

Fair Housing Act Accessibility Requirements Overview



Participant Manual



(888) 341-7781 (V/TTY) - Technical Guidance
www.FairHousingFIRST.org

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for
U.S. Dept. of Housing and Urban Development
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Participant Manual Table of Contents

Using the Participant Manual	2
Overview of the Fair Housing Act and its Design and Construction Requirements	13
Consequences of Non-Compliance	32
Technical Requirements of the Fair Housing Act	40
Strategies for Compliance	64
Resources	67

Using the Participant Manual

Manual Layout and Content

As a participant in the course, the Participant Manual serves as your focal point. It follows the sequence of the class activities and discussion topics. It includes:

- All slides presented by the instructor
- Space for you to take notes
- Key points not contained on slides
- Detailed instructions for exercises
- Resources to supplement the curriculum



Welcome to Fair Housing Accessibility FIRST, a training and technical guidance program created by the U.S. Department of Housing and Urban Development (HUD).

This session is one hour in length.

Fair Housing Accessibility

FIRST

- ☐ Offer training and technical guidance on accessibility requirements of the Fair Housing Act
- ☐ Increase the supply of accessible multifamily housing units nationwide

Notes:

Fair Housing Accessibility **FIRST**

- ☐ Gathered opinions and ideas from over 850 stakeholders

Stakeholder Groups

- Builders
- Disability rights advocates
- Government officials
- Trade associations
- Property managers
- Media
- Code officials
- Enforcement agencies

Notes:

Fair Housing Accessibility **FIRST**

- ☐ Comprehensive training curriculum
- ☐ Technical guidance via a website and toll free hotline
 - 1-888-341-7781 V/TTY
 - www.FairHousingFIRST.org

Notes:

Refer to the Fair Housing Accessibility FIRST Training Curriculum.

Overview - Introduction

During this training session, we will discuss:

- The coverage of the Fair Housing Act's disability rights protections
- The consequences of non-compliance with the Fair Housing Act's accessibility requirements

Notes:

Overview - Introduction

During this training session, we will also discuss:

- The technical requirements of the Fair Housing Act and specifications for each requirement
- Suggestions for achieving compliance with the Fair Housing Act and why compliance is important
- Resources you can turn to when you need more information

Notes:

Overview - Introduction

At the end of the session, you will:

- Describe the Fair Housing Act's design and construction requirements
- Describe the consequences that may occur for non-compliance with the Fair Housing Act's Design and Construction requirements

Notes:

Overview - Introduction

At the end of the session, you:

- Apply the Fair Housing Act technical requirements to future design and construction
- Utilize techniques and resources to achieve compliance with the Fair Housing Act
- Cite and reference available resources to obtain additional information and assist with accessible design and construction questions

Notes:

Name four personal learning goals for this session.

Goals should be:

Specific
Measurable
Achievable
Relevant
Timely

Example: I will learn the seven accessibility requirements of the Fair Housing Act.

Overview - Introduction

- ☐ You are encouraged to ask questions throughout the training session



- ☐ A questionnaire will be distributed to obtain your feedback on training content, delivery, and materials



Notes:

	Overview - Agenda	
	<ul style="list-style-type: none">• Overview of the Fair Housing Act and its Design and Construction Requirements• Consequences of Non-Compliance• Technical Requirements of the Fair Housing Act• Strategies for Compliance• Resources	

Notes:

Refer to the Matrix of Laws.

History of the Fair Housing Act

- ☐ Fair Housing Act was passed in **1968**
Fair Housing Amendments Act, with new coverage of disability, was enacted in **1988**
- ☐ Enforced by:
 - The Department of Housing and Urban Development
 - The Department of Justice
 - State and local fair housing enforcement agencies
 - Private lawsuits in federal or state court



History of the Fair Housing Act

The Fair Housing Act was first passed in 1968, shortly after the assassination of Dr. Martin Luther King, and it prohibited discrimination based on race, color, religion and national origin. Discrimination based on sex was added in 1974. When the law was comprehensively amended in 1988, it was changed to include discrimination against people because of handicap and because of familial status—the presence of children under the age of 18. (During this training, we will refer to the Fair Housing Act’s coverage of handicap discrimination as “disability” protections. “Disability” is the preferred term.)

The Fair Housing Act is enforced administratively by the U.S. Department of Housing and Urban Development (HUD). People who believe that they have been harmed by a violation of the Act may file administrative complaints with HUD, and HUD conducts an impartial investigation of the claims.

The Act also authorizes federal lawsuits by the U.S. Department of Justice, and private lawsuits that can be filed in federal or state courts by individuals. Many state and local fair housing enforcement agencies also have authority to investigate violations and bring enforcement actions. The general authority for all of these enforcement activities is found in the Fair Housing Act. So the enforcement authority given under the Act is quite broad.

History of the Fair Housing Act (continued)

Where violations of the law are established, remedies under the Fair Housing Act may include the award of compensatory damages to victims of discrimination, sometimes numbering in the hundreds of thousands of dollars, orders for comprehensive corrective action, and awards of punitive damages to victims or civil penalties to the government. In design and construction cases, remedies also may require retrofitting housing that has already been constructed to make it comply with the Act's design and construction requirements.

Notes:

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

Units Covered by the Fair Housing Act

The Fair Housing Act design and construction requirements apply to “covered multifamily dwellings” 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

Buildings where the last building permit was issued on or before June 15, 1990 are not covered by the design and construction requirements. Even if the last building permit was issued after 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.

Units Covered by the Fair Housing Act (continued)

A dwelling unit includes:

- A single-family unit in buildings with four or more units
- An apartment
- A room in which people sleep even if they share kitchens or bathrooms, like transitional housing

The design and construction requirements apply to “covered multifamily dwellings.” Covered multifamily dwellings are:

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

This includes housing that is for rental or for 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.

