

ADA TITLE II SELF-EVALUATION AND TRANSITION PLAN

prepared for

The Housing Authority of Savannah
1407 Wheaton Street
Savannah, Georgia 31404



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ADA TITLE II SELF-EVALUATION AND TRANSITION
PLAN

OF

THE HOUSING AUTHORITY OF SAVANNAH
1407 WHEATON STREET
SAVANNAH, GEORGIA 31404

Bureau Veritas

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1. CERTIFICATION

Bureau Veritas has completed a Comprehensive Accessibility Evaluation of the Housing Authority of Savannah properties in Savannah, Georgia, in accordance with the requirements of 28 CFR Part 35, the 2010 ADA Design Standards for Accessible Design, and the State of Georgia Building Code sections related to accessibility.

The conclusions and recommendations presented in this Self-Evaluation and Transition Plan are based on the evaluations of properties under the jurisdiction of the Housing Authority of Savannah, associated documentation related to the properties, and input from the Housing Authority of Savannah staff.

Accessibility evaluations were conducted by Bureau Veritas Project Architects and Project Engineers during site visits to individual properties. Project Architects' and Engineers' observations were made during site visits conducted in 2023. Cost estimates for barrier removal are planning level cost estimates based on Bureau Veritas's experience with similar properties.

The assessments were performed at the Client's request using methods and procedures consistent with good commercial and customary practice for assessing compliance with the Title II provisions of the Americans with Disabilities Act (ADA), including the requirements of 28 CFR Part 35, and applicable state requirements. Accessibility barriers in areas which were not readily accessible, and/or may not have been visible, may exist. Individual facility reports describe property conditions at the time that the observations and research were conducted. The individual facility reports are not an engineering evaluation of physical conditions. The Self-Evaluation did not include engineering evaluations or engineering calculations to determine the adequacy of the facility's original design or to determine engineered cost estimates.

The opinions Bureau Veritas expresses in this report were formed utilizing the degree of skill and care ordinarily exercised by any prudent architect or engineer in the same community under similar circumstances. Bureau Veritas assumes no responsibility or liability for the accuracy of the information contained in this report, which has been obtained from the Client or the Client's representatives, from other interested parties, or from the public domain. The conclusions presented represent Bureau Veritas's professional judgment based on information obtained during the course of this assignment. The conclusions presented are based on the data provided, observations made, and conditions that existed specifically on the date of the assessments of individual properties.

Bureau Veritas certifies that Bureau Veritas has no undisclosed interest in the subject property, Bureau Veritas' relationship with the Client is at arms-length, and that Bureau Veritas' employment and compensation are not contingent upon the findings or estimated costs to remedy any deficiencies.

This report has been prepared on behalf of and exclusively for the use of the Housing Authority of Savannah for the purposes stated herein. The purpose for which this report shall be used shall be limited to the use as stated in the contract between the client and Bureau Veritas.

This report, or any of the information contained therein, is not for the use or benefit of, nor may it be relied upon by any other person or entity, for any purpose without the advance written consent of Bureau Veritas. Any reuse or distribution without such consent shall be at the client's or recipient's sole risk, without liability to Bureau Veritas.

If you have any questions regarding this report, please contact Bryon Scott, Program Manager at (800) 766-0660 x 7296625.

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2. OVERVIEW OF THE HOUSING AUTHORITY OF SAVANNAH

The Housing Authority of Savannah was organized on 1983 as a public housing authority for the jurisdiction of the City of Savannah, Georgia and the County of Chatham, Georgia. The Housing Authority is governed by a five-member Board of Commissioners appointed by the Mayor of the City of Savannah. The board establishes policies and ensures those policies are followed by Housing Authority staff.

Current Housing Authority staffing at the time of this evaluation consists of 90 total employees.

With a mission statement “to effectively and efficiently address the housing needs of Savannah’s low income population while focusing on the educational, job training and economic self-sufficiency needs of the residents of the public housing neighborhoods and the Housing Choice Voucher Program”, the Housing Authority of Savannah provides housing for low-income families, senior citizens, and the disabled through the use of apartment complexes and a high-rise building located throughout the City. Each neighborhood is conveniently located near public transportation, schools, and shopping areas.

Currently, the Agency owns and manages 5 developments totaling 898 units of HUD public housing; 163 Project-Based Voucher (PBV) RAD units; and over 3,000 Section 8 Tenant Housing Vouchers. This Self-Evaluation and Transition Plan focused on physical barriers to public housing units as it relates to the planning and utilization of capital funds, however recommendations to services, policies and procedures are applicable to all users. The Housing Authority of Savannah has a dedicated Resident Services Department providing economic self-sufficiency, educational advancement, health and financial counseling to all of its clients

Through an agreement with the City of Savannah, the Housing of Authority of Savannah assures their residents receive a full range of services from the City, including police and fire services, refuse collection, and all other services offered by the City of Savannah.

3. ACCESSIBILITY REQUIREMENTS

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive, wide-ranging rights and protections to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. Many consider it to be one of the most important civil rights laws since the Civil Rights Act of 1964. The goal of the ADA is to ensure equality of opportunity, full participation, and independent living to all individuals, including those with disabilities; it expressly prohibits all state and local governments and most private businesses from discriminating on the basis of disability. The ADA provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities. The ADA includes the definition of a disability, and in 2008, the ADA Amendments Act expanded and better defined the definition of a disability.

The ADA defines a disability, with respect to an individual, in one of three ways: a physical or mental impairment that substantially limits one or more major life activities; a record or history of such impairment; or regarded as having such as an impairment. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

The ADA is divided into five sections, or titles, covering specific areas: Employment (Title I), State and Local Government (Title II), Places of Public Accommodation (Title III), Telecommunication (Title IV), and Miscellaneous Provisions (Title V). This report focuses solely on Title II.

In addition to the ADA, other federal laws prohibit disability discrimination in housing such as the Fair Housing Act and the Department of Housing and Urban Development's (HUD) regulation for Section 504 of the Rehabilitation Act of 1973, also referred to as Section 504. The Fair Housing Act prohibits discrimination on the basis of race, color, religion, sex, national origin, familial status, and disability. HUD's Section 504 prohibits discrimination on the basis of disability in any programs or activities receiving HUD funds.

Under the Fair Housing Act, both privately owned and publicly assisted housing that has four or more dwelling units and is built for first occupancy after March 1991 is subject to the accessibility and adaptability requirements of the Fair Housing Act. HUD has developed Fair Housing Act Accessibility Guidelines in order to meet the requirements of the Fair Housing Act. The Department of Justice (DOJ) and the Department of Housing and Urban Development (HUD) are jointly responsible for enforcing the Fair Housing Act, other than employment policy related issues. HUD recognizes 15 Safe Harbors for compliance with the accessibility requirements of the Fair Housing Act. 10 Safe Harbors were established before 2021, and 5 have been added since March 2021. At HUD's discretion additional Safe Harbors can be added.

Housing programs that receive HUD funds must also meet the requirements of Section 504 and the design and construction requirements of the Uniform and Federal Accessibility Standards (UFAS) or HUD's Deeming Notice. The Notice allowed HUD recipients to use the DOJ's accessibility standards, with identified exceptions, as an acceptable alternative accessibility standard to the UFAS.

As a public entity covered under Title II of the ADA who receives HUD funds, the Housing Authority of Savannah, must comply with HUD's Section 504, the Fair Housing Act, and the ADA.

The DOJ's regulations implementing Title II of the ADA dictate that local governments and public agencies, such as the Housing Authority of Savannah, must evaluate their services, programs, policies, and practices and identify barriers that may limit accessibility for individuals with disabilities in a process called a Self-Evaluation and develop a transition plan describing how they will address the removal of physical/structural barriers to accessibility.

In 2010, the DOJ issued revised and expanded ADA regulations. The new regulations revised and updated earlier standards as well as included new standards for various recreational uses such as play equipment, amusement rides, fishing piers, etc. These are collectively called the 2010 ADA Standards for Accessible Design (2010 Standards). These new standards guide all new construction and renovation projects. All facilities have been evaluated and audited using the 2010 ADA Standards and Fair Housing Act Accessibility Guidelines where applicable.

