



FAIR HOUSING ACCESSIBILITY

FIRST Fair Housing Instruction, Resources, Support, Technical Guidance

Strategies for Compliant Sites & Accessible Routes

1

Upcoming Webinars



FAIR HOUSING ACCESSIBILITY

FIRST Fair Housing Instruction, Resources, Support, Technical Guidance

Accessible Public & Common Use Areas

- October 25, 2017, 12:30-2:00pm CDT
- Module 8 / Requirement 2

Dwelling Unit Requirements

- November 1, 2017, 12:30-2:00pm CDT
- Portions of Module 5,6 &10 / Requirements 3 - 7

Common Design / Construction Violations & Solutions

- November 15th, 2017, 12:30-2:00pm CDT
- Module 9 / Requirements 1-7

2



FAIR HOUSING ACCESSIBILITY

FIRST Fair Housing Instruction, Resources, Support, Technical Guidance

- Initiative sponsored by the U.S. Department of Housing and Urban Development (HUD)
- Designed to promote compliance with the Fair Housing Act's design and construction requirements.
- Fair Housing FIRST provides:

- Comprehensive training curriculum,
 - Toll-free information line, and
 - Website designed to provide technical guidance to the public.



3



Technical guidance via a website and toll free hotline:

1-888-341-7781 V/TTY

www.fairhousingfirst.org



4

Introduction


LCM ARCHITECTS
 CHICAGO, ILLINOIS



- Licensed Architectural & Accessibility Consulting Firm
- Fair Housing Act, ADA Title II & Title III & Universal Design
- 48 Staff Members
- Member - U. S. Access Board (1996 – 2011)
- Member - ANSI A117.1 Committee
- Manager - HUD's Fair Housing FIRST Program
- Certifications - IBC, CASp, TAS

5

Introduction



Jack Catlin, FAIA
 Partner
 LCM Architects
 Chicago, Illinois

6

Housekeeping

- Question & Answer Period
- Training Evaluations
- AIA CEU Credits

7



- Offers training and technical guidance on accessibility requirements of the Fair Housing Act.
- The goal is to increase the supply of multifamily housing units that comply with HUD's FHA requirements.



8



This technical assistance Webinar is intended solely as informal guidance and is neither a determination of legal responsibilities under the Fair Housing Act nor binding on any agency with enforcement responsibility under the Fair Housing Act.



9



Gathered opinions and ideas from over 850 stakeholders, including:

Stakeholder Groups

- Builders
- Architects
- Landscape Architects
- Disability Rights Advocates
- Government Officials
- Trade Associations
- Property Managers
- Media
- Code Officials
- Civil Engineers
- Enforcement Agencies

10

Strategies for Compliant Sites & Accessible Routes

During this training session, we will discuss:

Requirements #1 & #2 of Fair Housing Act :

- Requirement 1 Accessible Building Entrance on an Accessible Route
- Requirement 2 Exterior Accessible Routes

11

History of the Fair Housing Act

The Fair Housing Act was passed in **1968**

The Fair Housing Amendments Act, with new coverage of disability, was enacted in **1988**

Enforced by:

- The Department of Housing and Urban Development (HUD)
- The Department of Justice (DOJ)
- State and local fair housing enforcement agencies
- Private lawsuits in federal and state courts



12

Units Covered by the Fair Housing Act

The design and construction requirements apply to “covered multifamily dwellings” designed and constructed for first occupancy after **March 13, 1991**

Covered Multifamily Dwellings Include:

- All dwelling units in buildings containing four or more units, with an elevator
- All ground floor units in buildings containing four or more units, without an elevator

13

Units Covered by the Fair Housing Act

The design and construction requirements apply to “covered multifamily dwellings” **designed and constructed for first occupancy after March 13, 1991**

Covered Multifamily Dwellings Include:

- All dwelling units in buildings containing four or more units, with an elevator
- All ground floor units in buildings containing four or more units, without an elevator

14

Units Covered by the Fair Housing Act

The design and construction requirements apply to “covered multifamily dwellings” designed and constructed for first occupancy after **March 13, 1991**

Covered Multifamily Dwellings Include:

- All dwelling units in buildings containing **four or more units, with an elevator**
- All ground floor units in buildings containing **four or more units, without an elevator**

15

Units Covered by the Fair Housing Act

The design and construction requirements apply to "covered multifamily dwellings" designed and constructed for first occupancy after **March 13, 1991**