Notes:

Scoping Parameters of the Fair Housing Act



What is Covered:

Housing in buildings

- Constructed for first occupancy after March 13, 1991
- Buildings with four or more units
- In elevator buildings, all units
- In buildings without an elevator, ground floor units



What is **not** Covered:

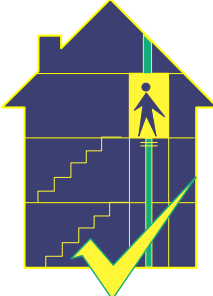

- Detached single family houses
- Duplexes or triplexes
- Multistory townhouses

Notes:

Units that are Not Covered

☐ **Multistory townhouses**

NOTE: multistory townhouses with elevators must comply



Units that are Not Covered

There are a few specific types of housing that are not covered by the access requirements of the Fair Housing Act. The best-known exception is multistory townhouses, which is discussed in the preamble to HUD's regulations. Multistory townhouses are not covered because the entire unit is not on the ground floor.

One question that sometimes arises is whether a building with four or more units that contains some multistory townhouses and some flat units is covered by the law. The answer is that if there are four or more units in the building, the building as a whole is covered. Even if the building includes some multistory townhouses that are not covered, any ground floor single story units in the building are covered.

Notes:

Units That Are Not Covered (continued)

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 powder 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).

Notes:

Fair Housing Act – Seven Design and 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



Fair Housing Act – Seven Design and Construction Requirements

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 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

The requirements provide for a minimal 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 homebuilders, landlords 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 have equal housing opportunities.

**Fair Housing Act—Seven Design and Construction Requirements
(continued)**

The design and construction requirements were developed to provide access for people with different types of disabilities. Although some of the requirements focus on people who use wheelchairs, meeting the requirements will also meet the needs of many other people. People who can benefit from accessible features may include people with arthritis or sports injuries who have difficulty turning or gripping door hardware, people who use crutches, canes or walkers, people who because of age or illness have limited mobility or reach ranges, and even people who push strollers, carry groceries, or move furniture. People who have vision or hearing disabilities also benefit from a variety of provisions in the requirements.

Notes:

Fair Housing Act – Seven Design and Construction Requirements (continued)

1. The first is that all covered multifamily dwellings must have ***at least one building entrance on an accessible route*** unless it is impractical to do so because of the terrain or unusual characteristics of the site.
 - An accessible route means a continuous, unobstructed path connecting accessible elements and spaces within a building or site that can be negotiated by a person with a disability who uses a wheelchair, and that is also safe for and usable by people with other disabilities.
 - An accessible entrance is a building entrance connected by an accessible route to public transit stops, accessible parking and passenger loading zones, or public streets and sidewalks.
2. The second requirement is that ***covered housing must have accessible and usable public and common use areas***. Public and common use areas cover all parts of the housing outside individual units. They include, for example: building-wide fire alarms, parking lots, storage areas, indoor and outdoor recreational areas, lobbies, mailrooms and mailboxes, and laundry areas.
3. The third requirement is that all ***doors that allow passage into and within all premises must be wide enough to allow passage by persons using wheelchairs***.
4. The fourth requirement is that ***there must be an accessible route into and through each covered unit***.
5. The fifth requirement is that ***light switches, electrical outlets, thermostats and other environmental controls must be in accessible locations***.
6. The sixth requirement is ***reinforcements in bathroom walls so that grab bars can be added when needed***. The law does not require installation of grab bars in bathrooms.
7. The seventh requirement is that ***kitchens and bathrooms must be usable*** – that is, designed and constructed so an individual in a wheelchair can maneuver in the space provided.

Fair Housing Act – 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*

Fair Housing Act – Safe Harbors for Compliance

There are eight safe harbors for compliance with the Fair Housing Act. Compliance with any one of the eight will fulfill the Fair Housing Act's access requirements.

If a particular safe harbor is chosen for use in a particular property, housing must comply with all of the provisions of that safe harbor in order for there to be a safe harbor. So it is unwise to pick and choose among the provisions of different safe harbor standards.

These are the eight access standards that HUD has identified as safe harbors:

1. *The Fair Housing Act Accessibility Guidelines* (issued on March 6, 1991), and the Supplemental Notice to Fair Housing Accessibility Guidelines: Questions and Answers about the Guidelines (issued June 28, 1994).
2. *ANSI A117.1 (1986)*, used with the Fair Housing Act, HUD's Fair Housing Act regulations, and the Guidelines.
3. *CABO/ANSI A117.1 (1992)*, used with the Fair Housing Act, HUD's Fair Housing Act regulations, and the Guidelines.
4. *ICC/ANSI A117.1 (1998)*, used with the Fair Housing Act, HUD's Fair Housing Act regulations, and the Guidelines.

**Fair Housing Act –
Safe Harbors for Compliance (continued)**

5. *The Fair Housing Act Design Manual (1998).*
6. *Code Requirements for Housing Accessibility 2000 (CRHA)*, published by the International Code Council in October, 2000.
7. *International Building Code 2000 (IBC)*, as amended by the IBC's 2001 Supplement to the International Codes.
8. *International Building Code 2003(IBC)*, with one condition.*

- * Effective February 28, 2005 HUD determined that the IBC 2003 is a safe harbor, conditioned upon ICC publishing and distributing a statement to jurisdictions and past and future purchasers of the 2003 IBC stating, "ICC interprets Section 1104.1, and specifically, the exception to Section 1104.1, to be read together with Section 1107.4, and that the Code requires an accessible pedestrian route from site arrival points to accessible building entrances, unless site impracticality applies. Exception 1 to Section 1107.4 is not applicable to site arrival points for any Type B dwelling units because site impracticality is addressed under Section 1107.7."

It is important to note that the ANSI A117.1 standard contains only technical criteria, whereas the Fair Housing Act, the regulations and the Guidelines contain both scoping and technical criteria. Therefore, in using any of the ANSI standards it is necessary to also consult the Act, HUD's regulations, and the Guidelines.

Other means of providing access that provide an equal or greater degree of accessibility may also be used to comply with the Fair Housing Act's access requirements, but they are not a safe harbor.

This training relies on the provisions of the Fair Housing Act, the Guidelines and 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.