Generally, Title II of the ADA prohibits discrimination by public entities to access and use of programs, services and activities on the basis of disability. In addition, public agencies must provide program access to all programs of the agency. Program, as used in the phrase "program access", is defined by the Department of Justice as "programs, services, and activities" of the public agency. Program access requires that each service, program, or activity, when viewed in its entirety, be readily accessible and usable by individuals with disabilities and allows for other methods in achieving program access besides structural changes. Where there are no feasible other methods to make the program accessible, structural changes in existing facilities are required. Structural changes to existing buildings must comply with requirements of the 2010 ADA Standards to the extent feasible to meet program access requirements.

Buildings completed and occupied after January 26, 1992, are required to comply fully with the 2010 ADA Standards. Existing facilities constructed prior to this date are held to the lesser standard of complying to the extent allowed by structural feasibility and the financial resources available, or a reasonable modification/accommodation must be made. However, program access by the public is still required.

A full explanation of the ADA is located in Appendix A and the DOJ, HUD Joint letter is located in Appendix B.

4. REQUIREMENTS FOR A SELF-EVALUATION AND ADA TRANSITION PLAN

The purpose of the ADA is to make sure that people with disabilities can fully participate in all aspects of civic life. Under Title II of the ADA, all state/local governments are required to give people with disabilities an equal opportunity to benefit from their programs, services, and activities.

As part of the Housing Authority of Savannah's effort to comply with Title II of the Americans with Disabilities Act (ADA), the Housing Authority has performed a comprehensive Self-Evaluation and developed an ADA Transition Plan that included programs and services, policies and procedures, and housing facilities. The purpose of this Self-Evaluation and Transition Plan is to plan accessibility compliance for the Housing Authority of Savannah with the requirements of Title II of the ADA, HUD's regulation for Section 504, the Fair Housing Act, and applicable state regulations contained in the accessibility and related chapters of the Georgia Building Code.

A Self-Evaluation is a governmental organization's evaluation of its current programs, services, activities, policies, practices, and procedures, and all physical facilities. The Self-Evaluation identifies and corrects barriers to accessibility that are not consistent with Title II of the ADA.

This Self-Evaluation includes:

- a review of the Housing Authority of Savannah's current programs, services, activities, policies, practices, procedures, and physical facilities
- findings and recommendations regarding those programs, services, activities, policies, and practices, and physical facilities
- the opportunity to interested persons to participate in the Self-Evaluation process through comments and public outreach.

The Transition Plan summarizes the physical obstacles in the Housing Authority's facilities identified during the Self-Evaluation that limit the accessibility of its program, services, and activities and sets forth the necessary steps to complete those structural changes.

This Transition Plan includes:

- field survey data of physical barriers to access at the Housing Authority of Savannah owned and leased facilities
- remediation methods to make the facilities accessible
- estimated cost for remediations
- a schedule for barrier removal including barrier removal prioritization
- official responsible for implementation of the plan
- an opportunity for the public to review and comment on the draft ADA Transition Plan prior to finalization.

A full description of the Self-Evaluation and Transition Plan is provided in Appendix A

5. PUBLIC OUTREACH

5.1 Public Comments

The Housing Authority of Savannah recognizes the importance of public opinion. To provide all interested persons the opportunity to comment on the Self-Evaluation and transition strategies, the Housing Authority of Savannah has:

1. Announced on their website and in a public meeting that the Housing Authority of Savannah is in the process of conducting an ADA Self-Evaluation and developing an ADA transition plan.
2. Solicited public input via online survey from August 2024 – September 2024. See Appendix C for survey results.
3. Held a public meeting presenting findings from the Self-Evaluation process on November 6, 2024. A direct invitation was extended to 14 organizations including disability advocacy organizations.

The Housing Authority of Savannah maintains a record of persons consulted, comments received, and any further audit or assessment performed based on the comments received and modifications made. These records will be maintained by the interim ADA Coordinator, Raffaella Nutini, and will be made available for public inspection. Raffaella Nutini can be reached by email at rnutini@savannahpha.com, by phone at (912) 235-5800 ext. 150, or in person at 1407 Wheaton Street, Building A, Savannah, Georgia 31404.

6. SELF-EVALUATION: PROGMATTIC AND ADMINISTRATIVE REVIEW

Program access under Title II of the ADA is required for public entities in all of their services, policies, and practices. Public entities shall modify any such services, policies and practices to meet the requirements of 28 CFR Part 35. An evaluation of the Housing Authority's current programmatic and administrative requirements was completed with recommendations for modifications. The Housing Authority of Savannah is implementing modifications for non-structural program access immediately to be in compliance with the 28 CFR 35.105. This action plan will correct all deficiencies noted and create established policies and practices for the Housing Authority of Savannah to follow.

6.1 Community Services

Requirement:

Programs and services provided by the Housing Authority of Savannah must not discriminate against individuals with disabilities. This extends to providing programs (such as exercise, recreational, swimming, etc.) in an integrated setting. Providing segregated/separate programs for individuals with disabilities is not acceptable. Additionally, programs that have presentations and use audio/amplified communication (i.e., microphones) need to accommodate individuals with hearing disabilities.

Findings:

The Housing Authority of Savannah does not have a written policy/procedure that provides staff with training in supporting individuals of all abilities in all programming where they meet prerequisite requirements with or without reasonable accommodation.

The Housing Authority of Savannah does not have a preventative maintenance program to maintain accessible features at all facilities.

The Housing Authority of Savannah do not have written policies/procedures regarding the use of mobility devices and service animals. The policies are not made known to the public.

Recommendations:

- Develop and adopt written policies and procedures and develop ADA training for staff in supporting individuals of all abilities.
- Furniture placement throughout the facilities creates barriers to access. Maintenance of accessible feature policy shall be adopted to ensure accessibility of facilities.
- Develop a written policy and procedure regarding the use of mobility devices. Post the policy on the Housing Authority’s website and at main offices. The policy shall:
 - Permit individuals with mobility disabilities to use wheelchairs and manually-powered mobility devices (Walkers, crutches, canes, braces, or other similar devices)



- Permit the use of power-driven mobility devices by individuals with mobility disabilities, unless the Housing Authority can demonstrate that the class of power-driven mobility devices cannot be operated with legitimate safety requirements.
- Shall not allow staff to ask an individual using a wheelchair or other power-driven mobility device questions about the nature and extent of the individual's disability.
- Allow staff to ask a person using another power-driven mobility device to provide credible assurance that the mobility device is required because of the person's disability. Staff should accept presentation of a State-issued disability parking placard or card, or other State-issued proof of disability as a credible assurance. If a State-issued disability parking placard or card cannot be provided, staff will accept as credible assurance a verbal representation, unless contradicted by observable fact. This does not mean that a mobility disability must be observable as a condition before allowing the use of an other power-driven mobility device, but rather that if an individual is observed thereafter engaging in a physical activity that is contrary to the nature of the disability, the assurance is no longer credible and the individual may be prevented from using the device.
- Develop a written policy and procedure regarding the use of service animals. Post the policy on the Housing Authority's website and at main offices. The policy shall:
 - Permit the use of a service animal by an individual with a disability
 - Allow staff to remove a service animal if the animal is out of control and the animal's handler does not take effective action to control it, or if the animal is not housebroken,
 - Allow a person with disabilities to the opportunity to participate in the service, program, or activity without the service animals on the premises if the service animal is properly excluded as mentioned above.
 - Shall only allow staff to ask:
 - Is the dog a service animal required because of a disability?
 - What work or task has the dog been trained to perform?
 - Staff shall not make these inquiries when it is apparent that an animal is trained to do work for an individual with a disabilities
 - Shall not require documentation, such as proof that the animal has been certified or trained as a service animal.
 - Shall not allow staff to ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees.
 - Make reasonable modifications to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

- All notifications (written/print, website, posters, etc.) should state: *“if you need an accommodation in order to participate in this program (wheelchair access, sign language interpreter, written materials in alternate format) please contact.....”*
- Information about the current accessibility of facilities where programs, services and offices take place needs to be coordinated with the offices who operate the programs and services. If an applicant or participant needs to be accommodated, it may require moving the program to an accessible location or Housing Authority employee must meet the resident at an accessible location.

6.2 Housing

Requirements:

Residential facilities with residential dwelling units shall comply with Section 233 and with the technical and scoping requirements in Chapters 1 through 10 of the 2010 ADA Standards for Accessible Design. These facilities may also be subject to the requirements of the Fair Housing Act (FHA), Section 504 of the Rehabilitation Act of 1973, as amended and/or The US Department of Housing and Urban Development (HUD).

