FAIR HOUSING ACCESSIBILITY FIRST

Fair Housing Instruction, Resources, Support, Technical Guidance

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Homes & Communities
U.S. Department of Housing and Urban Development

EQUAL HOUSING OPPORTUNITY

Design and Construction Requirements of the Fair Housing Act: Technical Overview: Part 1

Participant Workbook

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Design and Construction Requirements of the Fair Housing Act: Technical Overview: Part 1

Introduction

Fair Housing Accessibility FIRST program is an initiative designed to promote compliance with the Fair Housing Act design and construction requirements. The program offers comprehensive and detailed instruction programs, useful online web resources, and a toll-free information line for technical guidance and support. This training is part of that program.

Purpose

The purpose of the Fair Housing Accessibility FIRST program is to offer training and technical guidance on accessibility requirements of the Fair Housing Act and to increase the supply of accessible multifamily housing units nationwide. The program provides training and guidance to architects, builders, code officials, and others in the housing industry with the accessibility requirements for designing and constructing dwelling units covered by the Fair Housing Act.

Technical Guidance

The Fair Housing Accessibility FIRST program provides a Design and Construction Resource Center, also known as the DCRC, which is staffed Monday through Friday from 8:00 AM to 5:30 PM Eastern. You can reach the DCRC:

- Toll-free at 888-341-7781
- By emailing FairHousingFirst@hud.gov
- Subscribe via the website for updates from the Fair Housing Accessibility FIRST program

Additional Training Events

You can register for events on the website by going to:

https://www.hud.gov/program_offices/fair_housing_equal_opp/accessibility_first_training_calendar

Please note that both a morning and an afternoon session are offered to accommodate scheduling. Trainings will be posted as they become available.

Notes:

Learning Objectives

This training will help you to understand the technical design and construction requirements of the Fair Housing Act.

During this training, we will cover the following topics:

- Topic 1: Fair Housing Act Overview and Scoping Parameters
- Topic 2: Seven Requirements of the Fair Housing Act
- Topic 3: Safe Harbors for Compliance
- Topic 4: Requirement 1 Accessible Building Entrance on an Accessible Route
- Topic 5: Requirement 2 Accessible and Usable Public and Common Use Areas

This training relies on the provisions of the Fair Housing Act and its regulations, the Accessibility Guidelines and the Supplemental Questions and Answers, American National Standards Institute, ANSI A117.1 (1986), and the Fair Housing Act Design Manual for the guidance that it provides about compliance with the technical design and construction requirements in the Act.

Notes:

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Topic 1: FHA Overview

History

The Fair Housing Act, also known as, Title VIII of the Civil Rights Act of 1968, prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex, and national origin.

Protected Class

In 1988, Congress amended the coverage of the Fair Housing Act to also prohibit discriminatory housing practices based on disability. Now, it is unlawful to deny the rental or sale of a dwelling unit to a person because that person has a disability.

As a protected class, people with disabilities are unique in at least one respect. They are the only minority that can be discriminated against solely by the design of the built environment. The law provides that a failure to design and construct certain multifamily dwellings to include certain features of accessible design will be regarded as unlawful discrimination.

Intent of the Act

As stated in Congressional House Report 711, the Fair Housing Act is intended to place “modest accessibility requirements on covered multifamily dwellings... These modest requirements will be incorporated into the design of new buildings, resulting in features which do not look unusual and will not add significant additional costs.”

This intention gives people with disabilities greater freedom to choose where they will live and greater freedom to visit friends and relatives.

Notes:

FHA Definitions

First Occupancy

The Fair Housing Act remedies that in part by establishing design and construction requirements for multifamily housing built for first occupancy after March 13, 1991.

Within this statement, there are two important terms that must be defined.

The first term is “covered multifamily dwellings.” There are two aspects that are very important to the definition of this term. One is that the buildings must be designed and constructed for first occupancy after March 13, 1991. A building was not designed or constructed for first occupancy if:

- It was occupied on or before March 13, 1991.
- If the last building permit or renewal of a building permit was issued on or before June 15, 1990.
- Even if the last building permit was issued before June 15, 1990, if the building was occupied before March 13, 1991, it is not covered. HUD adopted these dates to allow time for the requirements to be considered during the design and construction phase of new properties.

The “first occupancy” language in the statute has been defined in HUD’s Fair Housing Act regulations as “a building that has never before been used for any purpose.” This means buildings that are rehabilitated are not covered by the design and construction requirements, even if rehabilitation occurs after March 13, 1991, and even if it is substantial rehabilitation.

Notes:

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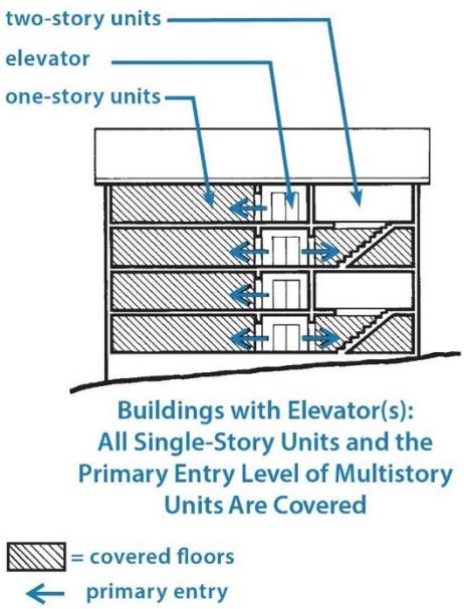
Covered Multifamily Dwellings

The second aspect of the FHA terminology that is important to housing accessibility is the definition of a covered multifamily dwelling unit.

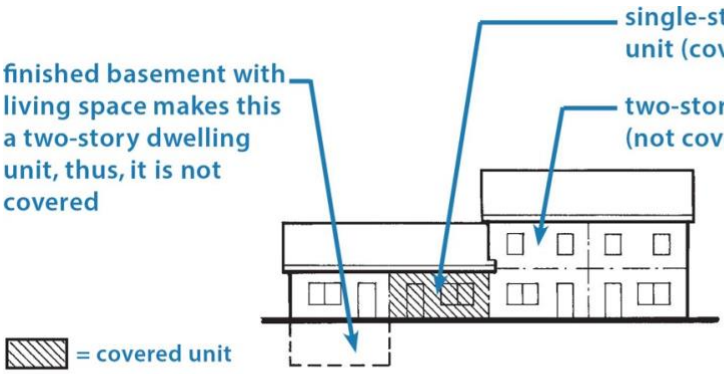
1. All dwelling units in buildings containing four or more dwelling units if the buildings have one or more elevators.
2. All ground floor units in other buildings containing four or more units without an elevator.

This includes housing that is for rent or sale and applies whether the housing is privately or publicly funded.

Condominiums and apartment buildings are covered by the design and construction requirements. So are time-shares, dormitories, transitional housing, homeless shelters that are used as a residence, student housing, assisted living housing, and others.



Buildings with Elevator(s): All Single-Story Units and the Primary Entry Level of Multistory Units Are Covered



Ground Floor Units in Buildings of 4 or More Units Are Covered

Ground Floor Dwelling Units

The **ground floor** is defined as a floor of a building with a building entrance on an accessible route. The ground floor may or may not be at grade.