Notes:

Safe Harbors Used in this Training

1. HUD Fair Housing Accessibility Guidelines and the Supplemental Notice, used with the Fair Housing Act and HUD's regulations
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)

Safe Harbors Used in this Training

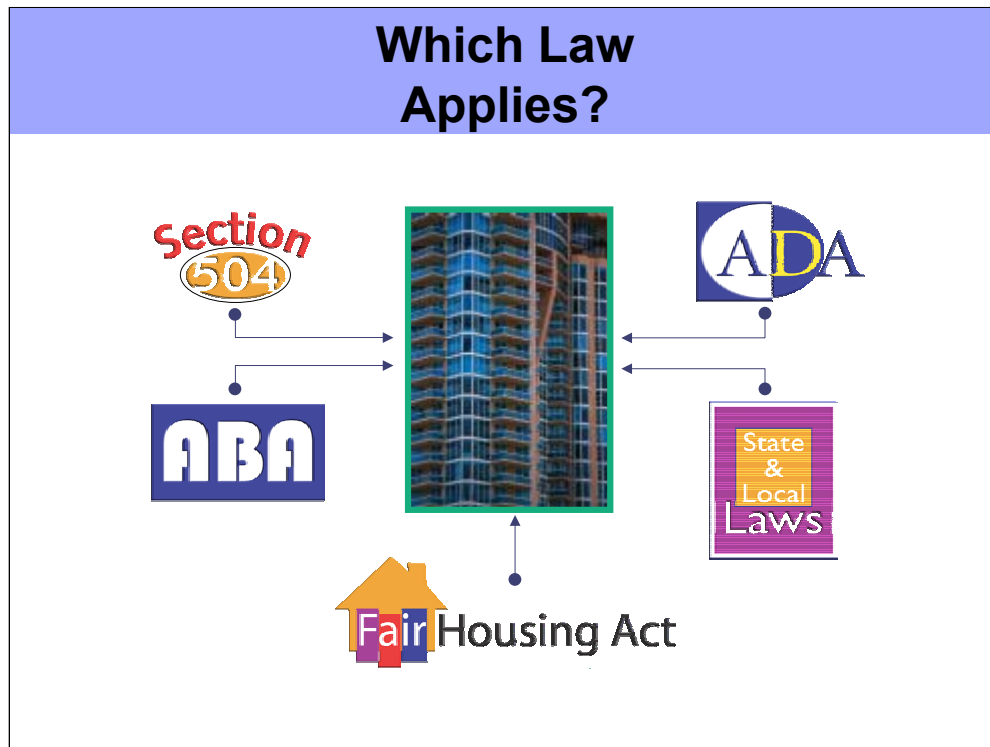
This training relies on the provisions of the Fair Housing Act and its regulations, the Accessibility Guidelines and the Supplemental Questions and Answers, ANSI A117.1 (1986) and the Design Manual for the guidance that it provides about compliance with the technical design and construction requirements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

Notes:

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. 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. In addition, adoption of a HUD recognized safe harbor does not change HUD's responsibility to conduct an investigation if it receives a complaint.

Notes:



Which Law Applies?

In many jurisdictions, buildings must meet state or local building codes to get building permits. At this time, most state and local building codes do not contain accessibility requirements that meet the standards in the Fair Housing Act or other federal laws that require accessibility. Builders, architects and others should not assume that compliance with state or local codes means compliance with federal access standards. In cases under the Fair Housing Act, courts have rejected the argument that approval by a local code official meant that there was no violation of the Fair Housing Act's design and construction requirements.

This principle bears repeating. Any particular property may be covered by a state or local code, a state or local fair housing law and one or more federal laws. When this happens, all applicable federal law requirements must be followed as well as state or local codes. Individuals involved in the design and construction of housing must evaluate which federal accessibility laws apply to the housing and make sure that the housing meets all applicable requirements. If more than one law applies, then all of the laws must be applied and the provisions which require the most accessibility will prevail.

Which Law Applies? (continued)

For example, an apartment complex may be built in a state where the building code requires 10% of all units to meet state code standards for accessibility. However, 50% of the total units may be ground floor units that must comply with the Fair Housing Act's requirements. In such a situation, both laws must be applied. If both access laws apply to a specific feature, the law requiring the most access will prevail.

Notes:

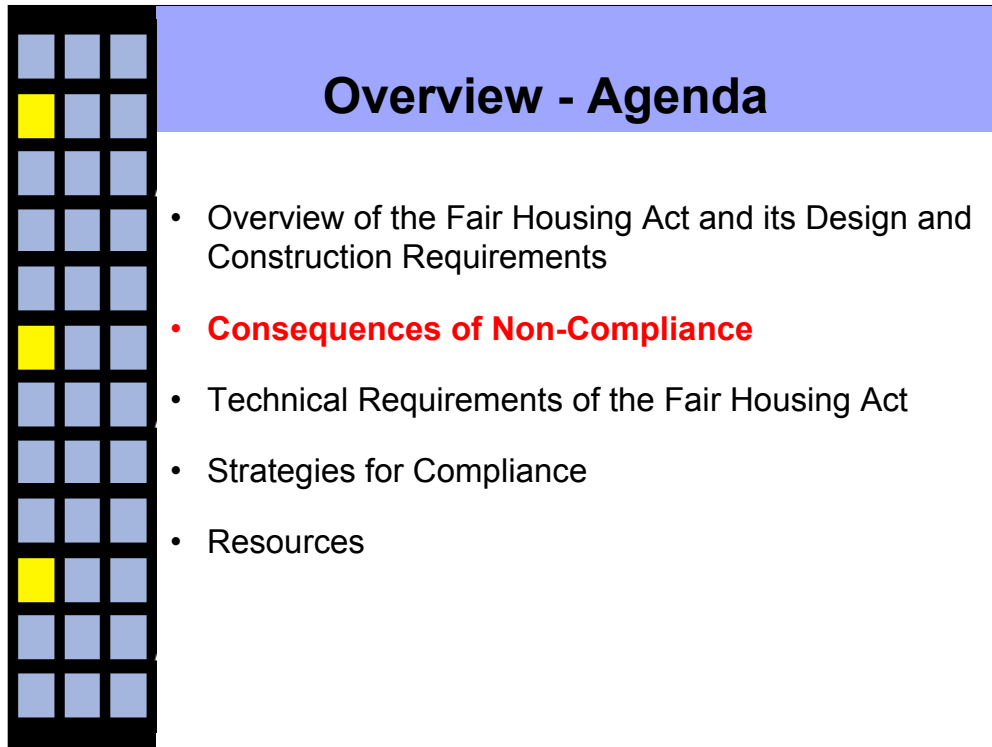
Other Fair Housing Act Parameters

The Fair Housing Act also prohibits other forms of housing discrimination based on disability:

