



March 4, 2025

The Honorable Roger Niello
 Member, California State Senate
 1021 O Street, Suite 7110
 Sacramento, CA 95814

RE: SB 84 (Niello), as Introduced, SUPPORT – Right to Cure Under ADA

Dear Senator Niello:

The Civil Justice Association of California (CJAC), and the organizations listed below, **SUPPORT SB 84 (Niello)** which would prohibit construction-related accessibility claims under the ADA and the Unruh Civil Rights Act from being initiated until a small business defendant has been served with a demand letter specifying each alleged violation and given 120 days to correct them. This is common sense legislation that will provide meaningful protection for small businesses and greater access for the disability community.

Due to California’s current statutory framework for construction-related accessibility claims, businesses, especially small businesses, have been targeted by a limited group of attorneys to leverage settlements for technical construction-related standards, regardless of whether the alleged violation actually impedes physical access to the facility for patrons with disabilities. Alleged violations for something as simple as not having the appropriate signage or symbol can prompt a claim even when the alleged violations can be quickly resolved.

Unfortunately, businesses are pressured into paying settlements for these lawsuits instead of focusing their financial resources on improving access at their place of business. This is especially true for small businesses, which have limited resources.

SB 84 would address this issue by providing small businesses with an opportunity to fix all the alleged violations within 120 days of receiving a demand letter, which will improve access in California and allow businesses to avoid high price tag shakedowns.

For the foregoing reasons, CJAC and the organizations listed below **SUPPORT SB 84** and urge your aye vote.

If you have any questions, please contact Chris Micheli at cmicheli@snodgrassmicheli.com or 916-743-6802.

Sincerely,



Kyla Christoffersen Powell
President & Chief Executive Officer
Civil Justice Association of California

On behalf of the below-listed organizations:

Civil Justice Association of California
Alhambra Chamber of Commerce – John Bwarie
American Subcontractors Association of California – Naomi Padron
Anaheim Chamber of Commerce – Jerry Jordan
Brea Chamber of Commerce – Lacy Schoen
California Sheet Metal and Air Conditioning Contractors Association
California Chamber of Commerce – Ashley Hoffman
California Fuels + Convenience Alliance – Alessandra Magnasco
California Grocers Association – Daniel Conway
California Hotel + Lodging Association – A.J. Rossitto
California Restaurant Association – Matthew Sutton
California Retailers Association – Sarah Pollo Moo
California Self Storage Association – Naomi Padron
Carlsbad Chamber of Commerce – Bret Schnazenbach
Chino Valley Chamber of Commerce – Zeb Welborn
Coalition of Small and Disabled Veteran Businesses – Phil Vermeulen
Flasher Barricade Association – Phil Vermeulen
Glendora Chamber of Commerce – Joe Cina
Greater Conejo Valley Chamber of Commerce – Danielle Borja
Greater High Desert Chamber of Commerce – Mark Creffield
Lompoc Valley Chamber of Commerce – DeVika Stalling
National Federation of Independent Business – Tim Taylor
Newport Beach Chamber of Commerce – Steve Rosansky
North San Diego Business Chamber of Commerce – Sophia Hernandez
Oceanside Chamber of Commerce – Scott Ashton
Poway Chamber of Commerce – Mike Leland
Rancho Cucamonga Chamber of Commerce – Heather Polk
Roseville Area Chamber of Commerce – Rana Ghadban
Santa Ana Chamber of Commerce – Timothy Jemal
Santa Barbara South Coast Chamber of Commerce – Dustin Hoiseth
Southwest California Legislative Council – Adam Ruiz

Valley Industry & Commerce Association – Victor Reyes-Morelos
Western Electrical Contractors Association – Richard Markuson
West Ventura County Business Alliance – Andy Conli
Wine Institute – Anna Ferrera

cc: Members, Senate Judiciary Committee
Amanda Mattson, Consultant, Senate Judiciary Committee
Morgan Branch, Senate Republican Caucus
Calvin Rusch, Legislative Director, Office of Senator Niello