Notes:

Housing That is Not Covered

The FHA does not cover all types of housing. Housing that is not covered by the design and construction requirements of the Act includes:

- Detached single family houses are not covered by the Fair Housing Act's design and construction requirements, regardless of when they are built.
- Duplexes or triplexes are also not covered by the design and construction requirements of the Fair Housing Act because they do not contain at least four units in a building.
- Multistory townhouses that contain living space on more than one floor are not covered by the requirements. However, there are two situations where multistory townhouses are covered.

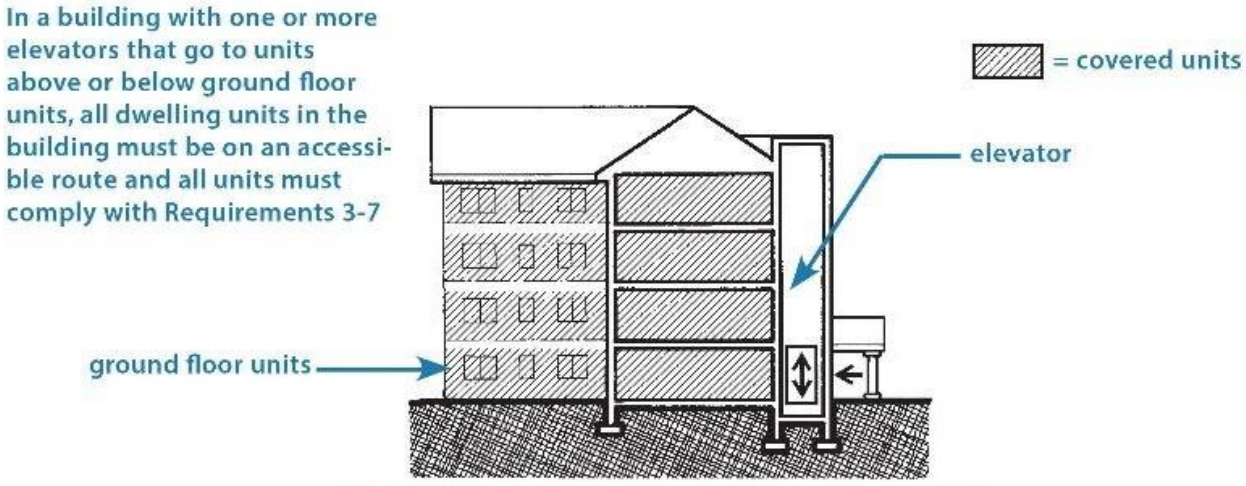
Notes:

Multistory Townhouses Exceptions

However, there are two situations where multistory townhouses are covered:

- If an interior elevator provides access within an individual multistory townhouse, the townhouse is covered.
- If a multistory townhouse is located in a building that has one or more public elevators, the primary entrance level of a multistory townhouse must be the level served by the elevator, and that level must comply with other Fair Housing Act requirements for access, including providing an accessible bathroom or toilet room on that level.

The Fair Housing Act covers all units in buildings with elevators, not just the units on floors served by elevators. This requirement is found in the Guidelines, Requirement 1, para. (3)(a)(1)(ii).



In Buildings with One or More Elevators: (Elevator Buildings) All Units are Covered

Notes:

Key Takeaways From Topic 1

- The Fair Housing Act prohibits discrimination in housing based on disability.
- The 1988 FHA amendment regards a failure to build certain multifamily dwellings with accessible features as discrimination.
- Covered multifamily dwellings must be designed and constructed for first occupancy after March 13, 1991.
- Covered multifamily dwellings apply to all dwelling units in buildings containing four or more dwelling units if the buildings have one or more elevators, and all ground floor units in other buildings containing four or more units without an elevator.

Notes:

Topic 2: Seven Requirements of the FHA

The Fair Housing Act's design and construction requirements are broken down into seven basic requirements.

1. Accessible building entrance on an accessible route
2. Accessible and usable public and common use areas
3. Usable doors
4. Accessible routes into and through the covered unit
5. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations
6. Reinforced walls in bathrooms for later installation of grab bars
7. Usable kitchens and bathrooms

Notes:

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The requirements provide for a minimum level of accessibility. Congress, when it passed these requirements, said that it intended that the accessibility provisions of the Fair Housing Act would facilitate the ability of persons with disabilities to enjoy full use of their homes without imposing unreasonable requirements on home builders, property owners, and residents without disabilities. Congress stated that compliance with these basic requirements would eliminate many of the barriers that discriminate against persons with disabilities in their attempts to access equal housing opportunities.

Key Takeaways From Topic 2

- The FHA's design and construction requirements are broken down into seven basic requirements.
- These requirements ensure a minimum level of accessibility.

Notes:

Topic 3: Safe Harbors

Definition

A safe harbor is an objective and recognized standard, guideline, or code that, if followed without deviation, ensures compliance with the Act's design and construction requirements.

Safe Harbors for Compliance

The Fair Housing Act does not establish a single accessibility standard; therefore, it is necessary to understand the ways in which compliance can be achieved.

Compliance goes beyond the FHA and includes complying with the safe harbors. If a company, architect, developer, designer, or others do not comply with the safe harbors there is a risk of non-compliance with the FHA.

There are currently 15 safe harbors, 10 were established before 2021, and 5 have been added since 2021. The guidelines of these documents are intended to provide a safe harbor for compliance with the accessibility requirements of the Fair Housing Act.

Caution: Safe harbor standards constitute safe harbors only when adopted and implemented in accordance with the policy statement that HUD published in the Federal Register on March 23, 2000.

The benefit of safe harbor status may be lost if, for example, a designer or builder chooses to select provisions from more than one of the safe harbor documents, from a variety of sources, or if waivers of provisions are requested and received.

If it is shown that the designers and builders departed from the provisions of a safe harbor document, they bear the burden of demonstrating that the dwelling units nonetheless comply with the Act's design and construction requirements.

Notes:

Safe Harbors Used in This Training

This training relies on the provisions of the Fair Housing Act and its regulations, the Accessibility Guidelines and the Supplemental Questions and Answers, ANSI A117.1 (1986), and the Fair Housing Act Design Manual for the guidance that it provides about compliance with the technical design and construction requirements in the Act.

Key Takeaways From Topic 3

- There are currently 15 safe harbors as of 2021.
- Safe harbor standards constitute safe harbors only when adopted and implemented in accordance with the policy statement that HUD published in the Federal Register on March 23, 2000.
- The benefit of safe harbor status may be lost if provisions are selected from more than one safe harbor.