- By failing or refusing to provide reasonable accommodations
- By failing or refusing to permit reasonable structural modifications to existing properties
- By treating a person differently and adversely because of disability
- By coercing, intimidating, or retaliating against a person because of the exercise of protected rights

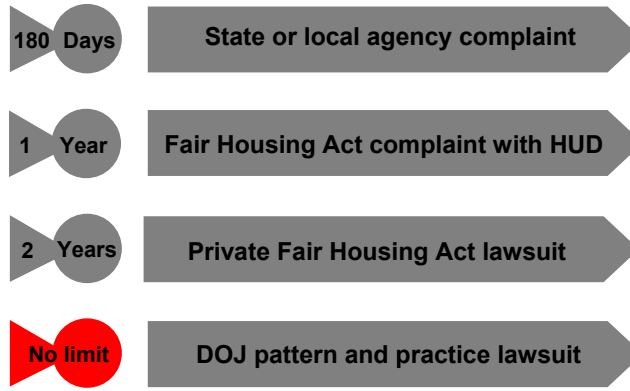


Notes:



Notes:

When Must Complaints Be Filed?



Notes:

Notes:

Who Is Liable?

Potential Respondents or Defendants

- Developers
- Architects
- Builders
- Engineers
- Landscape architects
- Contractors
- Corporate Owners
- Successor owners
- Homeowner associations
- Others

Notes:

Reasons to Comply

1. Liability for violations can be broad
2. The cost of correcting violations is high
3. Enforcement can require full retrofitting
4. Non-compliance can come up in due diligence reviews
5. The aging of America means that there is an increased market for accessible housing
6. Individuals will have their rights denied

Notes:

When Enforcement Actions Are Taken

- “Make whole” relief is sought
- Many cases are resolved by settlements
- Remedies are broad and expensive



Notes:

Remedies In a Settlement

A developer, engineering firm and builder agreed to:

- Pay \$280,000 into a modification fund
- Provide a \$1,000 incentive to current owners if they agree to retrofitting
- Pay a total of \$70,000 to eight households of current residents who were harmed by non-compliance
- Train all new and current employees for four and a half years
- Give public notice of a non-discrimination policy
- Notify five organizations when new accessible housing is constructed
- Report to the government on progress

Notes:

Remedies Ordered by a Court

The owner/builder was ordered to:

- Pay \$25,250 to compensate a resident with disabilities who lived in an inaccessible unit
- Pay \$20,990 to retrofit one inaccessible unit and the public and common use areas
- Pay \$5000 in punitive damages
- Pay these damages even though he no longer owned the buildings

Notes:

Overview - Agenda

- Overview of the Fair Housing Act and its Design and Construction Requirements
- Consequences of Non-Compliance
- **Technical Requirements of the Fair Housing Act**
- Strategies for Compliance
- Resources

Notes:

Refer to the Fair Housing Act Guidelines.

Requirement 1

An Accessible Building Entrance on an Accessible Route

“...Covered multifamily dwellings shall be designed and constructed to have at least one building entrance on an accessible route unless it is impractical to do so because of terrain or unusual characteristics of the site.”

Requirement 1

Requirement 1 is that “...Covered multifamily dwellings shall be designed and constructed to have at least one building entrance on an accessible route unless it is impractical to do so because of terrain or unusual characteristics of the site.”

At least one accessible route must be provided to an accessible building entrance and that accessible route must connect to parking lots and pedestrian arrival points, including public streets.

An accessible route must include:

- No steps along the way
- No blocked access
- No curbs
- No protruding objects

Requirement 1



Requirement 1

When entrance walks to multifamily buildings are required to be accessible under Requirement 1, they must connect the building entrance with pedestrian arrival points—in most cases to parking areas. The specifications that required entrance walks must comply with are found in the ANSI standard. Some of the key features that walks must have are:

- Slopes that do not exceed 1:20 (one inch of rise for every 20 inches of run, or length).
- Or, if slopes exceed 1:20, walks must be designed as ramps. Ramps must have railings on both sides, have edge protection, and appropriate size landings at the top and bottom of the ramp. Ramps must not have slopes that are steeper than 1:12.
- Cross slopes must not exceed 1:50.

When accessible walks lead to a parking area there must not be any steps. Curb ramps must be provided or a curbless design may be used to provide access.

The entrance to accessible walks must not be blocked. Access aisles are required to connect to the walk by an accessible route, such as a curb ramp.

Requirement 1



Notes:

Requirement 2

Accessible and Usable Public and Common Use Areas

“...covered multifamily dwellings with a building entrance on an accessible route shall be designed in such a manner that the public and common use areas are readily accessible to and usable by [people with disabilities].”

Requirement 2

Requirement 2 is that covered multifamily dwellings with a building entrance on an accessible route be designed in such a manner that the public and common use areas are readily accessible to and usable by people with disabilities.

Public and common use areas must be accessible and they must be on an accessible route. Public and common use areas include:

- Rental and management offices
- Model units
- Mail box kiosks
- Swimming pools
- Tennis courts
- Club houses
- Garbage dumpsters
- Playgrounds

Requirement 2



For Residents

- 2% of the spaces serving covered dwelling units must be accessible by persons with disabilities
- If provided, a minimum of one accessible space at each site facility



For Visitors, when Visitor Parking is Provided

- A sufficient number of spaces to provide access to grade level entrances of covered multifamily housing
- A minimum of one at sales/rental office

Requirement 2

Requirement 2 covers many aspects of public and common use areas. It covers not only the required accessible entrance and access to areas within a public and common use area, it addresses a variety of features.

For example, Requirement 2 establishes minimal levels for accessible parking.