Findings:

The Housing Authority of Savannah has a robust housing plan to include senior, low, and moderate-income, and persons with disabilities rental programs as well as home buyer’s assistance programs. Eligibility is income based.

The Housing Authority of Savannah has a thorough list of written policies and procedures in their “Housing Authority of Savannah Administrative Plan for the Housing Choice Voucher Program” and “Admissions and Continued Occupancy Policy”.

Recommendations:

- Ensure all Housing Authority staff are trained on all policies and procedures provided in “Housing Authority of Savannah Administrative Plan for the Housing Choice Voucher Program” and “Admissions and Continued Occupancy Policy”. Offer refresher training as needed.

6.3 Personnel and Internal Policies and Procedures

Requirements:

No qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any service, program, or activity conducted by a public entity.

Findings:

The Housing Authority of Savannah has very extensive and thorough policies ranging from administrative, personnel, rules and regulations, and other miscellaneous categories. Key administrative policies reviewed include:

- Prohibition Against Harassment: The policy is thorough and lists all forms of harassment including, basis of political or religious opinions or affiliations or because race, color, religion, sex (including sexual harassment and pregnancy discrimination), sexual orientation, gender identity, national origin, age, genetic information, disability (physical or mental) .
- Personnel Policy: The Housing Authority of Savannah does not have in writing a policy that all medical and accommodation information is kept separate from the employee’s personnel file and kept confidential.
- Smoke-Free Workplace: The policy states that smoking is prohibited in all Housing Authority offices, vehicles, public gathering areas (such as the various resident activity centers), break rooms and restrooms. Bringing alcohol, or any unlawful drugs, into the workplace, and/or using them on Housing Authority’ property is strictly prohibited,
- Workplace Safety and Workplace Bullying: The policy ensures a safe working conditions and prohibits all bullying.
- Workplace Harassment Policy: The policy provides a thorough analysis of what constitutes workplace harassment and the disciplinary actions which may result.
- Disciplinary Actions: The policy provides a thorough procedure on the Housing Authority’s disciplinary actions.
- Methods of Appeals: This policy outlines the grievance procedure including grievances alleging discrimination.
- Family and Medical Leave Act: The Housing Authority has an extensive policy on FMLA.
- Worker’s Compensation: The policy addresses returning to work from a work-related (worker’s compensation) injury. A procedure for returning to work is outlined. The policy does not include short-term disabilities.
- Qualifications: The policy states that the Housing Authority will make "reasonable accommodations", to ensure equal employment opportunity for otherwise qualified persons with disabilities

Recommendations:

- It is important to note in all documentation that all medical and accommodation information is kept separate from the employee’s personnel file and kept confidential.
- It is recommended that the disability policies for short-term disabilities be developed. Careful use of terms such as “reasonable accommodation” should be utilized in discussions of employees with permanent disabilities. Such terms may not necessarily be applied to employees returning to work from worker’s compensation or a short-term disability.
- It is recommended that grievance and appeals forms be developed in order to streamline the grievance and appeals process.

6.4 Human Resources: Position Descriptions

Requirements:



Title I of the ADA prohibits employers from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees and includes State and local governments. No qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any service, program, or activity conducted by a public entity.

Findings:

Several position descriptions were reviewed.

- Assistant Property Manager
- Maintenance Laborer
- Maintenance Technician
- Maintenance Supervisor
- Section 8 Case Manager
- Work Order Clerk

Most job descriptions do not break down the duties and responsibilities into “Essential Job Functions” and “Non-Essential Job Functions”.

Most job descriptions, in the “Qualification and Knowledge” section, uses non-inclusive language such as “Ability to prepare clear and concise oral and written reports”, “Ability to understand and follow quickly and accurately written and oral instructions”, which may discourage people with disabilities from applying.

The maintenance laborer job descriptions, in the “Required Knowledge and Abilities”, uses non-inclusive language such as “Ability to read and understand written instructions”, “Ability to follow oral instructions”, and “Ability to lift heavy objects”, which may discourage people with disabilities from applying.

Most Job descriptions, in the “Physical Demands” section, uses non-inclusive language such as “climbing ladders, stooping, kneeling, standing for long periods and walking around sites”, and “bend (90 degrees), stoop, crouch, climb (stairs and ladders), twist (to 180 degrees), turn, and kneel.”, which may discourage people with disabilities from applying.

Most job descriptions do not state that reasonable accommodation may be made to enable individuals with disabilities to perform essential functions.

Most job descriptions do not include a disclaimer language to remind employees/applicants that the description is subject to change.

All job descriptions do not provide contact information for accommodation requests during the hiring process.

All job descriptions do not include an Equal Employment Opportunity (EEO) statement.

Recommendations:

- Review job descriptions and list job duties into essential functions and non-essential functions.
- ADA-compliant words should be used to throughout the job descriptions. Words that convey the actual requirements of the job should be used without limiting the physical demands to certain abilities.
 - Instead of stand/sit, use remain in stationary position
 - Instead of walk, run, use move, traverse
 - instead of use hand/fingers to handle or feel use operate, activate, prepare, inspect, place, detect, diagnose, install/place, remove/replace, adjust, attach, drafts/writes,
 - instead of climb (stairs/ladders) or balance use ascend/descend, work atop, traverse.
 - Instead of stoop, kneel, crouch, or crawl use position self (to), move.
 - Instead of talk/hear use communicate, detect, converse with, discern, convey, express oneself, discuss, exchange information
 - Instead of see, use detect, determine, discern, perceive, identify, assess
 - Instead of lift, carry weight, use move, transport, position, install
- Job descriptions shall add language for reasonable accommodations for specific job requirements. For example, if a job requires moving heavy objects, add “with accommodations upon request” at the end of the statement. It is also best practice to include language, that that’s that “supervisors may assign additional duties or requirements” so applicants know they can safely apply regardless of disability status.
- It is recommended that disclaimer language be included in all job descriptions to remind employees/applicants that the description is subject to change.
- Provide contact information for accommodation requests during the hiring process.
- It is recommended that an Equal Employment Opportunity (EEO) statement be added to all job descriptions.

6.5 ADA Coordinator

Requirements:

Title II also requires a designated accessibility coordinator to ensure the resolution of complaints and by inference, an employee or employees who will coordinate removal of barriers. A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it, alleging its noncompliance with this part, or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.

Findings:

The Housing Authority of Savannah's interim ADA Coordinator is also the Director of Real Estate Development and may not have the time to carry out the Housing Authority's responsibilities under the ADA.

Recommendations:

- All the roles of the ADA Coordinator should be established to ensure the Housing Authority complies with the requirements of the ADA. See Appendix D.
- The name, office address and telephone number of the designated ADA Coordinator be posted on the Housing Authority's website and on all accessibility related documents. The contact information shall be updated as necessary.
- Ensure the ADA Coordinator has the time and expertise to comply with and carry out its responsibilities.
- Establish person responsible when ADA coordinator is not available.

6.6 Notice of the ADA's Provisions

Requirements:

An ADA Public Notice is required by all state and local governments covered by Title II, even entities with less than 50 employees. The target audience for the notice includes everyone who interacts with or would potentially interact with the Title II entity. The notice should include relevant information regarding Title II of the ADA, and how it applies to programs, services, activities of the public entity, and the contact information of the ADA Coordinator. The head of the public entity shall determine the most effective way of providing the public notice and provide the information on an ongoing basis. Information must be accessible to all and available in alternative formats (recording, radio announcement, large print, Braille, HTML format)

Findings:

The Housing Authority of Savannah does not make information available to the public that the ADA applies to all services, programs, and activities the Housing Authority provides.

Recommendations:

- Consider adopting the DOJ's model public notice. See Appendix E for DOJ's Notice Under the ADA.
- Develop written procedures to inform the public of their rights under the ADA. Consider providing the notice with job applications, posting the notice at all facilities, using the Housing Authority's website and social media platforms, and including it in program handbooks and activities schedule.
- Make the notice available in alternate formats.



