

## ***Ursel v. LMG Properties Ltd. o/a Bay Hill Inns and Suites***

[COMPLETE DECISION PDF](#)

### SUMMARY

The complainant filed a complaint against the respondent hotel owners under section 13 of *The Human Rights Code* alleging that they failed to accommodate her disability by providing her with a wheelchair accessible hotel room.

The complainant alleged that she had rented a room from the respondents on four previous occasions and found them to have offered a very suitable and accessible room. On the date in question she tried to rent the room and was advised that the respondents no longer had an accessible room. The complainant alleged that there were no other wheelchair accessible rooms available in the town. The respondents were not present at the hearing.

The Adjudicator found that since the room had been available and was no longer available, there was no bona fide or reasonable cause existing for the discrimination, nor was there any evidence that the respondent had taken reasonable steps to mitigate or avoid contravention of *The Code*.

Remedy: The Adjudicator ordered that within 60 days of the date of the decision, an implementation plan be filed by the respondents with a copy to the complainant and the Manitoba Human Rights Commission, dealing with the availability of the wheelchair accessible suite in the hotel and that the Commission monitor that situation for 2 years. The complainant was awarded general damages in the amount of \$3,000.