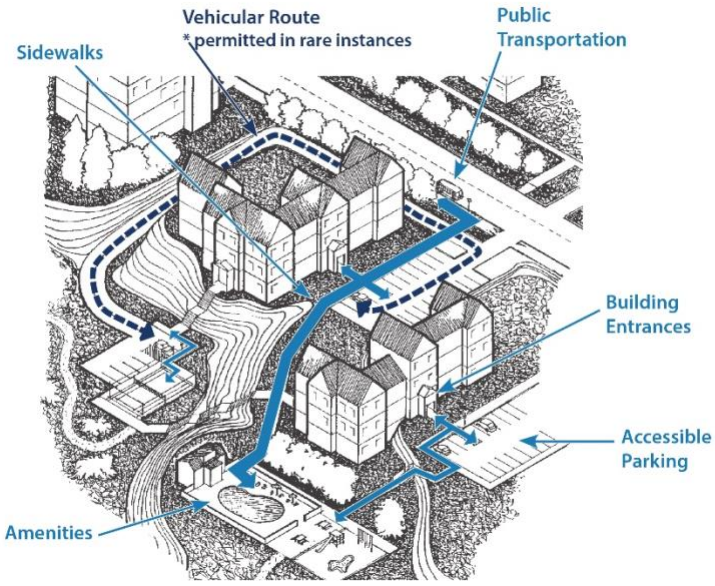
Notes:

Topic 4: Requirement 1

Accessible Building Entrance on an Accessible Route

Requirement 1 presents guidance on designing an accessible building entrance on an accessible route.

Requirement 1 also specifies that covered multifamily dwelling units must have at least one building entrance on an accessible route unless it is impractical to create an accessible route to the entrance.



Significance of an Accessible Route

Before discussing which building entrances are covered, it is important to understand the significance of an accessible route.

- An accessible route is the key element that allows people with mobility disabilities to travel around a building site and enter, use, and enjoy features available to all residents.
- In part, it is a continuous pedestrian path with no steps, no abrupt changes in level, and no steep slopes.

Notes:

Additional Requirements

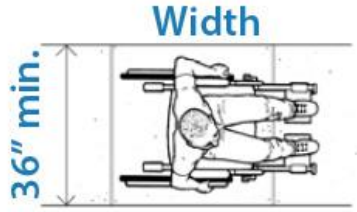
Accessible routes must be provided under Requirement 1, Accessible Building Entrance on an Accessible Route, and Requirement 2, Accessible Public and Common Use Areas. Accessible routes in both Req. 1 and Req. 2 are public and common use features and must comply with the technical specifications in Req. 2, which cites ANSI A117.1 (1986) (or a comparable standard) as the minimum standard for compliance.

Accessible routes must also be provided in Requirement 4, Accessible Route Into and Through the Unit. The technical specifications for accessible routes in Req. 4 are slightly less accessible and are provided within the text of the Guidelines.

Accessible Routes – General Specifications

Specifications for accessible routes may be found in ANSI 4.3, Accessible Route. Some of the key specifications for an accessible route are:

1. A 36” minimum width.
   ANSI gives additional specifications to apply when accessible routes go around obstructions.
2. The maximum slope of an accessible route is 1:20.
   Slopes greater than 1:20, up to 1:12, are allowed, but they would have to comply with the ramp provisions in ANSI.
3. Cross slopes may not exceed 1:50 (approximately ¼” per foot, which is 1:48).



Notes:

Accessible Routes – ANSI Specifications

Accessible routes must be designed and constructed to comply with applicable sections of ANSI or a comparable standard. For instance, ANSI provides specifications for elements of an accessible route, including:

- Width
- Slope
- Surface texture
- Passing space
- Headroom
- Changes in level
- Absence of protruding objects

This is also true for all other circulation paths.

Now, we will discuss the ANSI specifications for an accessible route in more detail.

1. Running slopes on walks must not exceed 1:20, a slope of 5% unless the walk is designed as a ramp, in which case the maximum slope may be 1:12. Ramps must have railings on both sides of the ramp. In other words, if the walk is to go up one foot in height, it needs to be at least 20 feet long. People using wheelchairs cannot effectively use walks with steep slopes.
2. Cross slopes on sidewalks must not exceed 1:50 (Approx. ¼" per foot). This limits a sidewalk from slanting from side to side. Too large a cross slope could cause a wheelchair user to lean too far to one side or the other or even cause a wheelchair to tip over. This standard also helps prevent people on crutches from losing their balance.
3. Required walks must be of a stable and firm material, not gravel or mulch.

Notes:

4. Accessible routes must be designed for safe passage for persons using wheelchairs and for persons with other types of disabilities.

Accessible Routes to Site Facilities

Site amenities that are required to be on an accessible route include:

- Mailbox kiosks
- Separate laundry buildings
- Clubhouses and pool areas
- Managers' offices
- Recreational areas
- Refuse disposal areas

Accessible Routes Within Buildings Containing Covered Units

Within a building containing covered dwelling units, common use areas must be accessible, and they must be on an accessible route. Examples of common use areas include:

- Mailrooms
- Clubhouses and other entertainment areas
- Trash chutes
- Observation decks
- Laundry rooms
- Terraces, including those located on rooftops
- Swimming pools
- Fitness rooms
- Office centers

Notes:

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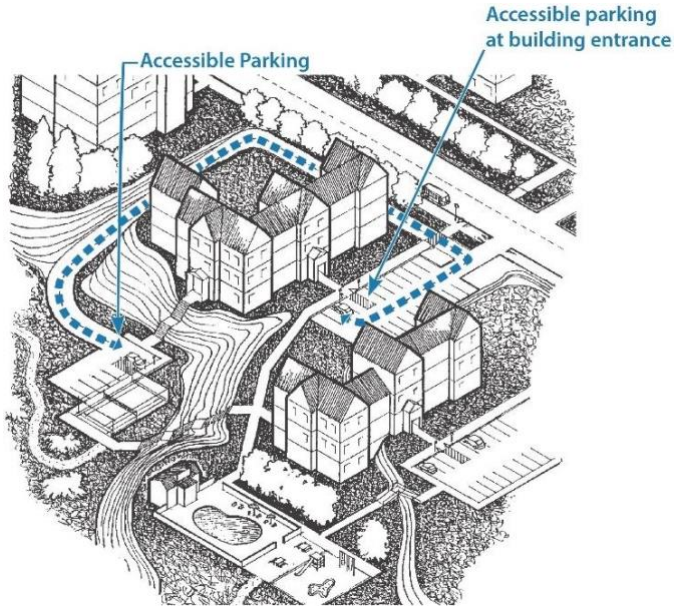
Level Elevated Walkways

A level elevated walkway is an effective and attractive solution to connect uphill pedestrian arrival areas with the ground floors of covered buildings.

Pedestrian and Vehicular Routes

Ideally, people with disabilities should be able to travel throughout the complex by means of an accessible pedestrian route. However, there may be situations in which an accessible pedestrian route is not practical because of factors beyond the control of the owner.



On such sites, the Guidelines allow for access via a vehicular route in lieu of an accessible pedestrian route. This means it may be necessary for a person with a disability to drive from building to building to reach public and common use spaces.

In rare cases, access to a vehicular route when an accessible pedestrian route is not possible is only permissible if factors beyond the control of the owner result in:

1. A finished grade exceeding 8.33%,
2. Natural or manmade physical barriers, or
3. Legal restrictions, any of which prevents the installation of an accessible pedestrian route.

Notes:

On sites that meet the above conditions for provision of access by a vehicular route, there must be accessible parking spaces and curb cuts provided at each facility or amenity that cannot otherwise be reached on an accessible pedestrian route.