6.7 Grievance Procedures

Requirements:

Title II of the Americans with Disabilities Act (ADA) requires government entities to establish a complaint procedure for both the public and employees. A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA. The complaint procedure must include an accessible method of filing an accessibility complaint, such as a grievance procedure and grievance form posted on the Housing Authority's website.

Findings:

The Housing Authority of Savannah has not adopted a procedure addressing grievances from the general public and tenants arising under Title II of the ADA

Recommendations:

- Consider using the DOJ's grievance procedure model. See Appendix F for DOJ's grievance procedure model.
- Develop written policy and procedure to provide the grievance procedure in alternate formats.
- Post grievance procedure copies in public spaces and on the Housing Authority's website.
- Adopt written policy to update procedure and contact information as necessary.
- Consider developing grievance/appeal forms to streamline the grievance process.

6.8 General Effective Communications

Requirements:

Title II of the ADA requires that all state and local government take steps to ensure their communications with people with disabilities are as effective as communications with others. This requirement is referred to as "effective communication" and is required except where a state or local government can show that providing effective communication would fundamentally alter the nature of the service or program in question or would result in an undue financial and administrative burden. Effective communication applies to all members of the public with a disability, including job applicants, program participants, people who contact the state or local government seeking information about programs, services, or activities.

Findings:

The Housing Authority of Savannah does not have a written policy and procedures in place to deal with requests from the general public for sign language, oral, cued speech interpreters.

The Housing Authority of Savannah does not have employees who are qualified interpreters or arrangements with one or more vendors to provide interpreting services when needed.

The Housing Authority of Savannah does not have a written policy or procedure to deal with requests from the general public for documents in Braille, large print, audio, recording, and accessible electronic format.

The Housing Authority of Savannah does not have a written policy or procedure to deal with requests from the general public for notetakers, computer-assisted real-time transcription services, and other auxiliary aids.

The Housing Authority of Savannah does not have equipment or arrangements with vendors to provide written materials in alternative formats.

The Housing Authority of Savannah does not have written policies to provide training and refresher training to employees answering calls through a relay service.

Recommendations:

- Develop written policy on interpreter including:
 - the time required to obtain interpreter. Interpreters should be able to be obtained in a short period of time. In an emergency, sign language interpreter should be available in person or video relay system within an hour of receiving the request. In non-emergency situations, sign language interpreter should be made available within a reasonable advance notice.
 - a statement that a family member or companion of deaf persons shall not be requested to serve as sign language interpreter.
 - a statement that a person with a hearing impairment shall not be charged for the cost of the interpreter
 - a statement of when a request for an interpreter is deny based on undue financial and administrative burden and that the individual with a disability will receive the benefits or services provided
- Make arrangements with vendors so interpreters are available when needed.
- Develop policies and procedures to obtain auxiliary aids and services.
- Train employees so they know the policies and appropriate procedures to follow when they receive a request for interpreter or auxiliary aids.
- Make policy and procedures on the provision of interpreters/auxiliary aids available to all employees who face the public.
- Make arrangements with vendors to provide written materials in alternate formats (e.g., Braille large print, audio format, electronic format).



- Develop written policies and training to employees who answer telephone calls to ensure calls made through a relay service are handled as quickly and effectively as other calls.
- Publish the effective communication policy on the Housing Authority’s website in an accessible format.
- Solicit feedback from the community who have different disabilities on the effectiveness of the communication policy.

6.9 Website Accessibility

Requirements:

The Department of Justice (DOJ) has stated, as they have in the past with other elements, spaces, or technologies for which there are no technical accessibility specifications, that the absence of a technical standard does not “serve as a basis for noncompliance” with the ADA’s general obligation to ensure equal access to goods and services; rather, it means that entities have flexibility in how to facilitate that access. There are standards and guidelines that can help web developers create and maintain accessible websites. For example, the Web Content Accessibility Guidelines (WCAG) developed by the global Web Accessibility Initiative (WAI), which is part of the World Wide Web Consortium, the main international standards organization for the Internet, have long been available, and DOJ has often referred to these guidelines as a way of measuring the accessibility of websites.

Findings:

The Housing Authority of Savannah has not performed an extensive analysis of their website for accessibility.

The Housing Authority of Savannah has not adopted an website accessibility policy.

The Housing Authority of Savannah does not invite people with disabilities to test their webpages.

Recommendations:

- Consider using free or low cost resources to test the Housing Authority’s website for ADA compliance.
- Adopt a website accessibility policy and create procedures for implementation. Include specific steps, time frames, standards and guidelines on how to make web content accessible. Post the website accessibility policy and procedure on a webpage that can easily be found.
- Periodically invite people with a variety of disabilities to test the Housing Authority’s webpages for accessibility and ease of use.
- It is recommended that in-house staff and contractor staff are trained on the web accessibility policy and procedures and receive copies of the Department of Justice’s technical assistance document “Accessibility of State and Local government Websites to People with Disabilities”. See Appendix G.



7. SELF-EVALUATION: FACILITY ASSESSMENTS

A public entity shall evaluate all existing programs and facilities to ensure they are readily available to and usable by people with disabilities. This includes removing physical/structural barriers to accessibility at the Housing Authority’s buildings. Physical/structural barrier to accessibility from the facility assessments will be scheduled for barrier removal into the Housing Authority of Savannah’s Transition Plan.

7.1 Housing Authority Facilities List

The table below lists the locations of all residential buildings owned and managed by the Housing Authority of Savannah under the Public Housing Program, where programs, services, and activities are provided.

FACILITY	Amenities	ADDRESS
Horace Stillwell Towers	1 bedroom senior Living	5100 Waters Avenue, Savannah, Georgia 31404
Pickens Patterson Terrace	1 -3 bedroom duplexes	300 Lewis Drive, Savannah, Georgia 31406
Simon Frazier Homes	Studio – 5 bedroom apartments	624 West Gwinnett Street, Savannah, Georgia 31401
Single Family Homes	3 – 4 bedroom homes	South Avalon Drive, Savannah, Georgia 31404
Yamacraw Village	1 – 3 bedroom apartments	555 West Bay Street, Savannah, Georgia 31401

7.2 Scope of Assessments at Facilities

The scope of the individual assessments comprised of the exterior features/amenities of the site and the interior of the buildings on site. Exterior elements assessed include accessible parking and exterior accessible pedestrian paths of travel to and from all amenities and features provided at each site. Interior spaces consist of the common corridors, public restrooms, conference rooms, offices, and other interior elements along the common path of travel, such as water fountains.

A Bureau Veritas Subject Matter Expert visited each property within the Housing Authority of Savannah to evaluate the facilities in accordance with the ADA and State of Georgia Building Code and assess the existing property improvements’ compliance with the Title II provisions of the Americans with Disabilities Act (ADA) and applicable state requirements.

The field observer conducted a thorough review of the facility to observe and identify barriers to accessibility and formulate recommendations to remedy the physical barriers. As a part of the review, the field observer met with a property representative with specific knowledge of the facility to gain a clear understanding of overall features, public use patterns, and relevant historical data. All features of the property are subject to observation, which includes but is not limited to parking lots, sidewalks, access ramps, and all common areas accessible to the public, as well as employee areas.

During the site walk-through, the field observer followed a Survey Form that meets or exceeds the current ADAAG format and utilized a digital level, measuring tape, pressure gauge, and digital camera. The field observer identified and prioritized any existing improvements not in accordance with the applicable ADA requirements in the order of preference as set out by the DOJ in general categories and refined by Bureau Veritas.