For residents:

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

For visitors (if visitor parking is provided):

- A sufficient number of accessible parking spaces to provide access to grade level entrances of covered multifamily housing
- A minimum of one at sales/rental office

Requirement 2 contains requirements for toilet rooms in public and common use areas. Where there is a toilet room in a public area, it must meet all of the applicable sections of the ANSI Standard, including providing adequate maneuvering space and grab bars. And Requirement 2 addresses requirements for features like drinking fountains, if they are provided, by requiring that least 50% must be accessible, with knee space and other features specified in ANSI.

Requirement 2



Notes:

Requirement 3

Usable Doors

“...covered multifamily dwellings with a building entrance on an accessible route shall be designed in such a manner that all the doors designed to allow passage into and within all premises are sufficiently wide to allow passage by handicapped persons in wheelchairs.”

Requirement 3

Requirement 3 provides that covered multifamily dwellings with a building entrance on an accessible route must be designed so that all doors designed to allow passage into and within all premises are sufficiently wide to allow passage by a person in a wheelchair.

Notes:

Requirement 3



Requirement 3

Two key requirements under Requirement 3 are:

1. Doors that are part of an accessible route in public and common use areas, and that are primary entrance doors to covered dwelling units, must have a 32" clear opening.
2. Doors within individual dwelling units that are intended for user passage must have a clear opening of at least at nominal 32". A nominal 32" is at least 31 and 5/8". A 34" door, hung in a standard manner, provides a nominal 32" clear opening.

When a bathroom or other room in a dwelling unit has two doors, both must meet the nominal 32" requirement.

Many typical 6' sliding doors do not offer a nominal 32" clear opening.

Requirement 3



Notes:

Requirement 4

Accessible Route Into and Through the Unit

“...covered multifamily dwellings with a building entrance on an accessible route shall be designed and constructed in such a manner that all premises within covered multifamily dwelling units contain an accessible route into and through the covered dwelling unit.”

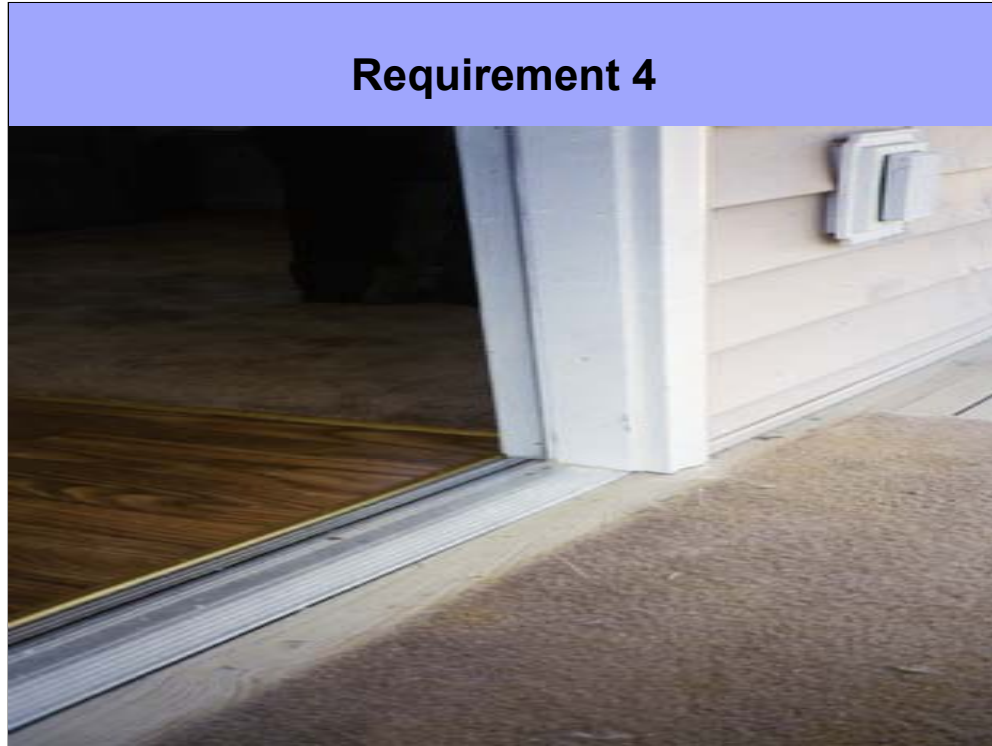
Requirement 4

Requirement 4 requires that covered multifamily dwellings with a building entrance on an accessible route must be designed and constructed so that all premises within a covered multifamily dwelling unit have an accessible route into and through the dwelling unit.

Requirement 4 applies to accessible routes that begin at the primary entrance door to a unit and continue through the dwelling unit onto decks, balconies, and patios.

Within a covered dwelling unit, the accessible route must be 36” wide or wider. However, where accessible routes pass through doors, the width may be reduced to a nominal 32” (31-5/8”).

Notes:



Requirement 4

Under Requirement 4, the Guidelines specify that the primary exterior entrance landing to a ground floor dwelling must be no more than 1/2" below the finish floor of the unit if the landing is made of impervious material, like concrete.

At the primary entrance, if the landing is of pervious material (i.e. wood decking), the landing must be flush with the finish floor.

Requirement 4 also provides specifications for exterior door thresholds. Thresholds at primary and secondary entrance doors must:

1. Be no higher than 3/4" above finish floor
2. The vertical level change must be beveled 1:2 or less

The Guidelines specify that a dwelling may have one area within a room that is either sunken or raised. Only one sunken or raised area is allowed per unit and it may not interrupt the accessible route through the unit. A bathroom or kitchen may not be located within a raised or sunken area. Lofts are also permitted and must meet the same specifications as raised or sunken areas.

Requirement 4



Notes:

Requirement 5

Light Switches, Electrical Outlets, Thermostats and Other Environmental Controls in Accessible Locations

“...covered multifamily dwellings with a building entrance on an accessible route shall be designed and constructed in such a manner that all premises within covered multifamily dwelling units contain light switches, electrical outlets, thermostats and other environmental controls in accessible locations.”

