



September 14, 2017

Via Email [support@cumminghomeministries.org](mailto:support@cumminghomeministries.org) & U.S. Mail

Cornelius Koolhaas  
Director  
Cumming Home Ministries  
429 Canton Road  
Cumming, GA 30040-2098

RE: Jeremy Jay Woody

Dear Mr. Koolhaas:

I am writing on behalf of Jeremy Jay Woody, who recently applied to the Cumming Home Ministries (CHM) to join the residential program for men. Mr. Woody is qualified to join the program – he is religious (Christian), homeless, needs a fresh start in life (he recently paroled from Georgia state prison), and is very interested and motivated to study in a Christian-oriented residential program. Mr. Woody was told by the intake coordinator that the Board considered his application, but decided not to accept him because he is deaf and there would be problems with communication and disruption. I called to follow up and was told the same thing (that CHM does not have experience with individuals with this type of disability, that it would not be a good fit, and that it would not be fair to Mr. Woody or to the other residents, and that the decision is final).

I urge you to reconsider your decision. The federal Fair Housing Act (FHA) prohibits discrimination on the basis of disability such as being deaf. 42 U.S.C. § 3604(f). Virtually all types of housing, including residential programs like the one operated by CHM, are “dwellings” under the Fair Housing Act<sup>1</sup> and

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<sup>1</sup> See 42 U.S.C. § 3604(b); 24 C.F.R. § 100.201 (“Examples of dwelling units include ... dwellings in which sleeping accommodations are provided but toileting or cooking facilities are shared by occupants of more than one room or portion of the dwelling, rooms in which people sleep. Examples of the latter include dormitory rooms and sleeping accommodations in shelters intended for occupancy as a residence for homeless persons.”); *Turning Point, Inc. v. City of Caldwell*, 74 F.3d 941, 942 (9th Cir.1996) (applying FHA to homeless shelter); *Cnty House, Inc. v. City of Boise*, 490 F.3d 1041, 1048 n.2 (9th Cir. 2007) (“We ... have little trouble concluding that at least part of the [homeless] facility” used as transitional housing “qualifies as a ‘dwelling[.]’”); *Montano v. Bonnie Brae Convalescent Hosp., Inc.*, 79 F.Supp.3d 1120, 1125-26 (C.D. Cal. 2015) (applying FHA to skilled nursing home facility); *Villegas v. Sandy Farms, Inc.*, 929 F. Supp. 1324 (D. Or. 1996) (migrant farm worker cabins); *Hernandez v. Ever Fresh Co.*, 923 F. Supp. 1305 (D. Or. 1996) (temporary farm labor camp); *Schwarz v. City of Treasure Island*, 544 F.3d 1201 (11th Cir. 2008) (halfway houses for substance abuse

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thus covered by the nondiscrimination mandate. It is not lawful for CHM to reject Mr. Woody on the basis of his disability. Mr. Woody is considering his options under the FHA (such as filing an administrative complaint with the Department of Housing and Urban Development or filing a complaint in federal court); of course, his primary interest is in being permitted to join the CHM residential program.

I appreciate that CHM may have anxiety about housing a deaf individual for six months, as you have not done so before, but there are many resources available to provide relevant information. For example, I can introduce you to representatives of the Georgia Association of the Deaf who are ready and willing to assist. Further, there are helpful guidance documents on the U.S. Department of Justice's ADA website, including one on Effective Communication, <https://www.ada.gov/effective-comm.htm>. You may also wish to review the Joint Statement the Department of Housing and Urban Development and the Department of Justice on Reasonable Accommodations under the Fair Housing Act, <https://www.justice.gov/crt/us-department-housing-and-urban-development>.

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Mr. Woody is himself a resource – he has experience communicating in different ways, including by text message, through the free Video Relay Service (VRS), using pen and paper, and using a sign language interpreter. He would also, I believe, advance your mission. Mr. Woody is diligent, reliable, quite religious (among his very few worldly possessions are three Bibles), and would be very dedicated to any assigned work or study.

Please let me know as soon as possible if you will reconsider.

Thank you for your prompt attention.

Sincerely,



Claudia Center

cc: Jeremy Jay Woody (via email)  
TL Lewis (via email)

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recovery); *Lakeside Resort Enters., LP v. Bd. of Supervisors*, 455 F.3d 154, 157 (3d Cir. 2006) (drug rehabilitation facility).