The Bureau Veritas team assessed exterior and interior in order to identify existing conditions that are not in accordance with the applicable regulations. Examples of elements required to be accessible are:

- Dwelling Units for mobility needs where applicable
- Dwelling units for Fair Housing Accessibility First where applicable
- Dwelling units for Visual and Hearing Impairments where applicable
- Parking- adequacy as to automobile number, van accessible number, signage, and markings
- Parking and passenger loading zones
- Accessible routes: sidewalks and paths, interior routes
- Space allowance and ranges
- Protruding objects
- Ground and floor surfaces
- Curb and other ramps; size, distance, slope, rails, and surface finishes
- Exterior and interior common stairs
- Platform lifts (wheelchair lifts)
- Entrances and exits to common areas and employee areas
- Handrails and grab bars
- Alarms (visual and audible) and warnings
- Signage, Braille, and visual
- Switches and outlets

Individual assessment reports for each property surveyed included:

- Summary of Findings for all amenity features (parking stalls, curb ramps, paths of travel, etc.)
- Individually recorded barriers
- Digital photos of observed deficiencies and representative photos of elements observed to be in compliance
- Geocode GPS references for the location of observed deficiencies
- Applicable ADA and State of Georgia regulatory references
- Recommendations for viable corrective measures necessary to comply with regulations
- Planning level cost estimates for each barrier

Assessment results were tabulated into an ADA database using AssetCALC™, an online interactive database created by Bureau Veritas to manage ADA and state accessibility code information. The AssetCALC™ asset management database used by Bureau Veritas establishes an online database in www.Assetcalc.net, which is used to compile records of all deficiencies and accessibility barriers, store photos, and documents related to the individual facilities, and create reports. AssetCALC™ provides the ability to list, prioritize, query, and track accessibility barrier removals. Cost data in the database is calculated using rounding. Any minor discrepancies in the costs shown in this report are the result of rounding.

7.3 Basis for Probable Costs

The estimates for the repair and capital reserves items noted within this report are summarized in Section 11.2. Individual observation details for Housing Authority of Savannah facilities are provided in Appendix I.

The estimates are based on invoice or bid documents provided either by the Owner/facility and construction costs developed by construction resources such as *R.S. Means* and *Marshall & Swift*, Bureau Veritas' experience with past costs for similar properties, city cost indexes, and assumptions regarding future economic conditions. Typically, barrier removal allowances are based upon the removal of the specific element being evaluated (for example, parking stalls, curb ramps, ramps). Grading plans based on field surveys using land surveyor instrumentation could result in significantly different material quantities and subsequent higher project costs. Bureau Veritas has no control over the final scope of work, pricing methods, and costs associated with a contractor constructing the project. The opinion of probable costs within this report cannot guarantee that the costs will accurately reflect the actual bids for construction.

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8. COMPLIANCE STRATEGY

The proposed strategy for ADA compliance is a multi-phase approach for facility access as well as programmatic access. The goal of this strategy is to ensure that the programs, services, and opportunities offered by the Housing Authority of Savannah are accessible to the citizens of the City of Savannah community, regardless of abilities, yet provide a realistic plan for barrier removal, which is within the fiscal capabilities of the Housing Authority of Savannah.

Provision of accessibility access is proposed to be based on location of the dwelling units, the percentage of dwelling units that are accessible based on disbursement and the feasibility of converting dwelling units built for first occupancy prior to March 13, 1991. All new construction will meet or exceed the 5% units built for mobility and 2% units built for visual and hearing impaired. It is also noted that due to construction methodology or natural terrain some of the regional disbursement may have to wait until new dwelling units are constructed.

Programmatic access will be an ongoing effort. The Housing Authority of Savannah will initiate efforts to improve facility access, develop, and expand its review of its many programs with a focus on policy initiatives, inclusion, and reasonable accommodation needs. Not all structural barriers must be removed, as long as the disabled community is accommodated, and the unique programs, facilities, and services of the Housing Authority are made available for disabled users. Selected recurring amenities will be made barrier-free, so that at least one of each type of amenity is accessible.

The level of funding is expected to continue at the same level going forward. Barrier removal may be undertaken as separate initiatives or as a part of larger capital projects, depending on funding levels. Barrier removal must be accomplished in phases, as funding becomes available.

9. PHASING AND PRIORITIES

9.1 Facility Phasing Plan

Barrier removal of physical/structural barriers to accessibility will not be instantaneous, but rather, it will occur over the course of several years. In order to prioritize barrier removal that will have the most impactful effect, the Housing Authority of Savannah has adopted a multi-phase strategy.

With feedback from the public during development of the Transition Plan and according to facility usage levels, priority groupings of facilities were identified to guide the barrier removal work. Facility usage rates were primarily determined by the number of amenities, services, and programs available at a facility and general visual observation by Housing Authority staff. Phasing plans based on priorities are:

- Phase One (Fiscal Years 2025 – 2027) – Priority 1 Barriers (Exterior Barriers) of Horace Stillwell Towers, Single Family Homes and Pickens Patterson Terrace
- Phase Two (Fiscal Years 2028 – 2030) – Priority 1 Barriers (Exterior Barriers) of Simon Frazier Homes
- Phase Three (Fiscal Years 2030 – 2032) – Priority 1 Barriers (Exterior Barriers) of *Yamacraw Village
- Phase Four (Fiscal Years 2033-2035) – Priorities 2-4 of All Sites

** Yamacraw Village is scheduled to go through redevelopment and demolition. Between October 5 and November 5, 2020, and also on February 23, 2022, the Housing Authority of Savannah conducted several meetings with residents of Yamacraw Village to discuss the Authority's plans to redevelop the property, and to go over the Demolition application. No immediate capital improvement is recommended.*

9.2 Facility Priority Levels

In addition to barrier removal based on a phasing plan, barrier removal at each individual facility will be prioritized based on a priority level.

The following priority levels have been used to assign priorities to barriers within each property and facility.

Priority 1: Path of Travel-

Accessible Van Parking – Access to a public facility begins with accessible parking. Van accessible parking is deemed the most important barrier. Those with the most severe disabilities tend to require a van accessible space to accommodate their vehicle and mobility device. In addition, when only the minimum number of accessible spaces is required, it must be a van accessible space. This priority includes all barriers associated with the compliance of a van accessible space including signage, restriping, constructing, or reconfiguring the pavement to accommodate the required number of spaces.

Accessible Car Parking – Access to a public facility begins with accessible parking. Car accessible parking is deemed the second most important barrier. This priority includes all barriers associated with the compliance of a van accessible space including signage, restriping, constructing, or reconfiguring the pavement to accommodate the required number of accessible spaces.



Accessible Approach and Entrances – A public agency is required to take measures to provide access to a place of public accommodation and employee areas from public sidewalks, parking, or public transportation. The DOJ dictates the minimum width, cross and running slope, signage, and handrail requirements associated with pedestrian accessible routes of travel. These measures include, for example, installing an entrance ramp, correcting tripping hazards or lessening the slope of a curb ramp. At least one route of travel to each amenity or feature should be safe and accessible for everyone, including people with disabilities.

Priority 2: Elements used for programs, services, and activities - Barriers may include play equipment, picnic tables, public counters, benches, trash receptacles, and dwelling units required to be mobility accessible and vision and hearing impaired accessible.

Priority 3: Public Restrooms, Signage - Barriers may include widening of toilet stalls, installation of grab bars, and lowering lavatories and mirrors.

Priority 4: Access to Auxiliary Features and Amenities – A public agency is required to take measures to provide access to auxiliary features and amenities along paths of travel, for instance, kiosks, water fountains, and kitchen appliances.

Employee areas have been set as the lowest priority, due to the fact that the total estimated cost for barrier removal in public areas is the more pressing need.

Some of the existing accessibility barriers require a minimal amount of effort or expense to remove and are found throughout the system. These types of barrier removals are called “Low Hanging Fruit,” or easy barrier removal. “Low hanging fruit” is defined as accessibility barrier removal which can be incorporated into recurring work being completed on a life cycle basis, and which is relatively low in cost.

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10. HOUSING AUTHORITY OF SAVANNAH FUNDING LEVELS

In January 2024, the Housing Authority of Savannah approved a five-year action plan. The plan allocated \$1,537,062 to capital activity, annually, which results in \$7,685,310 for the five-year cycle.

The capital fund action plan breaks down development into several categories:

- Management Improvements
- Administration
- Capital Fund Program Fee
- Operations
- General Capital Activity

Based on the information above, the annual funding level for barrier removal can be no greater than the funds available for Capital Projects at a maximum, although some barriers may be removed through maintenance project funds, such as “low hanging fruit”.

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11. TRANSITION PLAN COMPONENTS

11.1 Overview

The 2024 Transition Plan is a snapshot in time to evaluate and prioritize barrier removal of physical/structural barriers to accessibility throughout the Housing Authority of Savannah system. The Transition Plan will be a living document and not a static view of the existing state of ADA compliance at the Housing Authority of Savannah. As such, it can be modified and updated on a periodic basis to reflect barrier removal efforts, changes in economic conditions, new and revised strategies, and reflect future public input.