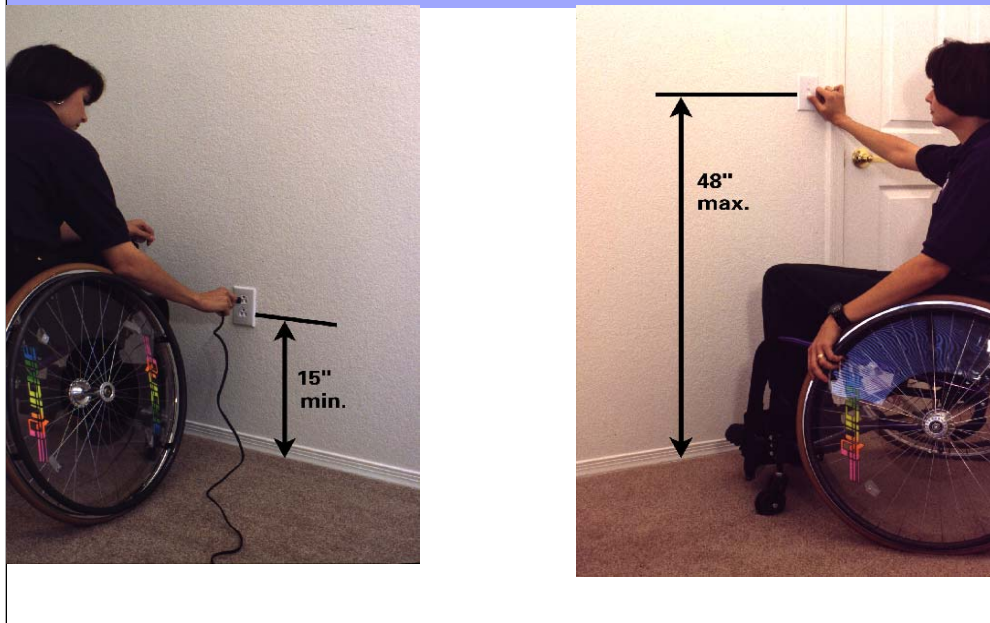
Requirement 5

Electrical and environmental controls must be within the reach of people with disabilities. Covered controls include electrical outlets, light switches, and thermostats.

Not covered under this requirement are:

- Controls on moveable appliances like stoves
- Controls on range hoods
- Controls for garbage disposals
- Special use wall outlets like those designed exclusively for refrigerators and stoves
- Circuit breaker panels
- Telephone and television jacks

Requirement 5



Requirement 5

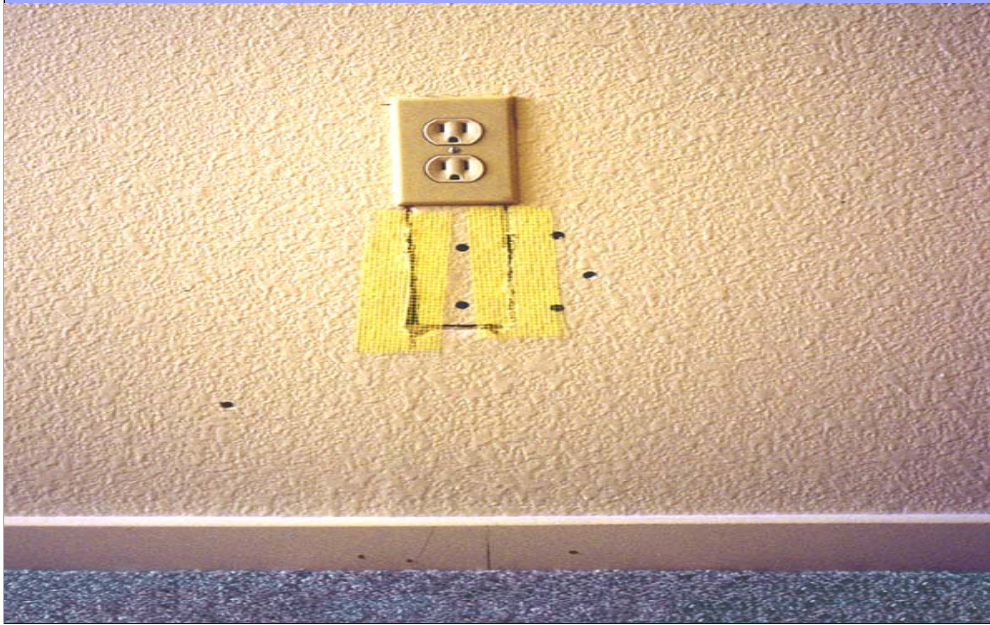
The Guidelines require that outlets be placed no lower than 15" above finish floor.

When a typical duplex outlet is used both receptacles must be 15" or higher above the floor.

Switches and thermostats not located over countertops or other obstructions must be no higher than 48" above finish floor.

Notes:

Requirement 5



Notes:

Requirement 6

Reinforced Walls in Bathrooms for Later Installation of Grab Bars

“..covered multifamily dwellings with a building entrance on an accessible route shall be designed and constructed in a manner that all premises within covered multifamily dwelling units contain reinforcements in bathroom walls to allow later installation of grab bars around toilet, tub, shower stall, and shower seat, where such facilities are provided.”

Requirement 6

Requirement 6 requires that bathrooms in covered units have reinforcements installed in the walls for the later addition of grab bars.

Notice that it does not require the installation of grab bars themselves.

Reinforcements are required where the grab bars will be placed--around toilets, tubs, or showers. Reinforcements are not required in powder rooms.

