

CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS

In the Matter of the Complaint of:

NEW YORK CITY
COMMISSION ON HUMAN RIGHTS,

Complaint No.: M-P-D-25-153485

Complainant,

- against -

VERIFIED COMPLAINT

BARNES & NOBLE BOOKSELLERS, INC., 17TH
STREET ASSOCIATES, L.P., LTS CENTURY
BUILDING, LLC, and RELATED
MANAGEMENT COMPANY, L.P.,

Respondents.

NATURE OF THE CASE

The New York City Commission on Human Rights (“Commission”) brings this action against Barnes & Noble Booksellers, 17th Street Associates, L.P., LTS Century Building, LLC, and Related Management Company, L.P., collectively “Respondents,” for violations of §§ 8-107(4)(a), 8-107(15)(a), and 8-107(28)(b) of the Administrative Code of the City of New York (“NYCHRL”). The Commission alleges that Respondents have engaged in discriminatory practices in violation of the New York City Human Rights Law. Specifically, Respondents have denied patrons equal terms and conditions of a public accommodation and have refused to provide reasonable accommodations for patrons with disabilities.

JURISDICTION AND VENUE

The Commission initiates this Complaint through its Law Enforcement Bureau (“LEB”) pursuant to § 8-109(c) of the Administrative Code of the City of New York (“Code”). The unlawful policies and practices alleged in this complaint occurred in the City of New York.

THE PARTIES

1. LEB's address is 22 Reade Street, 2nd Floor, New York, NY 10007.
2. Respondent Barnes & Noble Booksellers, Inc. ("Barnes & Noble") is a place or provider of a public accommodation as defined by § 8-102 of the Code. Respondent Barnes & Noble's address for service of process is c/o Capitol Services, 1218 Central Avenue, Suite 100, Albany, NY 12205.
3. Respondent 17th Street Associates, L.P., ("17th Street Associates") is a place or provider of a public accommodation as defined by § 8-102 of the Code. Respondent 17th Street Associates' address for service of process is c/o Corporation Service Company 80 State Street, Albany, NY 12207 or c/o The Related Companies, L.P., 30 Hudson Yards, 72nd Floor, New York, NY 10001.
4. Respondent LTS Century Building LLC ("LTS") is a place or provider of a public accommodation as defined by § 8-102 of the Code. Respondent LTS' address for service of process is 30 East 76th Street, 4th Floor, New York, NY 10021.
5. Respondent Related Management Company L.P. ("Related Management") is a place or provider of a public accommodation as defined by § 8-102 of the Code. Respondent Related Management's address for service of process is c/o Corporation Service Company 80 State Street, Albany, NY 12207 or c/o The Related Companies, L.P., 30 Hudson Yards, 72nd Floor, New York, NY 10001.

FACTS

6. Respondent Barnes & Noble owns and/or operates the Barnes & Nobles Booksellers store (“Subject Store”) located in the building at 33 E 17th St, New York, NY 10003 (“Building”).
7. Respondent 17th Street Associates manages the Building.
8. Respondent LTS owns and/or operates the Building.
9. Respondent Related Management manages the Building.
10. On December 11, 2023, a member of LEB’s Project Equal Access (“PEA”) conducted a site visit to the Subject Store. During this site visit, it was discovered that there are multiple sets of double doors at the entrance of the establishment, each requiring a pull/push force of approximately 15 lbs.
11. Upon information and belief, these double doors are too heavy for patrons with disabilities to open without assistance.
12. Upon information and belief, patrons, including patrons with disabilities, and/or their guests and others, have brought this to Respondents’ attention. To date, no access buttons have been installed.
13. The typical maximum pull/push force for exterior doors, as recommended by accessibility guidelines, ranges from 8.5 to 10 lbs. The higher force required at the Subject Store poses a barrier to individuals with disabilities, particularly those who may have limited upper body strength or mobility impairments.

14. On or about February 9, 2024, a member of PEA sent a letter to Respondent LTS informing them of the accessibility issues and providing potential solutions. The letter requested that Respondent LTS respond by February 23, 2024, with a course of action to remedy the accessibility issues.
15. On February 23, 2024, Respondent LTS acknowledged and confirm receipt of the letter. Respondent LTS also stated the next course of action would be to investigate the concerns and determine what solution is most appropriate.
16. On August 15, 2024, a member of PEA emailed Respondent LTS asking for an update regarding the case.
17. Respondent LTS did not respond.
18. On November 27, 2024, LEB emailed Respondent LTS requesting an update.
19. Respondent LTS did not respond.
20. On December 11, 2024, LEB followed up via email.
21. Respondent LTS did not respond.
22. On January 2, 2025, LEB followed up via email and requested a response by January 9, 2025.
23. The same day, Respondent LTS responded that they were looking into the matter with their legal team.