Covered Building Entrances

1. Buildings with one or more common entrances must have at least one accessible entrance that leads to all the ground floor dwelling units.
2. In buildings containing ground floor dwelling units that have their own exterior entrance, each individual dwelling entrance must be accessible.
3. In buildings with multiple entrances, where each entrance serves a cluster of dwellings, each entrance serving a cluster must be accessible.
4. Buildings with elevators that have one or more common entrances must have at least one accessible entrance.

Accessible Entrances

Entrances required to be accessible must be usable by people with disabilities. Detailed specifications to achieve this are found in applicable sections of ANSI 4.13 – Doors.

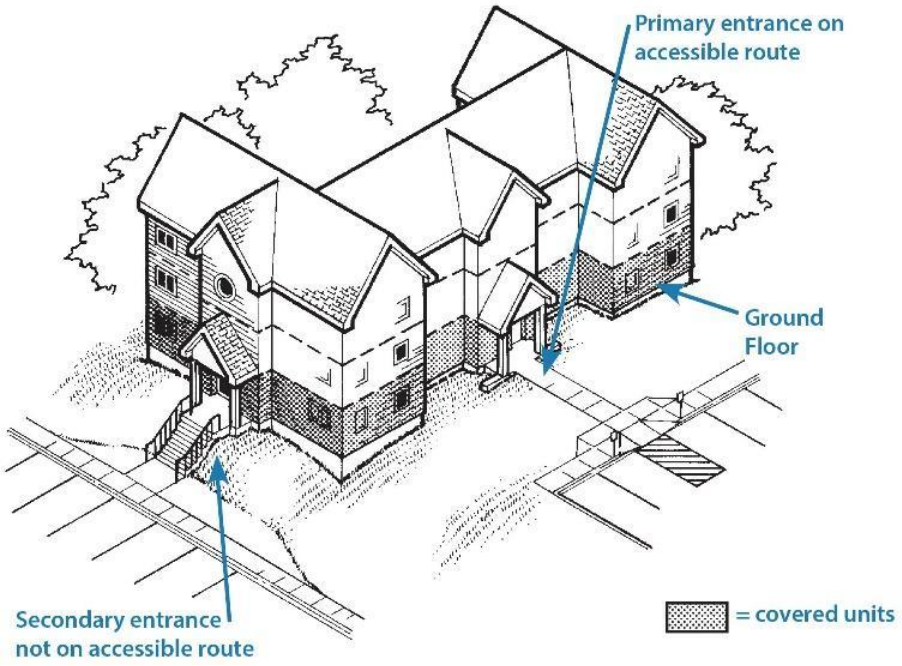
When dwellings have individual separate entries, only the common use exterior side of the unit entrance must comply with ANSI. However, on common building entrances, both sides of the entrance door must meet applicable ANSI specifications.

Notes:

Buildings With Common Entrances and a Single Ground Floor

When a building has more than one common entrance but only one ground floor, at least one of the entrances must be accessible. It must be the main or primary entrance and be on an accessible route connecting all ground floor units.

The accessible route must connect the building entrance to a pedestrian arrival point. If the pedestrian arrival point is a parking lot, as shown in this example, the accessible route must connect the parking space and access aisle with the building entrance.

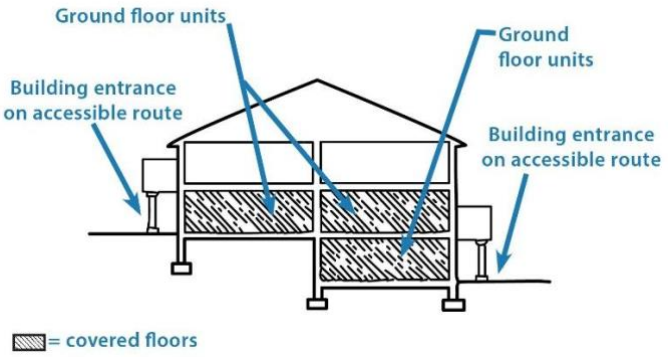


Notes:

Buildings With Multiple Ground Floors

When vehicular arrival points are established at the entrance to a building, the level of the building served by that entrance is considered to be a ground floor.

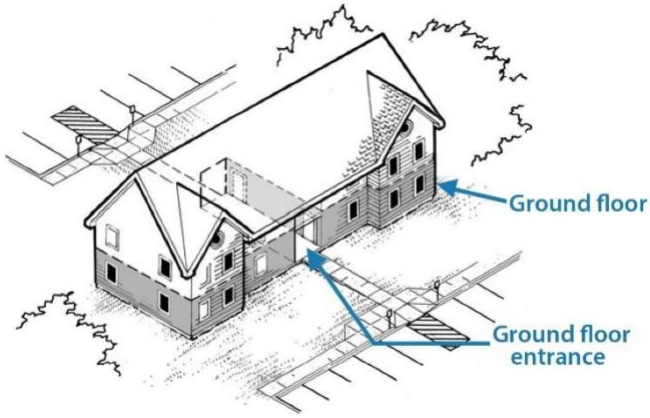
The Guidelines define a ground floor as a floor of a building with a building entrance on an accessible route. A building may have one or more ground floors.



Breezeway Buildings

Breezeway buildings may be thought of as buildings with a common entrance, except that the entrance and the interior corridor are open to the elements.

When a breezeway serving a cluster of covered dwellings has more than one entrance, at least one has to be accessible.



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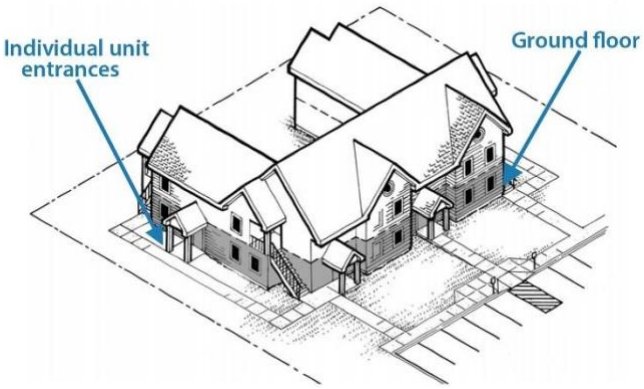
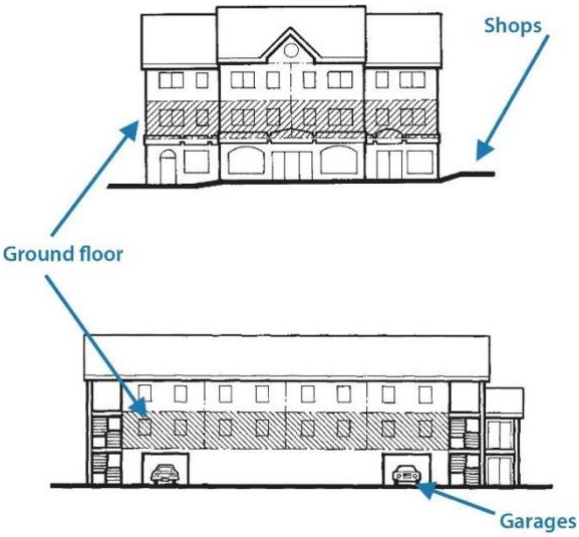
Individual Entrances

When a building has ground floor units, each with its own exterior entrance, then each of these ground floor units must have an accessible entrance on an accessible route.