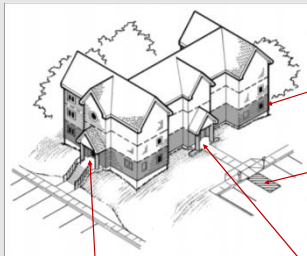
Covered Multifamily Dwellings Include:

- All dwelling units in buildings containing four or more units, with an elevator
- All ground floor units in buildings containing four or more units, without an elevator

Check with your local build code for addition multi family requirements

16

Ground Floor



Secondary entrance
(not on accessible route)

Primary entrance
on accessible route

Ground Floor



Secondary entrance
(not on accessible route)

Primary entrance
on accessible route

Ground Floor

Note:
Ground floor must be on an accessible route

Ground Floor
Shops
Ground Floor
Garages

Units over Non-Residential Uses

19

Housing That is **Not** Covered

- Detached single family houses
- Duplexes or triplexes
- Multistory townhouses
(Except multistory townhouses with elevators)

20

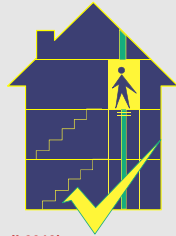
Multistory Units that **Are** Covered

- Multistory townhouses with elevators and/or elevator shafts
- Multistory units in elevator buildings

21

Multistory Units that **Are** Covered

- Multistory townhouses with elevators and/or elevator shafts
- Multistory units in elevator buildings



NOTE:

Joint Statement of HUD and DOJ (April 2013):
In addition to a compliant toilet or powder room on the primary entry level, a compliant kitchen must be provided.

22

Seven Design & Construction 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 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



23

Safe Harbors for Compliance

1. HUD Fair Housing Accessibility Guidelines and the Supplemental Notice
2. ANSI A117.1 (1986), used with the Fair Housing Act, HUD's regulations, and the Guidelines
3. CABO/ANSI A117.1 (1992) used with the Fair Housing Act, HUD's regulations, and the Guidelines
4. ICC/ANSI A117.1 (1998) used with the Fair Housing Act, HUD's regulations, and the Guidelines
5. The Fair Housing Act Design Manual (1998)
6. Code Requirements for Housing Accessibility 2000 (ICC/CRHA)
7. International Building Code 2000 with 2001 Supplement
8. International Building Code 2003, with one condition
9. ICC/ANSI A117.1 (2003) used with the Fair Housing Act, HUD's regulations, and the Guidelines
10. International Building Code 2006, with the January 31, 2007 Errata

24

551

Safe Harbors

CAUTION:

(HUD Policy)

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. That policy statement notes, for example, that if a jurisdiction adopts a model Building Code that HUD has determined conforms with the design and construction requirements of the Act, then covered residential buildings that are constructed in accordance with plans and specifications approved during the building permitting process will be in compliance with the requirements of the Act unless the building code official has waived one or more of those requirements or the building code official has incorrectly interpreted or applied the building code provisions.

25

551

Safe Harbors

CAUTION:

(HUD Policy)

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. That policy statement notes, for example, that **if a jurisdiction adopts a model Building Code that HUD has determined conforms with the design and construction requirements of the Act, then covered residential buildings that are constructed in accordance with plans and specifications approved during the building permitting process will be in compliance with the requirements of the Act unless the building code official has waived one or more of those requirements or the building code official has incorrectly interpreted or applied the building code provisions.**

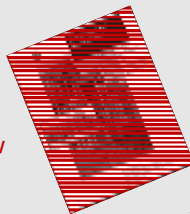
26

551

Safe Harbors Used for Todays Training

1. HUD Fair Housing Accessibility Guidelines and the Supplemental Notice (1991)
2. ANSI A117.1 (1986), used with the Fair Housing Act, HUD's regulations, and the Guidelines
3. The Fair Housing Act Design Manual (1998)

www.huduser.gov/portal/publications/destech/fairhousing.html



27

Requirements 1 & 2 Site & Accessible Routes

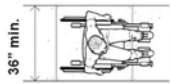


Understanding the FHA requirements is critical to successful site planning

28

Accessible Routes

1. Width



2. Cross Slope 0% - 2%



3. Sidewalk Slope 0% - 5%



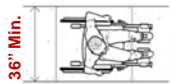
4. Ramp Slope 5% - 8.3%



29

Accessible Routes Width

1. Width



2. Cross Slope 0% - 2%



3. Sidewalk Slope 0% - 5%



4. Ramp Slope 5% - 8.3%

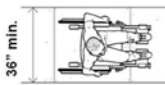


30

Accessible Routes


Cross Slope

1. Width




36" min.


