

## Hanover hotel company faces disability access complaint

Disabled man says Hanover company didn't provide a proper room

By Jon Chesto

The Patriot Ledger

Posted Jul 05, 2008 @ 02:00 AM

BOSTON — A Hanover hotel company is facing a federal lawsuit alleging that the firm failed to provide a room at the Comfort Inn in Hyannis that was fully accessible to a guest in a wheelchair.

Dino Theodore, a lawyer from Dracut who works with the state Department of Industrial Accidents and is paralyzed from the chest down, filed the suit against Linchris Hotel Corp. last month in Boston federal court.

His lawsuit alleges that the company violated the Americans with Disabilities Act by not providing a room that was easily accessible to someone in a wheelchair.

Theodore said his wife called Choice Hotels International, the parent company of the Comfort Inn brand, and was informed that a fully accessible room would be available for Theodore's family when they vacationed on Cape Cod last August.

But when they arrived, Theodore said he found many problems with the room that made it difficult to maneuver in his wheelchair. For example, the furniture was too close together, there was no roll-in shower and there were no grab bars for the toilet.

In an interview, Theodore said he couldn't shower during his family's four-day stay on the Cape and needed to use a towel rack to use the toilet. He said his family tried to spend as little time as possible in the hotel because of the room's shortcomings.

"I pride myself on my independence," Theodore said. "I don't normally need a lot of assistance. I really needed a lot of assistance getting around this room. It was a difficult experience."

Theodore said his family was given one free night after they complained about the room, but he found the hotel management to be argumentative. Theodore said his main motivation behind filing the lawsuit was to ensure that the Comfort Inn improves its accessibility, although he said he didn't know if any changes have been made at the hotel since his visit.

"One of my goals is to get the place brought up to speed for the sake of other individuals that might want to vacation and need a place to stay on the Cape that's of the caliber that the Comfort Inn is," Theodore said.

Two top executives at Linchris were out of the country this week and could not be reached for comment about the lawsuit. A lawyer for the company also couldn't be reached this week.

Nicholas Guerrero, a North Andover lawyer who represents Theodore in the case, said he originally filed the complaint with the Massachusetts Commission Against Discrimination. But it was challenged there by Linchris' lawyer on jurisdictional grounds, Guerrero said. So he decided to move the case to federal court.

Guerrero said he didn't name Choice Hotels as a defendant because he has found that similar lawsuits against hotel brand franchisors have been ineffective in the past. Like many hotel chains, Choice Hotels licenses the Comfort Inn brand to separate companies that own and operate hotels under that name.

Jon Chesto may be reached at [jchesto@ledger.com](mailto:jchesto@ledger.com).

Copyright © 2009 GateHouse Media, Inc. Some Rights Reserved.

Original content available for non-commercial use under a [Creative Commons license](#), except where noted.