The Transition Plan is a flexible document, as strategies, priorities, and funding opportunities change. The Housing Authority of Savannah demographics may vary from the current demographic composition of Chatham County. Public preferences for recreational types may change, while funding priorities and funding levels may change as well.

The Transition Plan will require modification as conditions and priorities are changed, new ADA requirements are issued by the DOJ, and/or unanticipated policy, or fiscal needs occur.

As the interim ADA Coordinator for the Housing Authority of Savannah, Rafaella Nutini is responsible for implementing and updating the Housing Authority’s Transition Plan. At a minimum of at least once a year, the Transition Plan should be updated, noting the barriers removed and any changes to the funding noted. Rafaella Nutini can be reached by email at rnutini@savannahpha.com, by phone at (912) 235-5800 ext. 150, or in person at 1407 Wheaton Street, Building A, Savannah, Georgia 31404.

11.2 Barriers Summary

The removal of all identified physical accessibility barriers for building, in the Housing Authority of Savannah system is estimated to cost \$3,401,487. The existing barrier planning level cost estimate totals are summarized in table below:

Facility Type	Estimated Cost	Items
Phase 1	\$629,970	96
Phase 2	\$424,947	62
Phase 3	\$1,495,520	68
Total	\$3,401,487	399

For the accessibility summaries of individual facilities for buildings, see Appendix H.

11.3 Buildings Barrier Removal Strategy

The Housing Authority of Savannah has adopted a multi-phase strategy using the ranking criteria of facility usage levels to determine the phases for barrier removal. The long-term goal is to make all unique amenities and at least one of each type of recurring amenity accessible. In order to meet the programmatic requirement for accessibility of programs, services, and activities to individuals with disabilities by local agencies, the Housing Authority will make reasonable modifications upon request. For further explanation of the obligations of a public agency, see Appendix A.

The planning level cost estimates for each phase are summarized below:

Facility / Building	Total	
	Est. Cost	Items
Phase One (Fiscal Years 2025 – 2027)		
Horace Stillwell Towers - Priority 1 (Exterior) Barriers	\$240,276	44
Pickens Patterson Terrace - Priority 1 (Exterior) Barriers	\$306,822	38
Single Family Homes - Priority 1 (Exterior) Barriers	\$82,872	14
Total Phase One	\$629,970	96
Phase Two (Fiscal Years 2028 – 2030)		
Simon Frazier Homes - Priority 1 (Exterior) Barriers	\$424,947	62
Total Phase Two	\$424,947	62
Phase Three (Fiscal Years 2028 – 2030)		
*Yamacraw Village - Priority 1 (Exterior) Barriers	\$1,495,520	68
Total Phase Three	\$1,495,520	68
Phase Four (Fiscal Years 2030 – 2033)		
Horace Stillwell Towers - Priority 2-4 Barriers	\$100,988	40
Pickens Patterson Terrace - Priority 2-4 Barriers	\$140,815	18
Simon Frazier Homes - Priorities 2-4 Barriers	\$196,717	59
Single Family Homes - Priority 2-4 Barriers	\$66,337	20
*Yamacraw Village - Priority 2-4 Barriers	\$346,193	36
Total Phase Four	\$851,051	173
Grand Total	\$3,401,487	399

* Yamacraw Village is currently slated for demolition, hence, improvements may not be applicable at this time

See Appendix I for the full listing of barriers in each phase.



11.4 Schedule and Timeline

The establishment of planned phases for barrier removal is determined by the criteria adopted by the Housing Authority of Savannah, the regulations of the Americans with Disabilities Act, and by the necessity to schedule barrier removals within an established framework. The timing of the completion of each phase of barrier removal is subject to a number of factors. The framework timeline will be determined by the following factors, as well as potential unknown additional factors, which will determine any changes to and specificity of the Transition Plan, which may be required in future years:

- Reasonable Modification request from tenants
- Funding sources and funding timelines
- Level of ADA barrier removal, with the highest ranking given to the highest use areas
- Opportunity to combine ADA barrier removal with scheduled capital improvements, such as playground replacements, parking lot renovations, restroom repairs or park reconstruction
- Development of a work program to eliminate “low hanging fruit” (easily removed barriers)
- Realistic time frame for accomplishment based on fiscal capability
- Demographic distributions
- Input from the community
- Public citizen grievances/complaints

Planning level estimated values for barrier removal will change over time due to inflation, changes in construction practices and materials, and unanticipated changes or additions to accessibility regulations. It is expected that the total cost of required accessibility barrier removal will change over time due to the completion of individual barrier removal efforts and due to funding of capital projects which incorporate barrier removal in the immediate and distant future.

12. APPENDICES

APPENDIX A: ADA TITLE II REQUIREMENTS

APPENDIX B: JOINT STATEMENT

APPENDIX C: ACCESSIBILITY SURVEY RESULTS

APPENDIX D: TITLE II ADA COORDINATOR ROLE

APPENDIX E: NOTICE UNDER THE ADA (DOJ MODEL)

APPENDIX F: GRIEVANCE PROCEDURE (DOJ MODEL)

APPENDIX G: ACCESSIBILITY OF STATE AND LOCAL GOVERNMENTS
WEBSITES TO PEOPLE WITH DISABILITIES

APPENDIX H: ACCESSIBILITY SUMMARIES BY FACILITY

APPENDIX I: BARRIERS BY TRANSITION PHASE

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**APPENDIX A:
ADA TITLE II REQUIREMENTS**

The Americans with Disabilities Act

With the passage of the Americans with Disabilities Act (ADA) in 1990, people with disabilities were, for the first time, assured of access to all programs and services provided by state and local government agencies. Previously, under Section 504 of the Rehabilitation Act of 1973, as amended, only those public entities that receive federal funding were explicitly prohibited from discriminating on the basis of disability. Signed into law by President George H.W. on July 26, 1990, Title I, II, and III of the ADA became effective on January 26, 1992. Title IV took effect in 1993.

The Americans with Disabilities Act is divided into five areas, Titles I through V.

Title I - Employment: Title I of the Americans with Disabilities Act prohibits all employers, including government agencies, from discriminatory practices in the hiring, training, advancement, compensation, or discharge of any employee, or in any terms, conditions, and rights of employment.

Title II - Public Services: Title II of the American Disabilities Act, which governs state and local government entities, prohibits all public entities, even those completely independent from federal funding, from discriminating against people with disabilities. Generally, Title II of the ADA prohibits discrimination to services, programs, and activities of public entities on the basis of disability.

Title II I- Public Accommodations and Services by Private Entities: Title III requires places of public accommodation (privately funded and operated facilities) and commercial facilities that serve the public to be accessible to and usable by people with disabilities.

Title IV - Telecommunications: Title IV covers private telecommunication carriers offering services to the public to increase the availability of interstate and intrastate telecommunication relay services to individuals with hearing and speech disabilities.

Title V - Miscellaneous Provisions: Title V contains miscellaneous provisions, including construction standards and practices, provisions for attorneys' fees, and technical assistance provisions.

Terms such as "Public Entity" and "Governmental Agency" are applicable to Title II entities, which are defined as state and local governments.

The Department of Justice (DOJ) is tasked with the enforcement of the ADA.

Scope of Title II

Title II of the ADA is divided into two subtitles. This discussion focuses only on subtitle A, which is implemented by the DOJ's Title II regulation at 28 CFR § Part 35. Subtitle B of Title II of the ADA covers public transportation services, programs, and activities of public entities are subject to the regulation of the Department of Transportation (DOT) at 49 CFR Part 37 and are not covered by this part. The DOT's ADA regulation establishes requirements for construction of transportation facilities and acquisition of vehicles. Matters not covered by subtitle B, such as the provision of auxiliary aids, are covered by subtitle A. Activities that are covered by the DOT's regulation implementing subtitle B are not required to be included in the self-evaluation required by §35.105. The use of the term "Title II" anywhere in the Self-Evaluation and Transition Plan report refers only to Subtitle A.

28 CFR §35.102 Application

(a) Except as provided in paragraph (b) of this section, this part applies to all services, programs, and activities provided or made available by public entities.

(b) To the extent that public transportation services, programs, and activities of public entities are covered by Subtitle B of Title II (42 U.S.C.12141) of the ADA, they are not subject to the requirements of this part.

