	No sign showing the symbol of accessibility.
	14	Loading zones/van access aisles are not compliant or non-existent.
Accessible Route and Entry To Public Facility	15	Routes to and from parking lot or public right of way are not accessible. May include uneven surfaces.
	16	Ramps. Curb ramps or entrance ramps are not compliant or non-existing.
	17	General. Entry doors are not accessible or missing sign/symbol of accessibility.
	18	Door Hardware. Thresholds, handles, pulls, latches, locks, or other operating devices are not accessible.
	45	Accessible path is too far away or path is not clear for the accessible route.
Access	20	Access aisles within building are not accessible, e.g., dining

Within Public Facility		or work surfaces are not on an accessible route.
	21	Maneuvering Clearances at Doors. Required clearances are not compliant.
	22	Stairs or Guardrails. Stairs are not compliant or lack guardrails.
	23	Handrails non-existent or not accessible.
	24	Route with inadequate signage.
	25	Wheelchair spaces in assembly areas are non-existent or not compliant.
Equipment Within Public Facility	26	Access Height. Heights of surfaces such as counters, bars, or tables are not compliant.
	27	Audible signals.
	28	Public telephones are not wheelchair accessible.
	29	Public telephones do not have accessible volume control.
	30	General Public Equipment. Gas pumps, automatic teller machines, or fare machines are not compliant.
	37	General Pool. Pool lifts, sloped entries, transfer walls, transfer systems, and pool stairs are not accessible.
General Violations	38	Drinking Fountains and water coolers are not accessible.
	31	Dressing, fitting, or locker rooms are not compliant.
	32	Sleeping rooms, units or suites are not accessible or insufficient number of accessible guest rooms.
	33	Patient bedrooms or baths are not accessible.
	34	Audible and visual alarms and notification appliances are not compliant.
	35	Amusement rides are not accessible.
	36	Bus stop, bus stop pad, station, terminal, building or other transportation facility is not accessible.
	41	Service dog not allowed in building.
	42	Lamp not accessible.
	43	Shuttle van/bus not accessible.
	44	Accessible features not maintained.
	47	Website does not offer ADA options or is not accessible.
	48	Lack of separate call button.
	49	Insufficient documentation/lack of ADA access issue.
50	Lack of temporary hand controls to test drive vehicles.	
51	Staff provided barrier to access.	

APPENDIX D: ATTORNEYS AND PLAINTIFFS SUBMISSIONS

In 2017, 23 percent of plaintiffs named on complaints received by CCDA filed 10 or more complaints in court. Those plaintiffs collectively filed 81 percent of the 2,365 complaints received (excludes prelitigation letters).

	2017	2018
Plaintiffs Involved in 10 or More State and Federal Complaints (EXCLUDES PRELITIGATION LETTERS)	81%	75%

The chart below shows the percentage of complaints (excludes prelitigation letters) reported to CCDA by the top four law firms in 2017. For example, 33 percent of the 2,365 complaints received were filed by one law firm. Of the 2,365 complaints received, 74 percent were filed by four law firms.

Complaints Filed by Law Firms in Order of Reporting Frequency (Excludes Prelitigation Letters)	2017	2016
1	33%	27%
2	16%	21%
3	13%	10%
4	12%	7%
Total	74%*	65%*

*The percentage calculation will not total 100 percent because it only references the top four law firms.

APPENDIX E: 2017 TOP 10 VIOLATIONS

Rank #	Key Code	Violation Description	Total Number of Violations	Percent of Total
1	11	Parking: parking lot does not contain the minimum number of accessible parking spaces	1,792	17%
2	16	Accessible Route and Entry: curb ramps or entrance ramps are non-compliant or non-existent	1,091	10%
3	12	Parking: the existing parking spaces are not compliant	947	9%
4	15	Accessible Route and Entry: routes to and from the parking lot or public right-of-way are not accessible	830	8%
5	14	Parking: van-accessible parking, van access aisles and/or loading zones are non-compliant or non-existent	645	6%
6	26	Access within Public Facility: heights of surfaces such as counters, bars, and tables, for example, are non-compliant	608	6%
7	13	Parking: signage in parking lot is non-compliant. For example, spaces need to be designated as reserved by a sign showing the symbol of accessibility	504	5%
8	44	General Violations: accessible features are not maintained	434	4%
9	18	Accessible Route and Entry: handles, pulls, latches, locks, or other operating devices are not accessible	405	4%
10	20	Access within Public Facility: access aisles or path of travel within building are not accessible	367	3%
Total			7,623	72%

APPENDIX F: COMPLAINTS/PRELITIGATION LETTERS BY PLACE OF PUBLIC ACCOMMODATION

The below chart demonstrates the frequency by which various types of businesses were alleged to be in violation. In 2017 the top three places of public accommodation, as defined in ADA Title III, Technical Assistance Manual, where violations occurred included: Sales/Rental Establishments (e.g. bakeries, grocery stores, hardware stores, shopping centers) (38%); Service Establishments(e.g. laundromats, dry-cleaners, banks, funeral homes, gas stations, professional offices, beauty shops) (35%); and Food or Drinks Establishments (e.g. restaurants and bars) (19%). These location categories are consistent with the 2016 reported violations.

*Public Location Category	2017		2015		2015	
	Total	%	Total	%	Total	%
1. Places of Lodging	250	6.5%	135	4.0%	113	3.8%
2. Establishments Serving Food or Drink	727	19.0%	888	26.6%	810	27.5%
3. Places of Exhibition or Entertainment	12	0.3%	13	0.4%	3	0.1%
4. Places of Public Gathering	1	0.0%	3	0.0%	1	0.0%
5. Sales or Rental Establishments	1,453	38.0%	1,355	40.6%	1,240	42.1%
6. Service Establishments	1,343	35.1%	853	25.5%	657	22.3%
7. Public transportation terminals, depots, or stations	2	0.1%	26	25.5%	50	1.7%
8. Places of Public Display or Collection	2	0.1%	3	0.1%	4	0.1%
9. Places of Recreation	2	0.1%	22	0.7%	34	1.2%
10. Places of Education	2	0.1%	4	0.1%	10	0.3%
11. Social Service Center Establishments	1	0.0%	6	0.2%	4	0.1%
12. Places of Exercise or Recreation	31	0.8%	32	1.0%	20	0.7%
Total	3,826	100%	3,340	100%	2,946	100%

APPENDIX G: ZIP CODE LOCATION OF COMPLAINTS LETTERS FILED

The below maps depict the various zip codes where alleged violations have occurred. In 2017, the number of complaints filed remains heavily concentrated in urban areas. Southern California had the highest number of filings, followed by Northern California (Bay Area). Central Valley region ranked third, followed by the Sacramento region. This is consistent with 2016 filings.

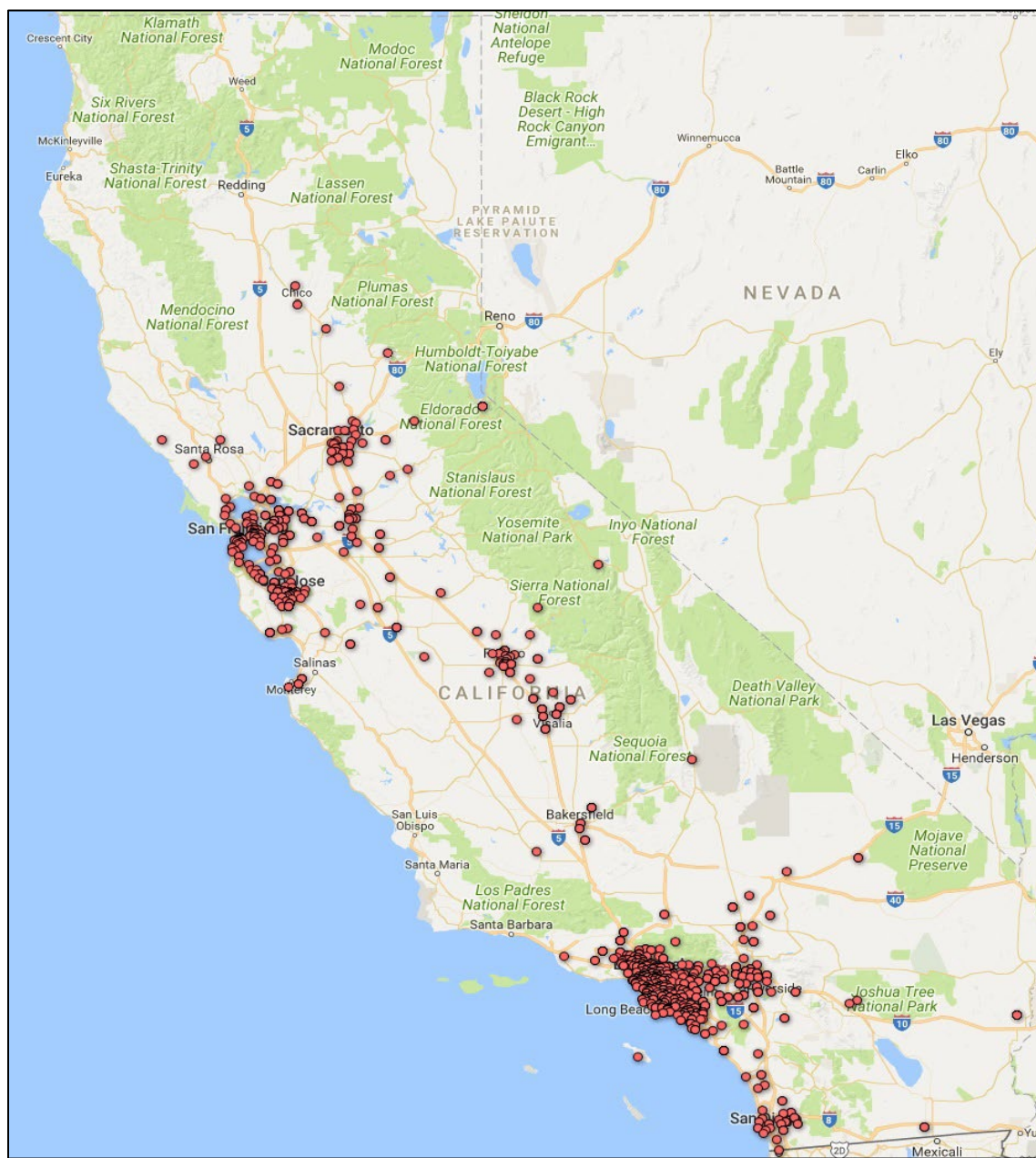


Figure 1: 2017

APPENDIX H: CASE RESOLUTIONS

2017 Case Resolution Report Questions				
Questions	Yes	Percent Yes	No	Percent No
Defendant requested an early evaluation conference	39	2%	1799	98%
Defendant requested a site inspection	45	2%	1791	98%
Plaintiff received injunctive relief	1370	75%	460	25%
Another favorable result was achieved	952	52%	874	48%
Plaintiff received damages or monetary settlement	744	93%	57	7%

2016 Case Resolution Report Questions				
Question	Yes	Percent Yes	No	Percent No
Defendant requested an early evaluation conference	42	2%	1,997	98%
Defendant requested a site inspection	33	2%	2,011	98%
Plaintiff received injunctive relief	1,222	73%	447	27%
Another favorable result achieved	766	47%	869	53%
Plaintiff received damages or a monetary settlement	734	58%	522	42%

2015 Case Resolution Report Questions*				
Question	Yes	Percent Yes	No	Percent No
Defendant requested an early evaluation conference	0	0%	516	100%
Defendant requested a site inspection	0	0%	520	100%
Plaintiff received injunctive relief**				
Another favorable result achieved**				
Plaintiff received damages or a monetary settlement	143	30%	330	70%