Units Over Non-Residential Uses



When the first level of single story units are located over a common garage or other non-residential use, such as retail shops, these units must be on an accessible route. Most buildings of this type incorporate an elevator to provide an accessible route. The elevator, in this case, could stop at the first level containing dwelling units. If the elevator extends to the higher floors, all units in the building are covered, and the elevator must serve all floors.

Notes:

Unusual Site Terrain

In rare instances, some units may not be covered by the Guidelines because they are built on steeply sloping sites or sites with other unusual characteristics.

Elevator buildings cannot claim site impracticality.

The Guidelines provide tests to determine site impracticality—two for steep terrain and one for unusual characteristics such as flood plains or coastal high-hazard areas.

The tests provided in the Guidelines are intended to be applied during the early phases of design. Claims of site impracticality should always be substantiated by evidence tabulated during the application of the appropriate test.

Site Impracticality Tests – Terrain

The two tests for determining site impracticality due to steep or difficult terrain are:

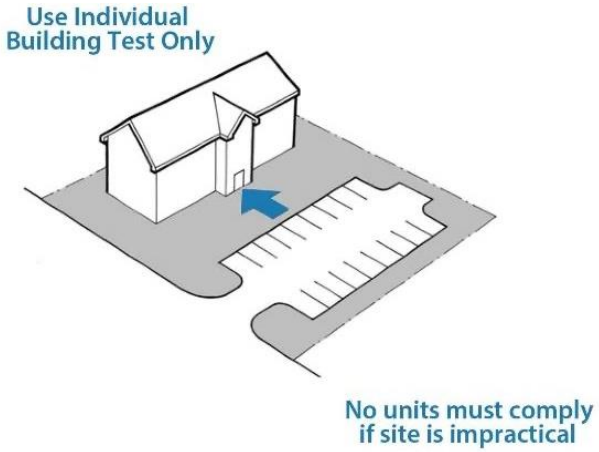
1. The Individual Building Test: a test which analyzes the grade difference between planned building entrances and pedestrian arrival points.
2. The Site Analysis Test: a test which analyzes the site as a whole to establish minimum numbers of units that must be made accessible.

The determination of which test to apply depends upon the type and number of buildings planned for a site. Both tests will be discussed in more detail later in this training.

Notes:

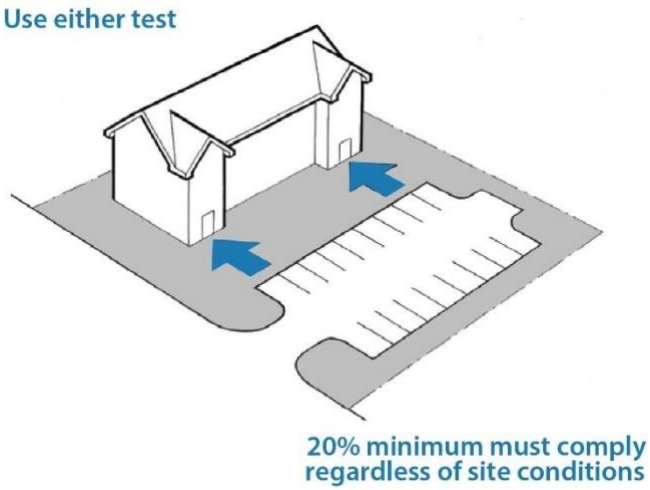
Single Non-Elevator Building With One Common Entrance

A site with one non-elevator building, having only one common entrance into the building, may only be analyzed using the Individual Building Test. If the site is found impractical, no units are covered.



Single Non-Elevator Building With More Than One Common Entrance

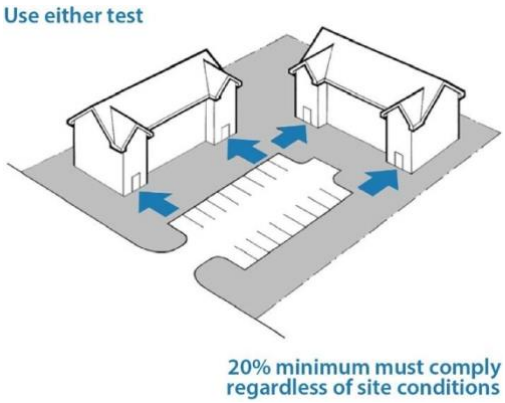
A site with only one non-elevator building but with more than one common entrance may be analyzed using either the Individual Building Test or the Site Analysis Test. Regardless of which test is used, a minimum of 20% of the planned ground floor units must be on an accessible route and meet the Guidelines. This 20% is a starting point. After the test is applied, in most cases, you may find that more units must comply.



Notes:

Multiple Non-Elevator Buildings Each With More Than One Entrance

A site with several non-elevator buildings, but each with more than one entrance, may also be analyzed using either test. Again, regardless of which test is used, the minimum 20% of the planned ground floor units must be on an accessible route and meet the Guidelines. The 20% is a starting point. After the tests are applied, in most cases, you may find that more units must comply.

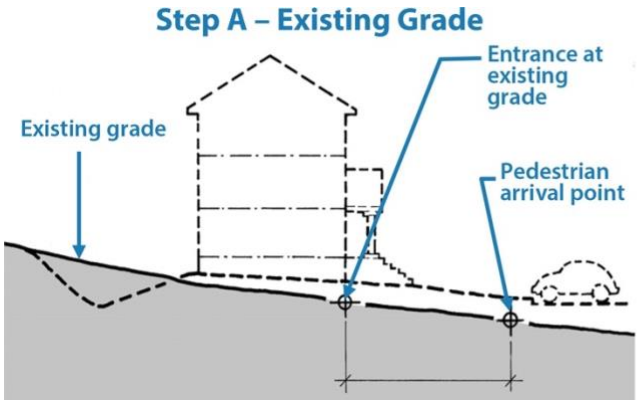


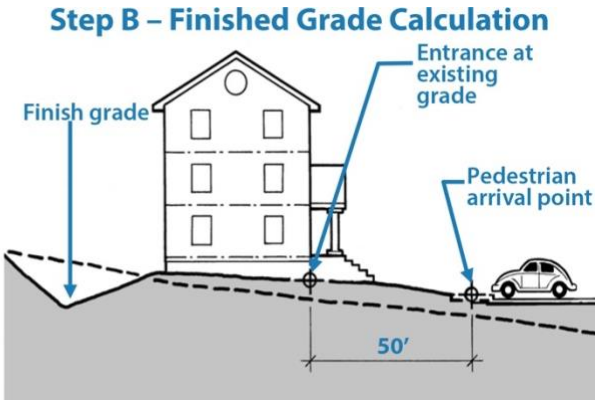
Individual Building Test – Two-Step Process

Using the Individual Building Test is a two-step process: In Step A, the slope of the existing grade elevation must be made from the center of the planned entrance or door to all pedestrian arrival points within 50 feet. If the slope exceeds 10%, proceed to Step B.