The obligation to comply with Title II extends to all public entities, including:

- Any state or local government
- Any department, agency, special purpose district, or other instrumentality of a state or local government

All local agencies, including municipalities, are required to comply with Title II because they are considered “instrumentalities” of the state government. All programs, activities, and services of local government, including municipalities, must be in compliance with Title II. Examples of activities covered include:

- The operation of all services and programs offered by the entity;
- All aspects of the employment relationship; and
- Services carried out by contractors.

Title II covers any and all events the local government system offers, for example, any public meetings, entertainment or lecture series, all events offered by the school system including after-school activities and social events, festivals or other special events, and all services provided for the public or staff. Services provided by any private contractors on behalf of the municipal system must also comply fully with relevant provisions of Title II.

Under Title II, a public entity (i.e. governmental agency) shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. The local government may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible.

Public meeting rooms must be accessible to people with disabilities. Buildings where public meetings, services, programs, or activities take place must provide access to telephones and restrooms, if provided, for people with disabilities as well as the general public. When a program, service or activity is scheduled in an inaccessible location and a person with a disability notifies the agency of their desire or need to participate, that program, service, or activity must be moved to an accessible location.

The government must maintain equipment and features of facilities in working order if those features and equipment are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited. For example, where the governmental agency must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route, however, would not be a violation if the object is promptly removed. Similarly, accessible doors must be unlocked when the governmental agency's offices are open for business.

Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with disabilities would be violated if repairs are not made promptly or if improper or inadequate maintenance causes repeated failures.

However, this does not --

- (1) Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities;
- (2) Require a public entity to take any action that would threaten or destroy the historic significance of an historic property; or
- (3) Require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance with 35.150(a) of this part would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of a public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity.

In summary, Title II requires state, county, and city governments to ensure that all of their programs, services, and activities, when viewed in their entirety, are accessible to people with disabilities. Program access is intended to remove physical barriers to state, county, and city services, programs, and activities, but it generally does not require that a government agency make each facility, or each part of a facility, accessible. For example, all restrooms in a facility may not be accessible. However, signage directing people with disabilities to the accessible features and spaces in a facility, including at least one accessible restroom, should be provided.

Program accessibility may be achieved in a variety of ways. State, county, and city governments may choose to make structural changes to existing facilities to achieve access or can pursue alternatives to structural changes to achieve program accessibility. For example, governments can move public meetings to accessible buildings, or can relocate services for individuals with disabilities to accessible levels or sections of buildings. When choosing between possible methods of program accessibility, governments must give priority to the choices that offer services, programs, and activities in the most integrated setting appropriate. [28 C.F.R. § 35.149, 35.150, 35.151, 35.163]

Definition of Disability

The ADA stipulates a three-pronged definition of disability. Disability is defined as an individual who:

- Has a physical or mental impairment that substantially limits one or more major life activities; or
- Has a record or history of such an impairment; or
- Is perceived or regarded as having such an impairment;
- Major life activities encompass activities such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. [28 CFR § 35.104]

Human Resources

The ADA requires equal opportunity for individuals with disabilities in all areas of employment practices, including the application process, interviewing, testing, hiring, job assignment, evaluation, discipline, medical examinations, compensation, promotion, on-the-job training, layoff/recall, termination, leave and benefits such as health insurance. The non-discrimination requirement applies to the hiring process, as well as employees.



The ADA requires that all employees be provided equal access to benefits, such as health insurance, regardless of disability. However, the regulations also indicate that certain restrictions, such as pre-existing condition waiting periods or caps on particular types of services, such as out-patient physical therapy, are permissible unless proven to be a subterfuge for discrimination.

The ADA requirements for the hiring protocol and all areas of responsibility of the human resources department extend to seasonal workers, workers covered by collective bargaining agreements and works who may be hired through outside agencies. Volunteers, interns, or student teachers who may be placed at an agency program or recruiters are not necessarily defined as government employees.

An important factor in the Self-Evaluation process is the identification of unionized employees and the terms of union agreements. For example, the terms of a collective bargaining agreement may include job restructuring or reassignment requests, which may affect seniority provisions. If the granting of requests would create an undue hardship, the Equal Employment Opportunity Commission (EEOC) has the authority to determine on a case-by-case basis whether the claim of undue hardship is valid.

Employment regulations treat alcohol and drug use differently. Alcoholism is recognized as a disability under the ADA; however, employers do not have to tolerate poor work performance due to alcoholism. If a person with alcoholism is provided only one paid leave for treatment of the alcoholism, while persons with different diseases are provided multiple paid leave, then such a provision is a violation of the ADA.

The ADA does not protect an individual currently engaging in the illegal use of drugs. However, a person with a history of drug addiction who (1) has been successfully rehabilitated or is participating in a drug rehabilitation program and (2) is not engaging in the illegal use of drugs is protected if the person is a qualified individual with a disability. An individual who is erroneously regarded as being a drug addict is also protected. [28 CFR § 35.104, 131]

Communications

People who have disabilities that affect hearing, seeing, speaking, reading, writing, or understanding may use different ways to communicate than people who do not. Governmental agencies are required to take steps to ensure that the agency's communications with people with disabilities are as effective as communications with others. [28 CFR § 35.160(a)(1)]

This effective communication requirement applies to all members of the public with disabilities, including job applicants, program participants, and even people who simply contact state or local government agencies seeking information about programs, services, events, or activities. The requirement applies to all agencies and to all modes of communication including written, spoken, telecommunications, television, and video. Specifically, where the governmental agency communicates by telephone with applicants and any other person, text phones (TTY's) or equally effective telecommunications systems are required to be used for individuals who are deaf, hard of hearing, or have speech impairments. [28 CFR § 35.161]

When the government uses an automated-attendant system, including, but not limited to, voice mail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide for real-time communication with individuals using auxiliary aids and services, including TTY's and all forms of FCC-approved telecommunications relay system, including Internet-based relay systems. [28 CFR § 35.161]

Under 28 CFR § 35.161, the ADA requires that all Public Safety Answering Points (PSAPs) provide direct and equal access to their services for people with disabilities who use text phones (TTYs). All basic emergency services are included in this requirement. Both primary and secondary PSAPs have the same responsibilities under the ADA. To be in compliance, every call-taking position within the PSAP must have its own TTY or TTY-compatible equipment.

Additionally, telephone emergency services, including 911 services, shall provide direct access to individuals who use telecommunication devices for the deaf (TDD's) or computer modems. [28 CFR § 35.162]

The governmental agency must provide equal access to the programs, services, and activities available on the agency's website(s). This can include making websites accessible to people with disabilities or providing an alternative format for people to access the information, programs, and services available through the web. In order to aid development of a government website which is accessible, the web administrator can consult the Web Content Accessibility Guidelines, developed by the Web Content Accessibility Working Group, which is part of the World Wide Web Consortium Web Accessibility Initiative, and available at <http://www.w3.org/TR/WCAG20>.

When an auxiliary aid or service is requested, the Department must provide an opportunity for the requester to specify aids or services of their choice, and that choice must be given primary consideration. There are many types of auxiliary aids and services that may be used to provide effective communication for people with disabilities, but not all ways work for all people or even for people with the same type of disability. The law does not require the agency to provide every one of these aids and services, but it does require that each person who interacts with the agency receives effective communication. [28 CFR § 35.160]

Requirements for an ADA Coordinator

A Title II entity with more than 50 employees must designate an ADA Coordinator who coordinates agency efforts to comply with and carry out the responsibilities of the ADA. The Coordinator provides a single point of contact for members of the public about ADA and the agency. In order to ensure that individuals can easily identify the ADA Coordinator, the governmental agency must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals [28 CFR § 35.107].

The ADA Coordinator facilitates compliance with the ADA and provides expertise regarding the Americans with Disabilities Act and ADA Standards. The ADA coordinator receives and investigates complaints related to discrimination on the basis of disability.

Under 28 CFR § 35.107, a grievance procedure is required for public entities of 50 or more employees. Title II entities are required to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by 28 CFR § 35.

New Construction and Alterations

A public Title II entity may not deny the benefits of its programs, activities, and services to persons with disabilities because its existing facilities are inaccessible. Thus, it is the general availability of a program to persons with disabilities that must be evaluated, not compliance with facility standards developed for new construction and alterations.