24. On January 21, 2025, Respondent Related Management and Respondent 17th Street

Associates sent a letter stating, among other information, “Under the terms of the least agreement with Barnes & Noble, as tenant (“Tenant”), the responsibility for ensuring compliance with accessibility standards is the obligation of Tenant. We have formally notified Tenant of their obligations under the lease agreement to address the accessibility concerns you have raised.” And that they would “closely monitor the situation and work with Tenant to ensure compliance with required standards”.

25. On February 26, 2025, LEB spoke with an employee of Respondent Barnes & Noble,

LaShanna Brown, in its Executive Customer Relations Office. LEB explained the issue and the employee stated that their facilities team was made aware and would be going out to check the door pressure.

26. On March 10, 2025, LEB spoke via telephone with Ms. Brown at Respondent Barnes & Noble, but the employee had no updates at that time.

27. On March 27, 2025, LEB spoke via telephone again with LaShanna Brown at Respondent Barnes & Noble, but there was no update. Ms. Brown also stated she would send LEB an email to which LEB could follow up in writing about the matter. On March 31, 2025, LEB sent a follow up email to Respondent Barnes & Noble, to their customer service email address, service@bn.com, previously provided by Ms. Brown, again detailing the issue requesting a substantive update by April 30, 2025, or a formal complaint would be filed.

28. On April 2, 2025, Respondent Barnes & Noble, via an email from Ms. Brown, informed LEB they were awaiting the report from the company who conducted the pounds per square inch (“PSI”) testing.

29. On April 14, 2025, LEB followed up with Respondent Barnes & Noble via email, responding to the previous message from Ms. Brown.
30. On April 22, 2025, Respondent Barnes & Noble, via an email from Ms. Brown, responded that they were still waiting to hear from the facilities manager.
31. On May 5, 2025, LEB followed up again via email, responding to the previous message from Ms. Brown. Respondent Barnes & Noble did not respond.
32. On May 14, 2025, LEB followed up again via email, responding on the same email chain as above. Respondent Barnes & Noble has yet to respond.
33. Upon information and belief, Respondents have not remedied the issue.

CHARGE I

Disability Discrimination in a Public Accommodation in Violation of § 8-107(4)(a) of the NYCHRL

34. The Commission incorporates and realleges paragraphs 1 through 33 of the Complaint as though fully set forth herein.
35. The Commission charges that Respondents have committed unlawful discriminatory practices by denying patrons with disabilities, the advantages, facilities, and privileges of a public accommodation, and by making their patronage feel unwelcome, on the basis of their disability in violation of § 8-107(4)(a) of the NYCHRL.

CHARGE 2

Failure to Accommodate Patrons with Disabilities in Violations of § 8-107(15)(a) of the NYCHRL

36. The Commission incorporates and realleges paragraphs 1 through 33 of the Complaint as though fully set forth herein.

37. The Commission charges that Respondents have committed unlawful discriminatory practices by failing to accommodate patrons with disabilities in violation of § 8-107(15)(a) of the NYCHRL.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests judgment against Respondents as follows:

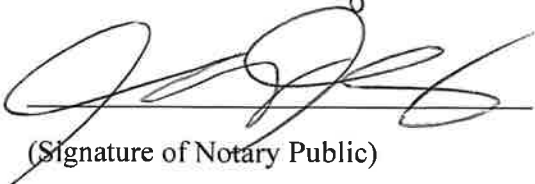
- a) Declaring that Respondents' acts, practices, and omissions complained of herein violate the NYCHRL;
- b) Directing Respondents to make all necessary modifications to their policies, practices, and procedures to comply with NYCHRL;
- c) Directing Respondents to make all necessary modifications to the Subject Store to make it accessible to all patrons, including but not limited to adjusting down the PSI on all doors at the Subject Store;
- d) Directing Respondents to train all management, agents, and employees on NYCHRL;
- e) Directing Respondents to pay civil penalties; and
- f) Awarding such other relief as the Commissioner deems just and proper.

Katherine Carroll, being duly sworn, deposes and says: that I am the Deputy Commissioner of the Law Enforcement Bureau of the New York City Commission on Human Rights, the Complainant herein; I have read the foregoing Complaint and know the content thereof; that the

same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

Subscribed and sworn to before me

This 8 day of August, 2025.



(Signature of Notary Public)

Prepared by: Savannah Madley, Esq.



Katherine Carroll

ASHLEY ANN GONZALEZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 02GO6446670
Qualified in Queens County
My Commission Expires 01-23-2027