Notes:

Requirement 6



Requirement 6

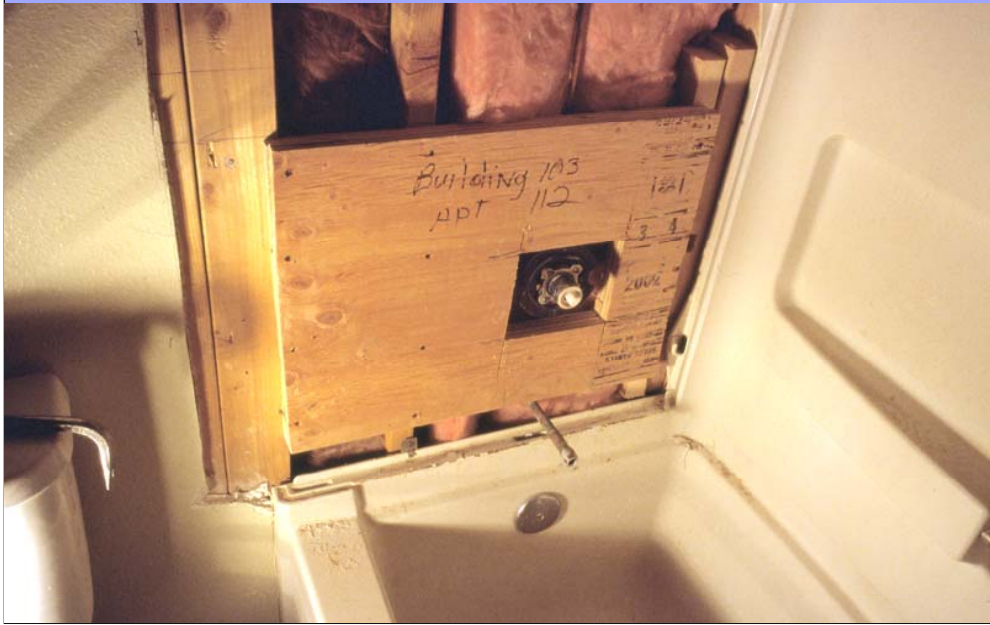
The Guidelines provide detailed diagrams showing the minimum areas for reinforcements at toilets, bathtubs and showers where grab bar reinforcing must be placed.

For instance, at toilets that are commonly located between a lavatory and a bathtub, reinforcing must be placed in walls behind and to the side of the toilet for future installation of a fold-down bar or a wall to floor bar.

Likewise at bathtubs, the Guidelines specify locations for grab bar reinforcing along both end walls and the back wall.

Notes:

Requirement 6



Notes:

Requirement 7

Usable Kitchens and Bathrooms

“...covered multifamily dwellings with a building entrance on an accessible route shall be designed and constructed in such a manner that all premises within covered multifamily dwelling units contain usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.”

Requirement 7

Kitchens and bathrooms must be designed and constructed so a person in a wheelchair can maneuver about the space and use fixtures and appliances.

The Guidelines provide specifications for kitchens and baths which, when applied, provide a minimum level of accessibility.

Notes:

Requirement 7



Requirement 7

There are three general requirements to create usable kitchens:

1. Clear floor space 30"x48" at appliances and sinks
2. A minimum clearance of 40" must be provided between all opposing countertops, appliances, or walls
3. Turning and clearance requirements in U-shaped kitchens

In U-shaped kitchens where a sink, range, or cook top is located at the base of the "U", there must be a minimum 60" diameter maneuvering space to allow a person using a wheel chair or scooter to maneuver and make a parallel approach to the sink, range or cook top.

Requirement 7



Requirement 7

To satisfy maneuvering and clear floor space requirements, the Guidelines provide two sets of specifications for bathroom design.

Some of the key differences between the specifications:

1. Specification A is slightly less accessible. In Specification A bathrooms, where multiple fixtures are provided, all must be usable and meet clearance requirements.
2. Specification B provides slightly more accessibility due to greater accessibility required at the bathtub, but applies to only one bathroom in a unit. In Specification B bathrooms, where multiple fixture types are provided, only one of each type is required to be usable and meet clearance requirements.

All bathrooms must have:

1. Clear floor space outside the swing of the door
2. Maneuvering space within bathrooms
3. Clear floor space at fixtures, including lavatories, water closets (toilets), bathtubs and showers

Requirement 7



Notes:

Requirement 7



Notes:

Overview - Agenda

- Overview of the Fair Housing Act and its Design and Construction Requirements
- Consequences of Non-Compliance
- Technical Requirements of the Fair Housing Act
- **Strategies for Compliance**
- Resources

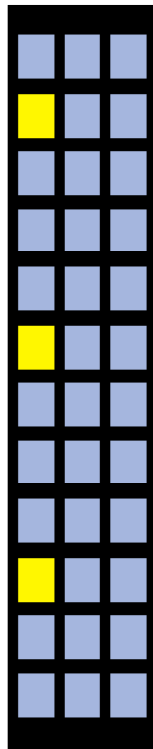
Notes:

Avoid Problems with Non-Compliance

- Identify the issue early
- Assign responsibility
- Monitor activities
- Use your resources
- Get help
- Don't count on state or local code compliance
- Correct problems promptly
- Remember the consequences

Notes:

Notes:



Overview - Agenda

- Overview of the Fair Housing Act and its Design and Construction Requirements
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- **Resources**

Notes:

Fair Housing Accessibility **FIRST** Resources

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



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



Notes:



Comprehensive Training Curriculum

Course Title	Time (hours)
Fair Housing Act Accessibility Requirements Overview	1 (Short) or 4 (Long)
Design and Construction Requirements of the Fair Housing Act: Technical Overview	3
Disability Rights Laws	1.5
Fair Housing Act Enforcement	1.5
Strategies for Compliant Kitchens	1.5
Strategies for Compliant Bathrooms	1.5
Accessible Routes	1.5
Accessible Public and Common Use Areas	1.5
Common Design and Construction Violations and Solutions	1.5
Making Housing Accessible Through Accommodations and Modifications	1.5

www.FairHousingFIRST.org
(888) 341-7781



Fair Housing Act and Related Standards

Standard	Where to Obtain
Fair Housing Act as Amended (Title VIII of the Civil Rights Act)	www.FairHousingFIRST.org (888) 341-7781 (V/TTY)
Fair Housing Act Guidelines*	www.FairHousingFIRST.org (888) 341-7781 (V/TTY)
Fair Housing Act Design Manual*	Disseminated at training www.huduser.org (800) 245-2691 TDD: (800) 483-2209
International Building Code*	www.intlcode.org (703) 931-4533
ANSI A117.1 (1986)*	www.intlcode.org (703) 931-4533
CABO/ANSI A117.1 (1992)*	www.bocai.org (800) 214-4321
ICC/ANSI A117.1 (1998)*	www.intlcode.org (703) 931-4533
Code Requirements for Housing Accessibility 2000 (CRHA)*	www.bocai.org (800) 214-4321
Section 504 of the Rehabilitation Act	www.hudclips.org (301) 519-5395
Uniform Federal Accessibility Standards	www.access-board.gov (800) 872-2253, TTY: (800) 872-2253
Architectural Barriers Act of 1968	www.access-board.gov (800) 872-2253, TTY: (800) 872-2253
Americans with Disabilities Act of 1991, Title II and Title III	www.access-board.gov (800) 872-2253, TTY: (800) 872-2253
ADA Accessibility Guidelines	www.access-board.gov (800) 872-2253, TTY: (800) 872-2253

**Denotes HUD Safe Harbor*

Publications

Listed in alphabetical order with the following designations based on topic.