2. Cross Slope 0% - 2%



3. Sidewalk Slope 0% - 5%



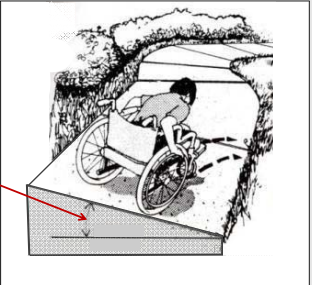
4. Ramp Slope 5% - 8.3%



31

Accessible Routes

Cross Slope

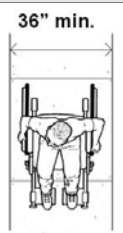



2% Max.
Cross Slope

32

Construction Allowance

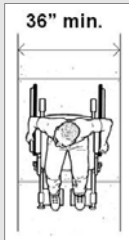
36" min.





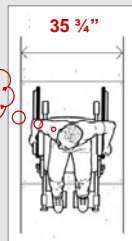
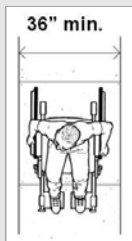
33

Construction Allowance



34

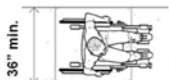
Construction Allowance



35

Accessible Routes Walkway Slope

1. Width



2. Cross Slope 0% - 2%



3. Sidewalk Slope 0% - 5%



4. Ramp Slope 5% - 8.3%



36

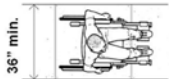
Accessible Routes Walkway Slope



37

Accessible Routes Ramps

1. Width



3. Sidewalk Slope 0% - 5%



2. Cross Slope 0% - 2%

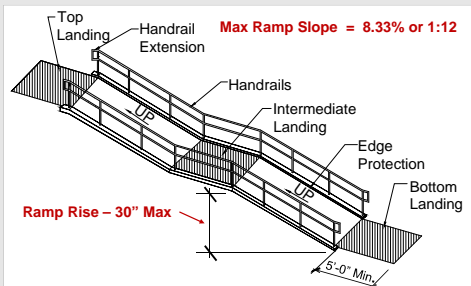


4. Ramp Slope 5% - 8.33%



38

Accessible Routes Ramps



39

Accessible Routes

Curb Ramps

1. Flared

2. Built-Up

3. In-Line / Parallel

4. Returned

Ramp slope 1:12 max.

If less than 48" side flare slope 1:12 max.

Side flare 1:10 slope Max.

Ramp slope 1:12 max.

Side flare 1:10 slope Max.

Ramp slope 1:12 Max.

Ramp slope 1:12 Max.

40

Accessible Routes

In-Line Curb Ramps

2 %

Access Aisle

41

Accessible Routes

Curb Ramps

Max. Counter Slope - 5%

Flush Transitions

Max. Curb Ramp Slope - 8.33%

1:20 max. slope

Parking Lot

Gutter Pan

Depressed Curb

Curb Ramp

Curb Ramp Counter Slope

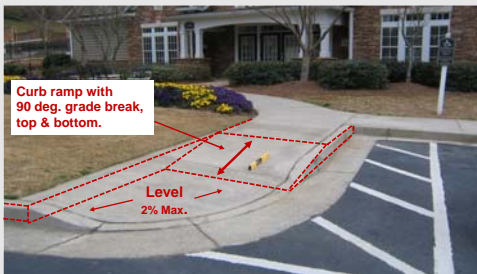
42

Accessible Routes Curb Ramps



43

Accessible Routes Curb Ramps



44

Accessible Routes



**Accessible Routes Must be Firm,
Stable and Slip Resistant.**

45

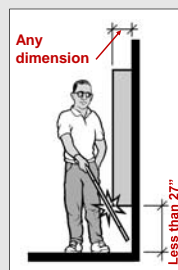
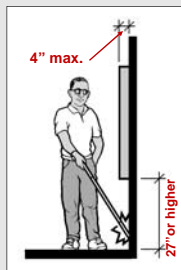
Vertical Level Changes



Vertical Level Changes

46

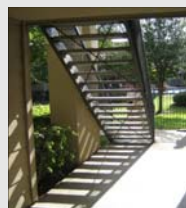
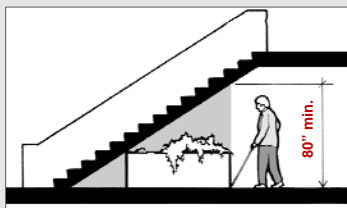
Protruding Objects



