



New York City Commission on Human Rights

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**FOR IMMEDIATE RELEASE**

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## **NEW YORK CITY COMMISSION ON HUMAN RIGHTS ORDERS RETAILER AND BUILDING OWNER TO ENSURE EQUAL ACCESS FOR PEOPLE WITH DISABILITIES**

*Retailer and property owner ordered to install ramp, pay civil penalties, and implement affirmative relief to ensure patrons with disabilities have full and equal access to fifth avenue store location*

**NEW YORK, NY** — The New York City Commission on Human Rights has issued a [decision and order](#) requiring a major retailer and building owner and manager to build a ramp at the corner entrance of the retail store located at 111 Fifth Avenue in Manhattan, to ensure full use and enjoyment of the store by more New Yorkers, including those with disabilities.

This decision affirms that respondents, H&M and Winter Entities, violated the NYCHRL by denying equal terms, conditions, and privileges to patrons on the basis of disability, and failing to provide reasonable accommodations for people with certain disabilities.

The ramp at the corner entrance – the entrance designed with elegant double height ceilings to invite and welcome shoppers – will send a strong message that all public accommodations in New York City must comply with the NYCHRL and that patrons with disabilities cannot be relegated to second-rate services or experiences.

"The New York City Commission on Human Rights is committed to upholding the rights of all New Yorkers to live, work, and thrive free from discrimination. People with disabilities should never be forced to use separate entrances or settle for less dignified services and facilities," **said Annabel Palma, Commissioner and Chair of the NYC Commission on Human Rights.**

"This decision is a reminder that accessibility is not optional – it is a fundamental right. We will continue to hold providers of public accommodations accountable and ensure that everyone in New York City, whether living, working, or visiting, has equal and independent access to public spaces."

"This decision highlights the fundamental requirement under the NYC Human Rights Law that public accommodations must provide services equally for people with disabilities. This precedential decision further cements the NYCHRL as one of the strongest civil rights laws in the country," **said Katherine Carroll, Deputy Commissioner of Law Enforcement, NYC Commission on Human Rights.** "This decision makes clear that we will not tolerate separate and unequal treatment of people with disabilities in New York City. The respondents' failure to meet the needs of New Yorkers and failure to provide a reasonable accommodation violate the law and the principles of non-discrimination underlying the City Human Rights Law. This decision is a reflection of our continued work to end discrimination in New York City."

"The Commission is dedicated to ensuring equal and independent access for all New Yorkers by closing the gaps between policy and practice and what the Law requires. This decision



underscores our commitment to ensuring all New Yorkers can exercise their fundamental rights and eliminating barriers that stand in the way of that objective," **said JoAnn Kamuf Ward, Deputy Commissioner of Policy and External Affairs, NYC Commission on Human Rights.**

Other key findings of the decision and order include:

- **Unequal Access:** Although modifications were made to the side entrance, this does not provide the same experience or accessibility as the corner entrance, which is utilized by most patrons.
- **Failure to Provide Reasonable Accommodation:** Retailer and Building Owner did not provide a reasonable accommodation as required by law.
- **Monetary Penalties:** The Commission ordered Retailer to pay \$75,000 in penalties and Winter Respondents to pay \$125,000 for their role in discriminating against people with disabilities.
- **Affirmative Relief:** In addition to monetary penalties, both Retailer and Building Owner are required to implement new policies and trainings to ensure all staff are aware of access rights as well as their responsibilities to people with disabilities.

As outlined in the New York City Human Rights Law (NYCHRL) and in the Commission's rules, the Commission has the authority to issue legally binding decisions and orders following a hearing before the Office of Administrative Trials and Hearings (OATH). After a trial, an administrative law judge issues a report and recommendation, which the Commission's Chair reviews and considers before rendering a final decision. These orders often include remedies such as civil penalties, damages, mandated policy changes, and other forms of affirmative relief.

Anyone in New York City who feels they have experienced or witnessed discrimination can reach out to the Commission by calling 212-416-0197, [filling out the online form](#), or visiting one of the Commission's offices.

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The New York City Commission on Human Rights is the agency responsible for enforcing the NYC Human Rights Law, one of the most comprehensive civil rights laws in the nation. The Commission works to promote equality and combat discrimination in New York City through law enforcement, community relations, and public education.