In Step B, the slope calculation must be made from the center of the planned entrance at the planned finished grade elevation to all pedestrian arrival points within 50 feet. At this point in the design process, finish floor elevations established for the sake of preparing a grading plan should be considered preliminary.

If the slope in Step B also exceeds 10%, the entrance could be exempt, and designers can set finish floor elevations at whatever height they want.





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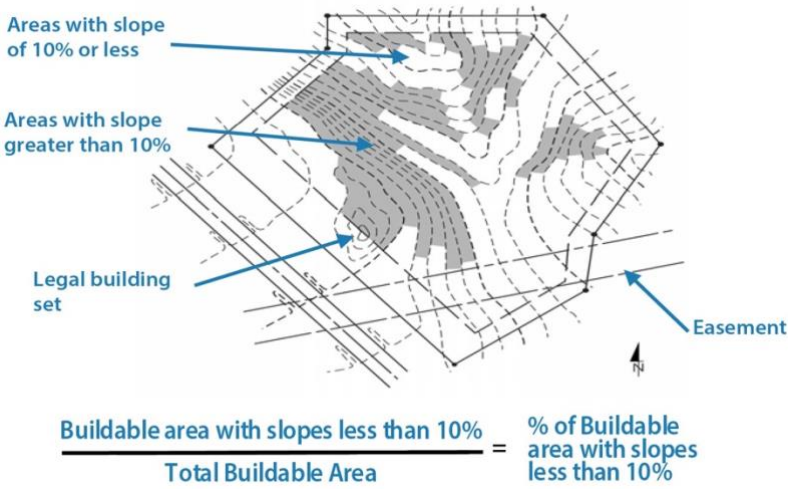
Site Analysis Test – Three-Step Process - Steps A and B

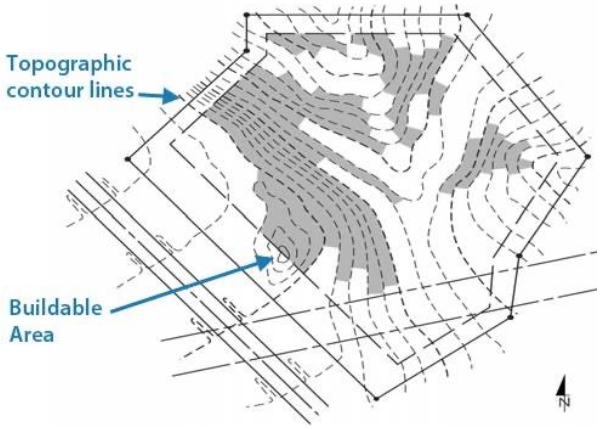
The Site Analysis Test is a three-step test which requires a pre-design analysis of the entire site to determine a minimum number of units that must be on an accessible route and meet the other accessibility requirements in the Guidelines.



$$\frac{\text{Buildable area with slopes less than 10\%}}{\text{Total Buildable Area}} = \text{\% of Buildable area with slopes less than 10\%}$$

Step A: A topographic survey of the site is prepared, and the total "buildable area," with slopes less than 10%, is calculated. The percentage of total buildable area with slopes less than 10% is calculated by dividing the total buildable area by the buildable area with slopes less than 10%.

Buildable area is that portion of the site where buildings may legally be built – excluding non-buildable areas such as building set back areas, utility easements, etc.



The Guidelines specify that the topographic survey shall show elevation contours at 2 foot intervals.

Step B: The minimum number of ground floor units that must meet the Guidelines is determined.

The minimum number of ground floor units that must be made accessible must equal the percentage of buildable area with slopes less than 10% calculated in Step A. The accuracy of the slope analysis, steps A and B, must be certified by a professional surveyor, engineer, or another qualified professional.

Notes:

This is only a minimum threshold; more units may be required to be accessible. This determination is made in Step C.

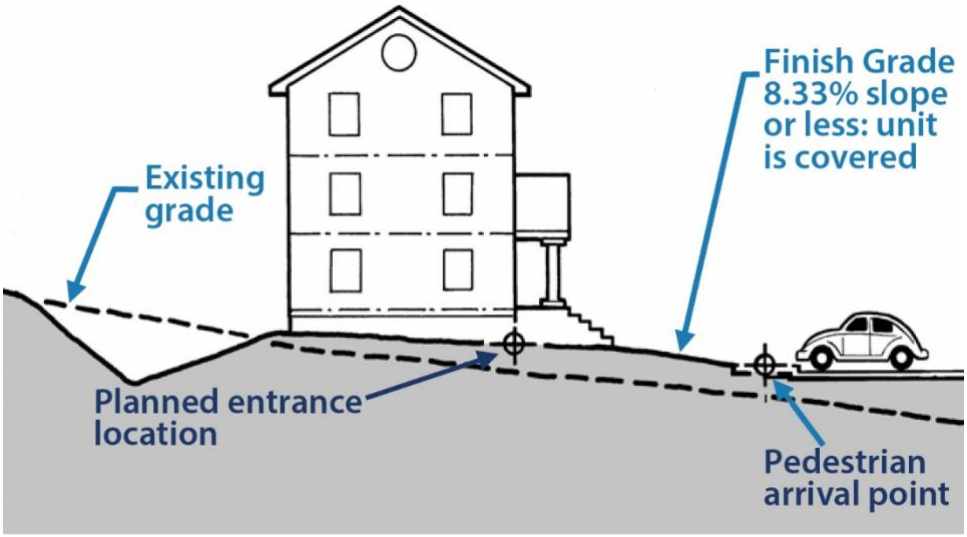
Site Analysis Test – Three-Step Process - Step C

Step C: Designers must review the site plan again during the design process to determine if additional units must be added to the minimum number established in Step B.

A preliminary site plan must be prepared with the minimum number of units designated.

An additional review of the grade differences of the final design are then calculated at the remaining units between the planned entrance and the pedestrian arrival point.

If the grade is 8.33% (1:12) or less, then those units must be added to the minimum number of covered units.



Notes:

Site Impracticality Due to Unusual Site Characteristics

It may be impractical to provide an accessible route on certain sites where a law or regulation requires the lowest finish floor or other structural member to be raised to a specific level above the base floor evaluation.