Wall Mounted Protruding Objects

47

Protruding Objects



Overhead Protruding Objects

48

Site & Accessible Routes

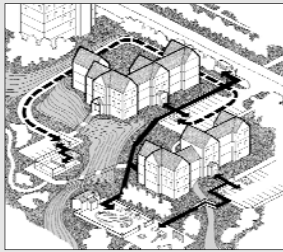
Accessible routes are required to connect covered dwelling entrances with:



- Pedestrian arrival areas
- Covered site facilities and amenities
- Spaces and elements within a covered building

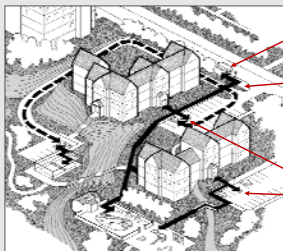
49

Site & Accessible Routes



50

Site & Accessible Routes



Public Transit

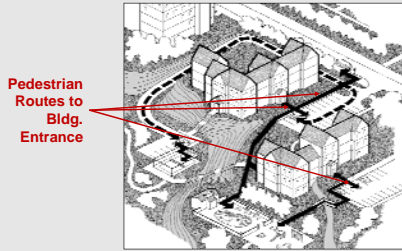
Public Sidewalk & Public Right of Way

Accessible Parking

Pedestrian Arrival Areas

51

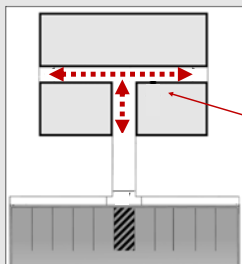
Site & Accessible Routes



Accessible Pedestrian Route to
Accessible Building Entrances

52

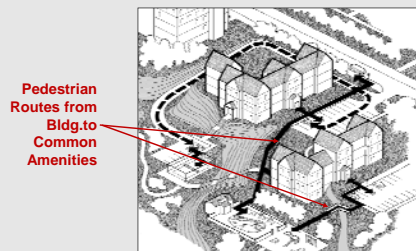
Site & Accessible Routes Accessible Interior Routes



Accessible
Interior route to all
units on the floor

53

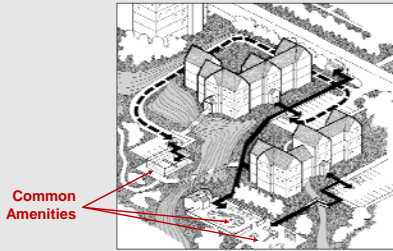
Site & Accessible Routes



Accessible Pedestrian Route
to Common Amenities

54

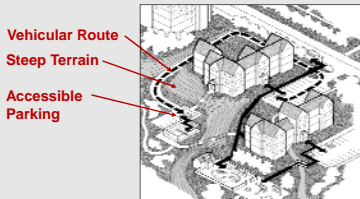
Site & Accessible Routes



Accessible Common Amenities

55

Site & Accessible Routes Steep Sites

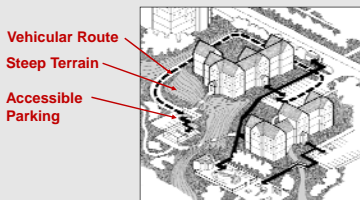


When sites are too steep, when finished grades exceed 1:12 or when other barriers, either natural or manmade, all outside of the control of the owner, make pedestrian accessible routes impractical, the Guidelines allow the use of an automobile for access to those facilities impacted by steep terrain.

When this exception is used, there must be accessible parking at each facility served.

56

Site & Accessible Routes Steep Sites

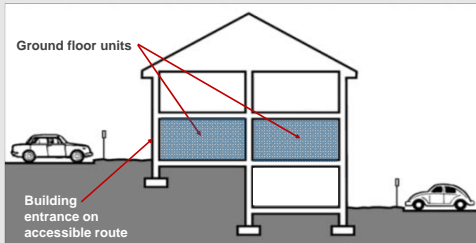


When sites are too steep, when finished grades exceed 1:12 or when other barriers, either natural or manmade, all **outside of the control of the owner**, make pedestrian accessible routes impractical, the Guidelines allow the use of an automobile for access to those facilities impacted by steep terrain.

When this exception is used, there must be accessible parking at each facility served.

