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**LDF Files Lawsuit Against the City of Cleveland
to Address Discriminatory Water Liens and Shutoffs**

The NAACP Legal Defense and Educational Fund, Inc. (LDF) has filed a class action lawsuit today in the Northern District of Ohio against the City of Cleveland on behalf of the city's Black residents who are disproportionately affected by the city water department's practices. The lawsuit, which brings claims under the Fair Housing Act, the Due Process and Equal Protection Clauses of the 14th Amendment, the Ohio Constitution, and the Ohio Civil Rights Act, challenges Cleveland Water's racially discriminatory and unfair policies that not only leave Black residents without the basic necessity of water, but can also lead to the loss of their homes. This is the first Fair Housing Act lawsuit to challenge a city's practice of placing liens on residents' properties due to overdue water bills.

LDF's lawsuit is being filed just months after the release of its report on water affordability issues in Cleveland and other metropolitan areas, entitled [*Water/Color: A Study of Race and the Water Affordability Crisis in America's Cities*](#). "For years, Black Clevelanders have been plagued by excessively high water bills, service shutoffs, and the risk of losing their homes due to water liens," said [Coty Montag](#), lead counsel for the lawsuit and author of *Water/Color*. "Cleveland Water must change its practices to ensure that all residents have access to clean, affordable water, a basic human right."

Water rates in Cleveland are higher than nearby metropolitan areas and have sharply increased over the last decade, while household income in the area has risen far more slowly. Cleveland Water overbills many of its customers, making them financially responsible for erroneous charges they should not be required to pay. When residents are unable to pay their bills, the water department shuts off their service, often with little to no notice. The department also routinely fails to inform customers of their right to contest their water bills or pending shutoffs at a hearing before the city's Water Review Board, and those who do request a hearing are often denied the opportunity or receive no meaningful relief.

"Cleveland Water must change its practices to ensure fairness for all customers in accordance with the U.S. and Ohio Constitutions," said [Jennifer Holmes](#), Assistant Counsel at LDF. "No one should be cut off from the vital resource of water or face soaring water bills of questionable accuracy without a right to be heard."

Equally egregious is Cleveland Water's policy that converts unpaid water bills into a lien on customers' properties, diminishing equity in their homes and placing residents at risk of foreclosure and eviction. Between 2014 and 2018, Cleveland Water placed more than 11,000 water liens in Cuyahoga County, where Cleveland is located. The water department placed significantly more water liens in majority-Black Census blocks than in majority-white blocks in the county, even when comparing neighborhoods with the same median income.

LDF represents five individual homeowners and several proposed classes in the lawsuit. Plaintiffs have directly experienced Cleveland Water's discriminatory and unfair water billing and lien practices, which have placed them at risk of foreclosure and eviction. Albert Pickett, one of the plaintiffs, has lived without water in his home for six years. "Cleveland Water says I owe them thousands of dollars even though my water was shut off in 2013," Mr. Pickett said. "I have not been given an opportunity to challenge these charges." In October 2019, Mr. Pickett's home was severely damaged in a house fire, which he believes he could have extinguished if he had a water connection.

"The stories of our individual clients demonstrate the severity of Cleveland Water's practices," said Rebecca Maurer, a Cleveland-based attorney and co-counsel for the lawsuit. "We hope this lawsuit will result in fair and equal access to water for Cleveland's Black residents and uphold the right to equal housing afforded to all citizens."

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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