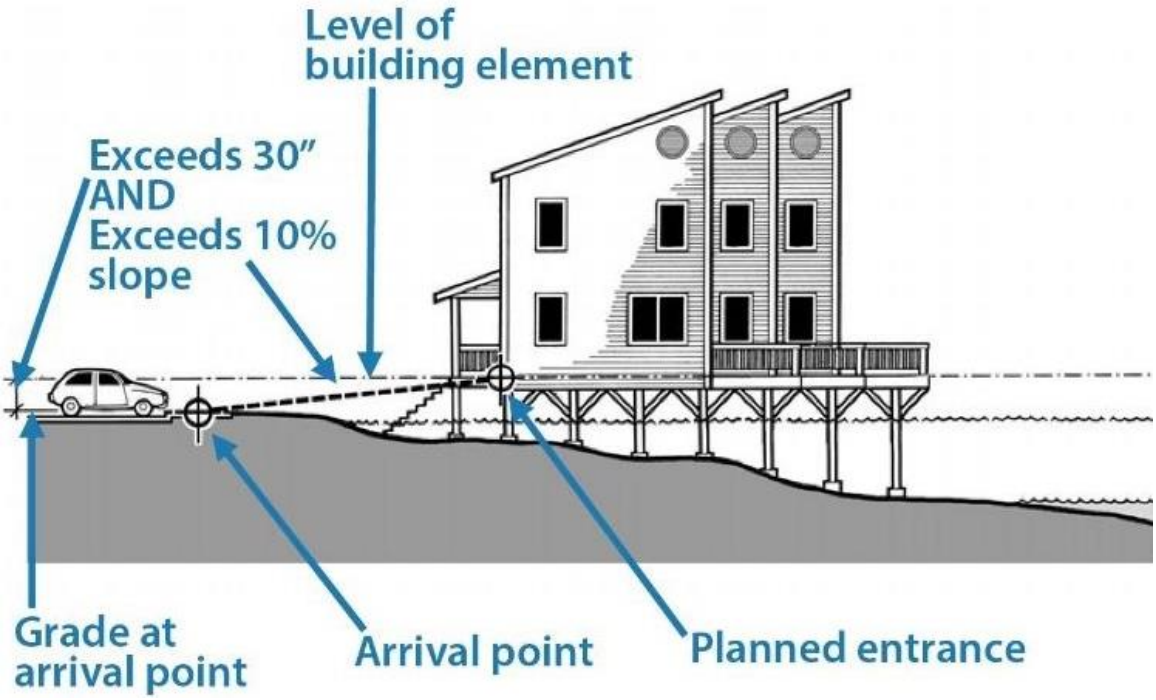
Examples of such sites are those located in federally designated flood plains or coastal high-hazard areas, where buildings must be raised to a specific level above the base flood elevation.

Notes:

Unusual Site

On a site with unusual characteristics, it is impractical to provide an accessible route to a building entrance only if both of the following conditions occur:

1. There is a 30” difference in finished grade elevation measured between the lowest permissible planned entrance and all pedestrian arrival points within 50’. If there are no pedestrian arrival points within 50’ of the planned entrance, the measurement must be made between the lowest allowed planned entrance and the closest pedestrian arrival point, **AND**
2. The slope between the lowest permissible planned entrance and all pedestrian arrival points within 50’ exceed 10%. Likewise, if there are no pedestrian arrival points within 50’ of the planned entrance, the measurement must be made between the lowest allowed planned entrance and the closest pedestrian arrival point.



Notes:

Key Takeaways From Topic 4

- Requirement 1 presents guidance on designing an accessible building entrance on an accessible route. Key specifications for Requirement 1 are a route with a 36-inch width, max slope of 1:20, and cross slopes may not exceed 1:50.
- Buildings with one or more common entrances must have at least one accessible entrance that leads to all the ground floor dwelling units. The accessible route must connect the building entrance to a pedestrian arrival point.
- A building may have more than one ground floor if multiple levels are served by an entrance on an accessible route.
- The two tests for determining site impracticality due to steep or difficult terrain are:
    1. The Individual Building Test: a test which analyzes the grade difference between planned building entrances and pedestrian arrival points.
    2. The Site Analysis Test: a test which analyzes the site as a whole to establish minimum numbers of units that must be made accessible. The Site Analysis Test is a three-step test which requires a pre-design analysis of the entire site.

Notes:

Topic 5: Requirement 2

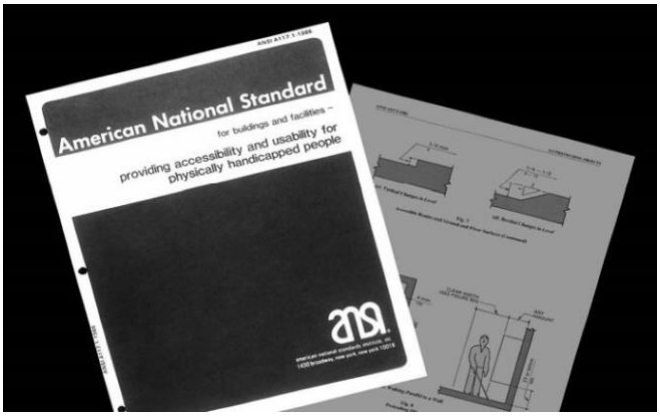
Accessible and Usable Public and Common Use Areas

FHA Requirement 2 specifies that public and common use areas be accessible to people with disabilities, permitting them access to and use of amenities.

Notes:

Design and Construction Requirements of the Fair Housing Act: Technical Overview: Part 1

ANSI Standard

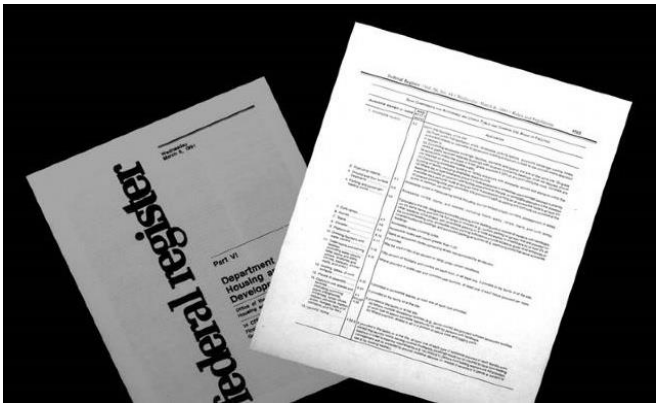


The Guidelines reference the 1986 ANSI A117.1 Standard as the set of technical specifications to follow when designing accessible public and common use areas. Other accessibility standards may be followed, but they must be as accessible as the ANSI Standard.

While minimal levels of accessibility are specified in the Guidelines for dwelling interiors (Requirements 3 – 7), high levels of accessibility are achieved in the public and common use areas due to the application of ANSI. This makes sense because public and common use areas are most likely to serve people with disabilities.

HUD also recognizes CABO/ANSI-1992 and ICC/ANSI-1998 as acceptable standards, for the technical criteria, in terms of meeting minimum compliance with Requirement 2.

Basic Components of Accessible Public and Common Use Areas



To assist designers and builders, the Guidelines include a chart that identifies public and common use elements and spaces that must be accessible. The chart references the applicable section of the ANSI Standard and gives further directions on scoping, that is, where, when, and how many elements and spaces must be accessible.

Unless the specific conditions discussed earlier are met, public and common use areas must be on an accessible route so they can be approached, entered, and used by people with disabilities.

Notes:

Toilet Rooms

When there is a toilet room, also referred to as a powder room, in a public area, it must meet all of the applicable sections of the ANSI Standard, including providing compliant maneuvering space and grab bars.

Specifications for Sinks in Toilet Rooms

Sinks in toilet rooms must have:

- Knee space.
- Pipe protection.
- Usable faucet handles.
- Lever-style handles that do not require gripping or twisting.
- Mirrors mounted at a usable height.
- Paper towel dispensers within reach ranges specified in ANSI.
- Current technology offers builders innovative options to install touchless faucets that use motion sensors to dispense soap, water, and paper towels.