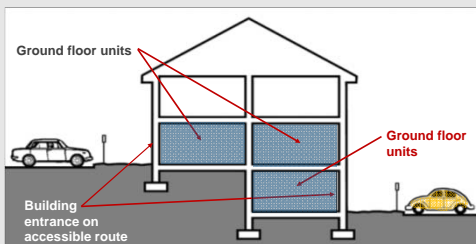
57

Buildings with Multiple Ground Floors



58

Buildings with Multiple Ground Floors



59

Buildings with Multiple Ground Floors

4 story
residential
building

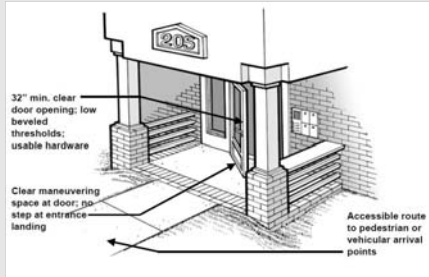


Multilevel
parking
structure

Four story building with three ground floors

60

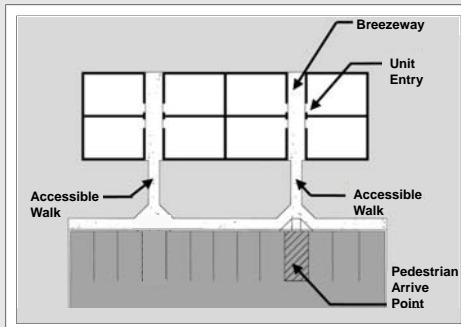
Accessible Building Entrance



Fully Accessible per ANSI

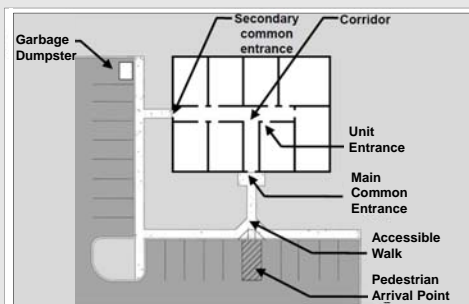
61

Building Entrances Breezeway Buildings



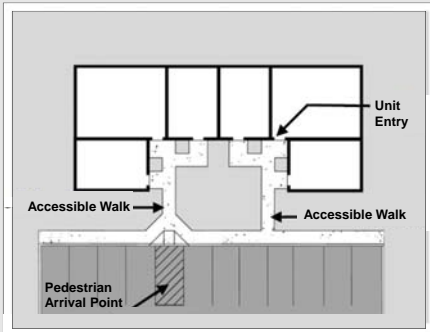
62

Building Entrances Corridor Buildings



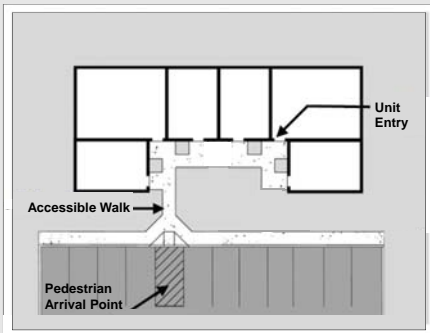
63

Building Entrances Individual Entrances



64

Building Entrances Individual Entrances



65

Site Impracticability

Congress was "sensitive to the possibility that certain natural terrain may pose unique building problems"



66

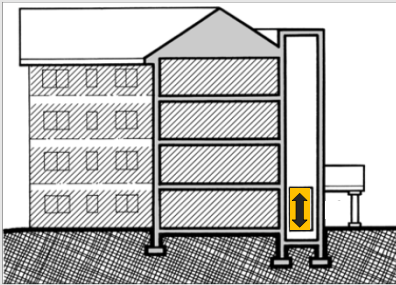
Site Impracticability

"Congress did not intend to impose an absolute standard that all covered multifamily dwelling units be made accessible without regard to the impracticability of doing so."



67

Site Impracticability Buildings with Elevators



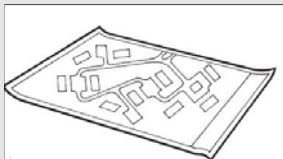
Neither test can be used

68

Site Impracticability Individual Building Test

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

1. **The Individual Building Test:** A test which analyzes entrances and pedestrian arrival points.

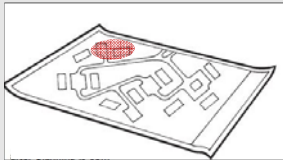


69

Site Impracticability Individual Building Test

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

1. **The Individual Building Test:** A test which analyzes entrances and pedestrian arrival points.

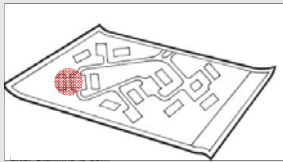


70

Site Impracticability Individual Building Test

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

1. **The Individual Building Test:** A test which analyzes entrances and pedestrian arrival points.