C – Code; D – Design; L – Legal; DA – Disability Advocacy

Type	Resource Name	Description	Where to Obtain
D	Accessible Cabinetry	Describes state-of-the-art cabinetry designed to facilitate use by people with disabilities.	www.design.ncsu.edu/cud/ (800) 647-6777 (voice or TTY)
D	Accessible Environments: Toward Universal Design	Overview of the concept of universal design in everyday environments. Contains design illustrations and history of the disability rights movement.	www.design.ncsu.edu/cud/ (800) 647-6777 (voice or TTY)
D	Accessible Plumbing	Describes state-of-the-art in accessible plumbing fixtures and accessories.	www.design.ncsu.edu/cud/ (800) 647-6777 (voice or TTY)
D	Accessible Stock House Plans Catalog	Contains floor plans and perspectives for six accessible homes.	www.design.ncsu.edu/cud/ (800) 647-6777 (voice or TTY)
D	A Consumer's Guide to Home Adaptation	Includes worksheets for evaluating needs in the home, illustrated construction plans for grab bars, ramps, and other accessible elements, and resource listings for products.	www.design.ncsu.edu/cud/ (800) 647-6777 (voice or TTY)
C	HUD Review of Model Building Codes Final Report		www.hud.gov/offices/fheo/disabilities/modelcodes/
DA	New Mobility Magazine		www.newmobility.com
L	The New Fair Multifamily Housing: A Design Primer to Assist in Understanding the Accessibility Guidelines of the FHAct	Provides a basic understanding of the accessibility requirements of the FHAct. Also includes illustrated solutions and examples from existing projects.	www.design.ncsu.edu/cud/ (800) 647-6777 (voice or TTY)
L	Rights and Responsibilities of Tenants and Landlords under the Fair Housing Amendments Act	Outlines the rights and responsibilities of tenants with disabilities and landlords under the FHAct.	www.design.ncsu.edu/cud/ (800) 647-6777 (voice or TTY)
D	Tenant's Guide to Apartment Modifications: An Idea Source Pamphlet to Simple, Low-cost Modifications to Increase Accessibility in Apartments	Presents illustrated ideas for low-cost modification that are commonly made to rental dwellings.	www.design.ncsu.edu/cud/ (800) 647-6777 (voice or TTY)

Websites and Organizations

Listed in alphabetical order with the following designations based on topic.

C – Code; D – Design; DA – Disability Advocacy; G – Government; L – Legal; T – Trade ; O – Other

Type	Organization	URL
O	American Association of Retired Persons	www.aarp.org
DA	American Association of People with Disabilities	www.aapd.org
G	Access Board	www.access-board.gov
C	Adaptive Environments	www.adaptenv.org
DA	American Association of People with Disabilities	www.aapd-dc.org
T	American Bankers Association	www.aba.com
T	American Bar Association	www.abanet.org
DA	American Disabled for Attendant Programs Today	www.adapt.org
T	American Institute of Architects	www.aia.org
DA	American Seniors Housing Association	www.seniorshousing.org
T	American Society of Civil Engineers	www.asce.org
T	American Society of Interior Designers	www.asid.org
L	Bazelon Center for Mental Health Law	www.bazelon.org
D	Bob Vila	www.bobvila.com - special features
D	Center for Inclusive Design and Environmental Access	www.ap.buffalo.edu
D	Center for Universal Design	www.design.ncsu.edu/cud/index.html
G	Centers for Medicare and Medicaid Services	www.cms.gov
DA	Consortium for Citizens with Disabilities	www.c-c-d.org
D,L	Cornucopia of Disability Information (CODI)	www.codi.buffalo.edu
G	Department of Agriculture	www.usda.gov
G	Department of Justice	www.usdoj.gov
G	Department of Treasury	www.treasury.gov
DA	Disability Rights Action Coalition for Housing	www.libertyresources.org/housing/nac.html
DA	Eastern Paralyzed Veterans Association	www.epva.org
T	Institute for Real Estate Management	www.irem.org
C	International Code Council	www.intlcode.org
L	The John Marshall Law School Fair Housing Legal Support Center	http://law170.jmls.edu/
D	NAHB Research Center	www.nahbrc.org
T	National Affordable Housing Mgmt. Assoc.	www.nahma.org
T	National Apartment Association	www.naahq.org
T	National Association of Home Builders	www.nahb.org
T	National Association of Realtors	www.nar.realtor.com
T, D	National Association of the Remodeling Industries	www.nari.org
G	National Council on Disability	www.ncd.gov
C	National Conference of States on Building Codes and Standards (NCSBCS)	www.ncsbc.org
DA, L	National Fair Housing Advocate Online	www.fairhousing.com
DA	National Fair Housing Alliance	www.nationalfairhousing.org
D	National Kitchen and Bath Association	www.nkba.org
T	National Low Income Housing Coalition	www.nlihc.org
T	National Multi Housing Council	www.nmhc.org
DA	National Organization on Disability	www.nod.org
D, DA	National Resource Center on Supportive Housing and Home Modification	www.homemods.org
DA	Paralyzed Veterans of America	www.pva.org
D	Technical Assistance Collaborative	www.toolbase.org
DA	Wemedia	www.wemedia.com
DA	World Institute on Disability	www.wid.org