Notes:

Minimum Parking Requirements

In the provisions of Requirement 2 in the Guidelines, minimum levels of accessible parking are established. For residents:

- A minimum of 2% of parking spaces serving covered dwelling units and upon request by persons with disabilities.
- A minimum of one accessible space at each site facility where parking is provided, such as a swimming pool, mail kiosk, clubhouse, recreation facilities, etc.

For visitors (if visitor parking is provided):

- One-space minimum is required.
- A minimum of one at a sales/rental office

A sufficient number of spaces is required to provide access to grade level entrances of covered multifamily dwellings.

A sufficient number can be established by examining the total number of visitor parking provided compared to the total size of a project. A one-space minimum is required, but more should be provided if a large amount of visitor parking has been provided for the benefit of residents.

Notes:

Parking Facilities

When a development provides different types of parking, such as:

- Carports
- Detached garages
- Covered parking within buildings containing units

At least one of each type must be made accessible.

- Accessible parking must be provided on the same terms and range of choices that are offered to other residents.
- At facilities, such as a leasing office, where other laws such as ADA may apply, accessible van parking may be required.

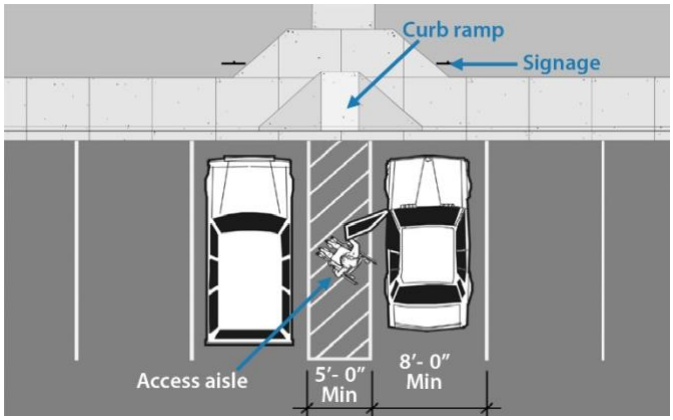
Notes:

Accessible Parking Spaces

The minimum specification in the ANSI Standard for an accessible parking space is a 96” wide parking space and a 60” wide access aisle.

The width of the space and the access aisle help ensure that people using the space have enough room to unload a wheelchair and get out of a vehicle safely.

Accessible parking spaces serving a public leasing office or another facility open to the public that is located within a multifamily project may also be subject to the ADA.



A 96” wide access aisle for van-accessible parking is required in these cases.

The complete standard for a van-accessible parking space can be found in the 2010 Americans with Disabilities Act Standards for Accessible Design, in most versions of the ICC A117.1 Standards, and many other safe harbor documents.

Notes:

Accessible Routes to Recreational Facilities

When multiple recreational amenities, such as tennis courts, playgrounds, or spas, are provided within the same development, the Guidelines stipulate that not all, but a "sufficient" number of each type, must be accessible.

- The number determined to be sufficient must ensure an equitable opportunity for use by people with disabilities.
- It is recommended that all recreational facilities be accessible when the site is relatively flat, and this can be easily achieved.

When there is a swimming pool, access must be provided to the pool area.

The Guidelines do not require an accessible route (ramp or lift) down into the water at pools.

Builders and owners should check ADA standards for pools.

Accessible Recreational Areas

The routes and areas around recreation, craft, or lounge areas must be accessible.

When there are tables, counters, or work surfaces, one of each type must be accessible and have knee space.

Notes:

Accessible Drinking Fountains

If drinking fountains are provided, at least 50% must be accessible, with knee space and other features specified in ANSI.

Accessible Laundry Facilities

Laundry facilities must be on an accessible route.

Although front-loading washing machines are not required, adequate maneuvering space must be provided at washers and dryers so that a person who uses a wheelchair can approach and pull up close to the machine.

Upon request, management must provide mechanical reachers so a seated person can reach into a top-loading machine.

Notes:

Accessible Mailboxes

Mailboxes must be within reach ranges established in ANSI, although normally not all of the mailboxes provided serve covered dwellings.

It is recommended that all the mailboxes be placed within a reach range:

- No higher than 54” for a side reach.
- No higher than 48” for a forward reach.
- No lower than 9” for a side reach.
- No lower than 15” for a forward reach.

This will ensure that regardless of the installed mailbox system, or established numbering system, mailboxes serving ground floor dwellings will be accessible.

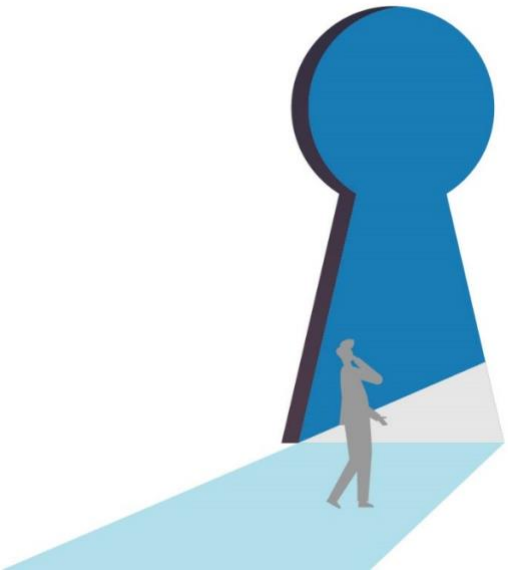
Accessible Trash Facilities

Trash dumpsters are a common use facility, and a sufficient number on the site must be on an accessible route.

- Although not required, dumpsters can be recessed into the ground and equipped with lightweight, easy-lift lids.
- If enclosures are built around dumpsters, there must be an accessible entrance into the enclosure leading to the door of the dumpster.

Notes:

Key Takeaways From Topic 5



- FHA Requirement 2 specifies that public and common use areas be accessible to people with disabilities, permitting them access to and use of amenities.
- When there is a toilet room in a public area, it must meet all of the applicable sections of the ANSI Standard, including providing compliant maneuvering space and grab bars.
- In the provisions of Requirement 2 in the Guidelines, minimum levels of accessible parking are established. For residents:
    - A minimum of 2% of parking spaces serving covered dwelling units and upon request by persons with disabilities.
    - A minimum of one accessible space at each site facility where parking is provided, such as a swimming pool, mail kiosk, clubhouse, recreation facilities, etc.
- The ANSI Standard for an accessible parking space is a 96” wide parking space and a 60” wide access aisle.
- When multiple recreational amenities, such as tennis courts, playgrounds, or spas, are provided within the same development, the Guidelines stipulate that not all, but a “sufficient” number of each type must be accessible.
- Laundry facilities must be on an accessible route, adequate maneuvering space must be provided at washers and dryers so that a person who uses a wheelchair can approach and pull up close to the machine.

Notes:

Contacts

The Fair Housing Accessibility FIRST program provides a Design and Construction Resource Center, also known as the DCRC, which is staffed Monday through Friday from 8 AM to 5:30 PM Eastern. You can reach the DCRC toll-free at 888-341-7781.

Or you can reach the DCRC at FairHousingFirst@hud.gov.

You can also receive updates by following the DCRC on Twitter and Facebook.

You can also subscribe via the website for updates from the Fair Housing Accessibility FIRST program.

Notes: