

# Blind Hartland man files federal discrimination suit

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(Photo: SUBMITTED PHOTO)

Philip Cusumano, legally blind and wheelchair-bound, wants to successfully navigate the sidewalks around his home in the Hartland Meadows mobile home community.

But cars parked on the Hartland Township community's sidewalks make that impossible.

His desire is now the focus of a federal lawsuit that argues Cusumano's rights have been violated under both the nation's Fair Housing Act as well as the Michigan Persons With Disabilities Civil Rights Act.

Sidewalk parking limits Cusumano's ability to access common areas, including his mailbox and a community playground, the lawsuit argues.

"All Mr. Cusumano wants is to be able to take his grandchildren around the park," said Pam Kisch, executive director of the Fair Housing Center of Southeast Michigan. "He just wants the same rights everyone else has."

The community provides three parking spaces for each mobile home and advises residents to keep streets, lawns and sidewalks clear of vehicles.

Despite that, the lawsuit argues, enforcement has been lax to nonexistent.

Cusumano, 64, has lived with his wife at Hartland Meadows since November 2011.

He has been on Social Security disability insurance, or SSDI, since 1986 due to a lung condition and became legally blind following a 2002 lung transplant, according to the lawsuit.

Cusumano also uses an oxygen tank as a result of heart disease and began using a wheelchair in 2012 after he began kidney dialysis treatment.

Beginning in 2013, Cusumano's wife, Vicki, contacted Hartland Meadows management on several occasions, the lawsuit states, but the situation remained unresolved.

Cusumano subsequently contacted the FHC in April. The agency wrote a letter to Hartland Meadows management, stating it wished the situation would be resolved quickly and without any further action.

"This is a really simple issue," Kisch said.

Hartland Meadows representative Jerome Ruggirello did not respond to Daily Press & Argus interview requests.

In a May 19 letter to the FHC, Ruggirello said Hartland Meadows' management team "continually patrols the community on a daily basis" and takes pride in providing a "well-managed community."

"Of course as you know, as with any setting in society, there will be those who from time to time do not comply," it said.

The lawsuit was filed in U.S. District Court in Detroit and has been assigned to Judge Matthew Leitman.

A hearing is expected this month, said Cusumano's attorney, Steve Tomkowiak.

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