**Instructions for preparing and sending your ADA letter.**

*Put on your letterhead*

*To find out who your U.S. Representative is, go to* [*https://www.house.gov/representatives/find-your-representative*](https://www.house.gov/representatives/find-your-representative)*.*

*To find out who your U.S. Senator is, go to* [*www.senate.gov*](http://www.senate.gov)*. Conduct a search using the****Find Your Senators****pull-down menu in the upper right corner (select****PA*** *and click Go). On the results page is a link to the****Senators****' website and* ***contact****information.*

*Send your letter to your closest regional office. Below is the format of the letter that you can customize.*

Insert Date

Honorable [insert Representative (first & last name) or Senator (first & last name)]

Address

City, State Zip

Dear Representative (insert last name) or Senator (insert last name):

The intent of the American Disabilities Act (ADA) is to prohibit discrimination and ensure all Americans have equal access to public accommodations. Unfortunately, the law has been used as a weapon by scheming lawyers seeking to extort easy settlements from small business owners through demands for exorbitant attorney’s fees after alleging ambiguous violations of the law.

A number of Bed & Breakfast’s (B&B) in Pennsylvania were served with ADA lawsuit letters in December 2018. B&B owners across the country are being served with letters threatening an ADA lawsuit if a settlement is not reached. Some of these B&Bs being served are exempt from the law, but they are still threatened with a lawsuit if a settlement is not paid to make it go away or incur defense costs that can be thousands of dollars. This is criminal what these law firms are doing to hard working small business owners.

Currently, there is no requirement that a party suing for alleged violations under the ADA provide any kind of notice to the owner or operator of a place of public accommodation prior to filing a lawsuit. Changes are necessary to curtail the abundance of frivolous lawsuits designed to do nothing more than generate attorney’s fees, which divert funds from the actual work of increasing accessibility.

I am the owner of [**insert your B&B name**] located in [**insert town name**]. As a small business owner, I am in danger of potentially losing my business if served a frivolous ADA lawsuit.

[If you received an ADA lawsuit letter indicate that along with how it was resolved.]

The Pennsylvania Association of Bed & Breakfast Inns (PABBI) and our National B&B Associations are diligent in educating our industry on both physical and website ADA compliance, and facilitates consultations with attorneys experienced in assisting in defending these egregious lawsuits. The Professional Association of Innkeepers International (PAII) has assembled a database of 300 ADA lawsuits against lodging properties filed in the district courts between January and July 2019. It is evident that serial plaintiffs and their law firms have capitalized on this lack of standards to prey upon small businesses.

Legislation is needed to restore the integrity of the ADA law by addressing the unseemly practice of “drive-by” and “surf-by” lawsuits. The bill needs to reform Title III of the ADA, which covers private businesses open to the public, by specifying clear, unambiguous rules for identifying and correcting ADA access violations before allowing litigation or a drawn-out settlement process. If a business fails to correct an identified violation following a notice and a defined period of time, then the right for seeking legal recourse still applies under the ADA.

Thank you for your consideration.

Sincerely

Insert your name

Name of B&B