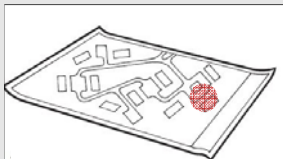


71

Site Impracticability Individual Building Test

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

1. **The Individual Building Test:** A test which analyzes entrances and pedestrian arrival points.

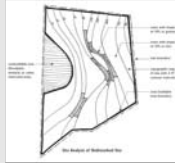


72

Site Impracticability Site Analysis Test

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

- 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.

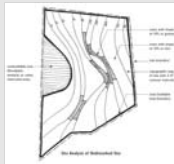


73

Site Impracticability Site Analysis Test

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

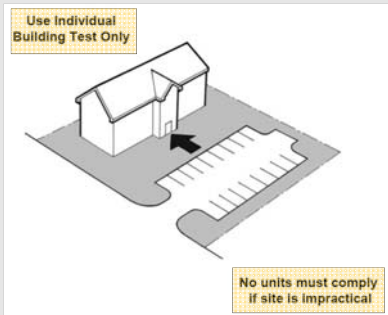
- 2. The Site Analysis Test:** A test which analyzes the site as a whole to establish minimum numbers of units that must be made accessible.



Accuracy of the slope analysis must be certified by a professional such as a civil engineer or surveyor.

74

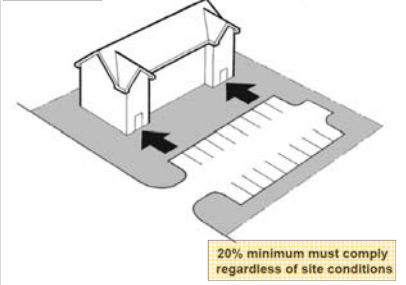
Single Non-Elevator Building with One Common Entrance



75

Single Non-Elevator Building With More Than One Common Entrance

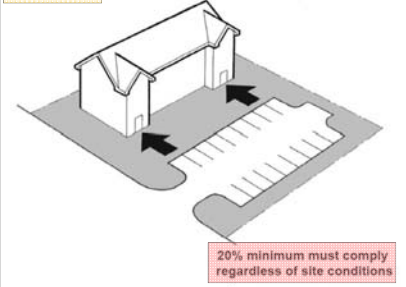
Use either test



76

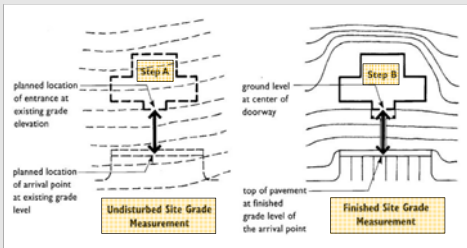
Single Non-Elevator Building With More Than One Common Entrance

Use either test



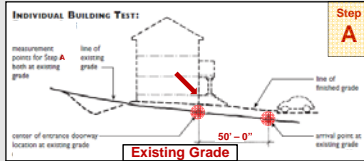
77

Individual Building Test Two Step Process - A & B



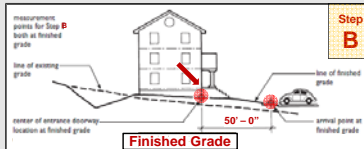
78

Individual Building Test Two Step Process - A & B

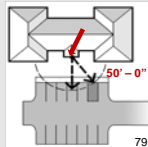


Step A

If the calculated result of **both steps is greater than 10%**, then an accessible route may be considered too difficult to provide.

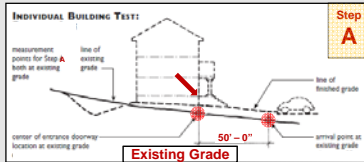


Step B



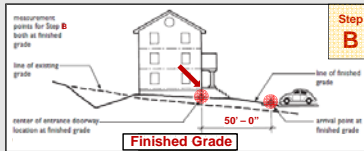
79

Individual Building Test Two Step Process - A & B



Step A

If the calculated result of **both steps is greater than 10%**, then an accessible route may be considered too difficult to provide.

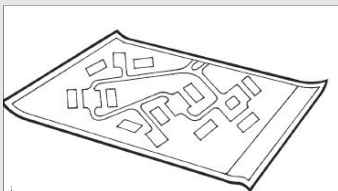


Step B

HOWEVER:
20% of the units in the development must be compliant even if the Individual Building Test determines that it is impractical to make all of the ground floor units compliant.

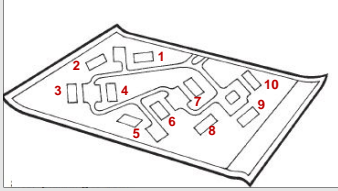
80

Individual Building Test Two Step Process - A & B



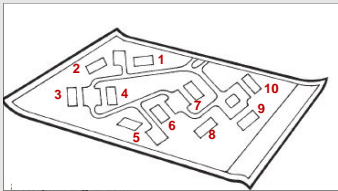
81

Individual Building Test Two Step Process - A & B



82

Individual Building Test Two Step Process - A & B

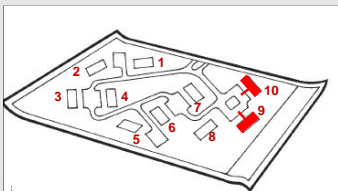


10 breezeway buildings with
8 units on each ground floor = 80 covered ground floor units

80 units x 20% = 16 units **minimum** must be compliant

83

Individual Building Test Two Step Process - A & B

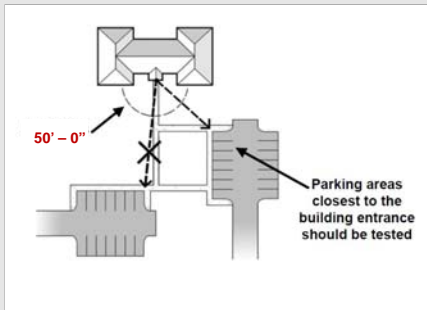


10 breezeway buildings with
8 units on each ground floor = 80 covered ground floor units

80 units x 20% = 16 units **minimum** must be compliant

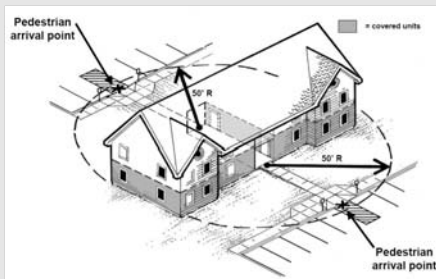
84

Individual Building Test Slope for Arrival Points



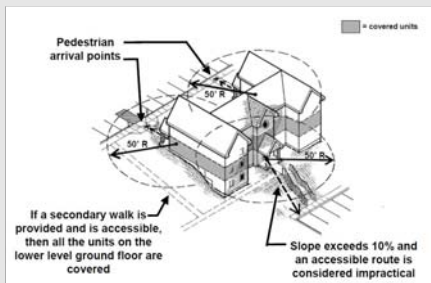
85

Individual Building Test Slope for Arrival Points



86

Individual Building Test Slope for Arrival Points

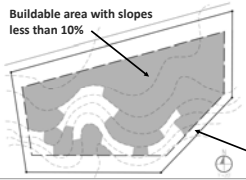


87

Site Analysis Test

Three Step Process - A, B & C

Step A



Buildable area with slopes less than 10%

Set Back

A.1. Obtain property survey

A.2. Calculate the total buildable area on the site **90,000 SF**

A.3. Calculate the area within the total buildable area with slopes less than 10% **67,500 SF**

Step B

Minimum % of Ground Floor Units

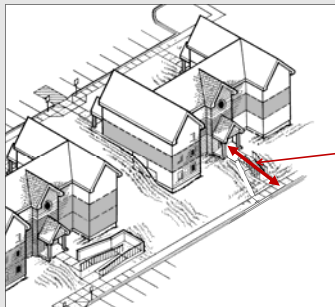
= $\frac{67,500 \text{ SF (slopes <10\%)}}{90,000 \text{ SF (buildable area)}}$ = **75%**

(Of ground floor units must comply)

88

Site Analysis Test - Step C

Step C

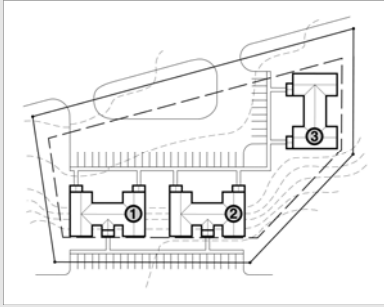


"all ground floor units in a building, or ground floor units served by a particular entrance, shall be made accessible if the entrance to the units is on an accessible route, defined as a walkway with a slope between the planned entrance and a pedestrian or vehicular arrival point that is no greater than 8.33%"

(FHA Guidelines)

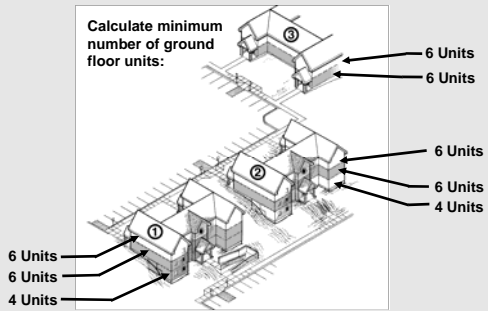
89

Site Analysis Test Example



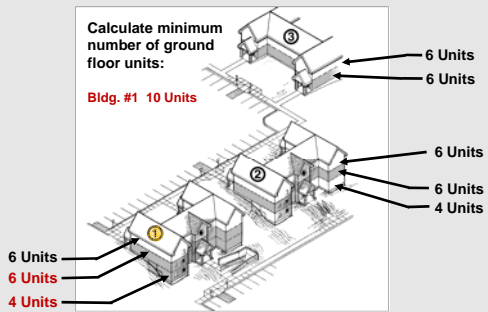
90

Site Analysis Test Minimum Number of Accessible Units



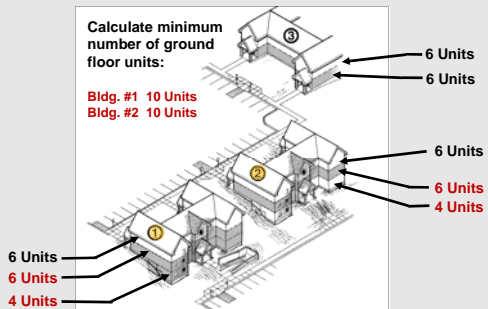
91

Site Analysis Test Minimum Number of Accessible Units



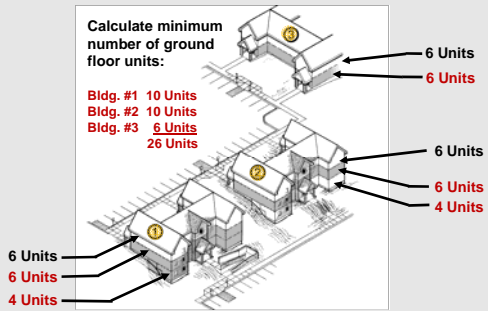
92

Site Analysis Test Minimum Number of Accessible Units



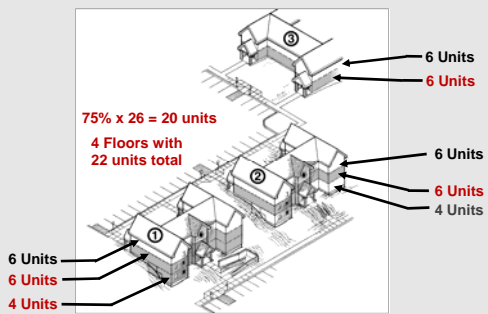
93

Site Analysis Test Minimum Number of Accessible Units



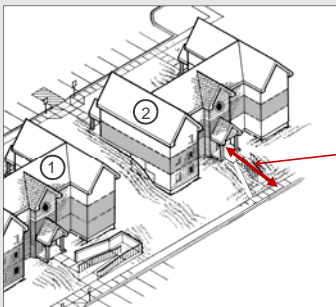
94

Site Analysis Test Minimum Number of Accessible Units



95

Site Analysis Test - Step C



"all ground floor units in a building, or ground floor units served by a particular entrance, shall be made accessible if the entrance to the units is on an accessible route, defined as a walkway with a slope between the planned entrance and a pedestrian or vehicular arrival point that is no greater than 8.33%"

(FHA Guidelines)

96

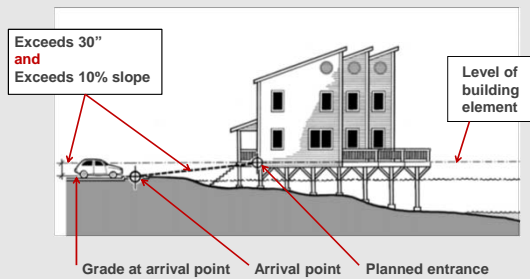
Site Impracticability Due to Unusual Characteristics



- Federally Designated Flood-Plain
- Coastal High-Hazard Areas

97

Federally designated floodplains or coastal high-hazard areas



98



Fair Housing Accessibility **FIRST**
Information Line
1-888-341-7781 V/TTY



Fair Housing Accessibility **FIRST**
Website
www.fairhousingfirst.org



99
