



Dracut man sues Chelmsford hotel on handicap accessibility

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BOSTON -- Dino Theodore just wanted a good night's sleep.

So when the 49-year-old Dracut man, who is confined to a wheelchair, saw an advertisement for "newly renovated Chelmsford, MA hotel rooms," many with Sleep Number beds at the Radisson Hotel & Suites, he made a reservation for Aug. 23-24 for a handicapped-accessible room with a Sleep Number bed.

His paralysis makes it difficult at times to find a comfortable sleeping position.

So Theodore packed up his wife and kids and headed to the Chelmsford hotel for a weekend of sun, swimming and sleep.

But things went wrong.

The room with the Sleep Number bed was not handicapped-accessible, Theodore states in his lawsuit. When hotel representatives tried to accommodate Theodore by moving him and his family to a nonaccessible bridal suite because it is larger and has the special bed, the suite had no grab bars on the toilet or shower, he says.

As a result, Theodore had to leave his family at the hotel to use the toilet and shower at home.

Theodore, a lawyer employed by the state Department of Industrial Accidents, claims in his lawsuit filed this week in U.S. District Court that the

hotel violated the Americans with Disabilities Act by denying him "meaningful and equal access to the facilities, goods and services."

Theodore's lawyer, Nicholas Guerrero, declined to comment.

Scott Durkee, general manager of the Radisson Hotel & Suites in Chelmsford, said, "We are unaware of a lawsuit by Mr. Theodore. We cannot comment on a lawsuit until we have been served with legal process and we have had an opportunity to assess the claims made in the lawsuit."

The problems between Theodore and the Radisson started before he checked in.

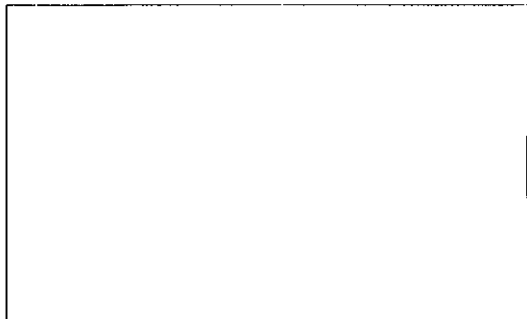
The wheelchair-accessible parking space near the entrance was blocked by an uncooperative guest. Hotel employees would not intervene, he claims, so Theodore was forced to wait in his car for 25 minutes before he could park and check in.

When he went to the hotel room, there was no Sleep Number bed. The clerk explained that he had moved Theodore to what the hotel classified as a wheelchair-accessible room, but the hotel had no wheelchair-accessible rooms or suites with Sleep Number beds, according to the lawsuit.

In trying to accommodate Theodore, the manager gave him the key to the bridal suite, which had the correct bed, but no grab bars in the toilet or shower. Theodore stayed in the room, but had to leave the hotel and his family for a few hours to use the toilet and shower at home.

Theodore is an advocate for the Americans with Disabilities Act who has filed other federal lawsuits, including one against Massachusetts General Hospital in Boston, all with the goal of forcing venues to comply with the federal ADA. Last year,

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Theodore filed a federal lawsuit against Massachusetts General Hospital. That case is still pending.