While state and local governments may wish to measure the accessibility of their existing buildings against the scoping and technical provisions in the 2010 Standards, program accessibility may be achieved without making every existing facility - or every part of an existing building - accessible. Alternatives to building retrofit can include the temporary relocation of an activity to an accessible facility or the delivery of the service or benefit by other means. In many cases, however, permanent construction that provides physical access may be the most efficient and economical approach to program access, particularly when life cycle costs are considered.

Although physical changes are required only when there is no other feasible way to make a program accessible, public entities are nevertheless required to give priority to methods that result in the most integrated setting appropriate. The program access obligation is limited: Title II entities do not have to take actions that they can demonstrate would result in a fundamental alteration in the nature of a program or that would impose undue financial or administrative burdens.

In compliance with 28 CFR §35.151 (c), if new construction and alterations to a facility were begun prior to September 15, 2010, then the facility or portion of the facility that is affected by the alteration shall comply with the 1991 standards. If new construction and alterations to a facility were begun on or after September 15, 2010, and before March 15, 2012, then either the 1991 standards or the 2010 ADA Standards for Accessible Design are applicable. For all new construction or alterations begun on or after March 15, 2012, the 2010 ADA Standards for Accessible Design are applicable. New construction and alterations must fully comply with all applicable 2010 ADA Standards for Accessible Design if begun on or after March 15, 2012.

The DOJ definition of the commencement of construction is the establishment of a physical object, such as a foundation wall, rather than the groundbreaking first shovel and initial grading of the site.

Existing facilities (including all buildings, exterior facilities, and the on-site access to them) constructed prior to January 26, 1992, and not altered in any way since that date, are held to the lesser standard of complying, with the extent allowed by structural feasibility and the financial resources available, or when a reasonable accommodation can be made.

An alteration that affects or could affect the usability of or access to an area of a facility that contains a primary function shall be made so as to ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving the altered area are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, unless the cost and scope of such alterations is disproportionate to the cost of the overall alteration. [28 C.F.R. § 35.151(b)(4)]

If the cost of providing a path of travel to an altered facility is more than 20% of the cost of the alteration to the primary function area, then the cost is disproportionate to the overall area and therefore not required. Costs that may be considered as part of the cost of providing an accessible path of travel may include: (1) the costs associated with providing an accessible entrance and an accessible route to the altered area, for example, the cost of widening doorways or installing ramps; (2) costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls, if the restroom is not the primary function of the area (e.g. the restroom is not in a highway rest area); (3) costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); and (4) costs associated with relocating an inaccessible drinking fountain. [28 C.F.R. § 35.151(b)(4)(iii)]

When the cost of alterations necessary to make the path of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the path shall be made accessible to the extent that it can without incurring disproportionate costs. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order: (1) an accessible entrance; (2) an accessible route to the altered area; (3) at least one accessible restroom for each sex or a single unisex restroom; (4) accessible telephones; (5) accessible drinking fountains; and (6) when possible, additional accessible elements such as parking storage and alarms. [28 CFR § 35.151(b)(4)(iv)] A series of smaller alterations cannot be used to evade the requirement if the alterations are served by a single path of travel. [28 C.F.R. § 35.151(b)(4)(v)]

Safe Harbor

The 2010 ADA Standards for Accessible Design use the terms incremental change and supplemental change. Incremental changes are those elements which were requirements under the 1991 standards, but which were changed in some way under the 2010 standards. Supplemental changes are those regulations or regulatory areas which were not included in the 1991 standards but are included in the 2010 standards.

“Safe harbor” is the term used in the 2010 ADA Standards to describe situations where the 2010 incremental changes to the ADA regulations are not required if alterations to the building or facility are not made. Specifically, “safe harbor” applies to a path of travel. “A ‘path of travel’ includes a continuous, unobstructed way of pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility and other parts of the facility. “[28 CFR § 35.151(b)(4)(ii)] “An accessible path of travel may consist of walks and sidewalks, curb ramps and other interior or exterior pedestrian ramps; clear floor paths through lobbies, corridors, rooms, and other improved areas; parking access aisles; elevators and lifts; or a combination of these elements. For the purposes of the section the term ‘path of travel’ also includes the restrooms, telephones and drinking fountains serving the altered area.” [28 C.F.R. § 35.151(b)(4)(ii)(B)]

Safe harbor applies only if a building or facility built after July 26, 1992, was compliant with the 1991 standards prior to the enforceable date of the 2010 regulations, which is March 15, 2012. “Safe harbor” is granted to facilities or buildings if and only if the facilities are fully in compliance with the 1991 standards prior to March 15, 2012. However, if alterations are made after March 15, 2012, the alteration of the building or facility must fully comply with the 2010 standards, and any other portions of the existing building or facility that are substantially affected by the alteration in terms of their use, must also comply with the 2010 standards. “Safe harbor” does not apply to areas of supplemental change. (i.e., elements for which there are neither technical nor scoping specifications in the 1991 Standards) For instance, the 2010 standards include regulations for residential facilities dwelling units, amusement rides, recreational boating facilities, exercise equipment or exercise areas, fishing piers and platforms, golf facilities, miniature golf facilities, play areas, saunas and steam rooms, swimming pools, wading pools, spas, shooting facilities with firing positions, bowling, and court sports. These elements are not governed by “safe harbor.” [28 C.F.R. § 35.151(b)(4)(ii)(c)]

For example, one of the regulated areas where “safe harbor” makes an impact is in a single occupant restroom. The 2010 ADA Standards for Accessible Design require a clear floor space next to the water closet, while the 1991 ADAAG allows the lavatory to overlap the clear space. The intent of the new provisions is to allow space for a side transfer to the water closet. The 2010 ADA Standards allow the door to swing into the bathroom as long as there is a clear floor space past the swing of the door, so that a person can enter the room, shut the door, and then maneuver. The 1991 ADAAG does not allow the door swing and the clear floor space to overlap for any of the fixtures. While the 2010 standards do not allow clear space overlap in multi-stall bathrooms, overlap is allowed in single occupant bathrooms.

Undue Burden

A public entity must operate each service, program, or activity so that when viewed in its entirety, the service, program, or activity is readily accessible to and usable by individuals with disabilities. This does not necessarily require the public entity to make each of its facilities accessible to and usable by individuals with disabilities. Additionally, a public entity is not required to take any action that would threaten or destroy the historical significance of an historic property.

If the state or local government agency can demonstrate that an action would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens, then the decision must be made in a written statement describing the reason for the conclusion, and the decision must be made by the head of the government agency, or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity. The public entity has the burden of proof that compliance with 28 CFR § 35.151 would result in such alterations or burdens.

If an action would result in a fundamental alteration of the service, program, or activity or in undue financial and administrative burdens, the Title II entity shall take any other action to ensure that individuals with disabilities receive the benefits or services provided by the state or local government agency.

Self-Evaluation Requirements

A Self-Evaluation is a Title II entity’s evaluation of its current services, policies, and practices to ensure that people with disabilities have equal access to all benefits provided by the public entity. A government entity is required to conduct a Self-Evaluation within one year of the effective date of 28 CFR § 35.105, the effective date being January 26, 1992. All governments were required to complete a Self-Evaluation of their services, policies, and practices by January 26, 1993. The evaluation required by January 26, 1993, shall apply only to programs not subject to section 504 or those policies and practices, such as those involving communications access, that have not already been included in a self-evaluation required under an existing regulation implementing section 504. Because most evaluations were done more than 5 years ago, the DOJ expects many public entities will be reexamining all of their policies and programs.

The Self-Evaluation identifies and corrects those policies and practices that are inconsistent with Title II's requirements. Self-Evaluations should consider all of a local government's programs, activities, and services, as well as the policies and practices that a governmental agency has put in place to implement its various programs and services. Remedial measures necessary to bring the programs, policies, and services into compliance with Title II should be specified -- including, but not limited to: (1) relocation of programs to accessible facilities; (2) offering programs in an alternative accessible manner; (3) structural changes to provide program access; (4) policy modifications to ensure nondiscrimination; and (5) auxiliary aids needed to provide effective communication. [28 CFR §§ 35.105, 35.150(d)] The Self-Evaluation process identifies those policies and practices that are inconsistent with the requirements of Title II of the ADA. As part of the Self-Evaluation, the governmental agency is required to:

- A. Identify all of its programs, activities, and services.
- B. Review all the policies and practices that govern the administration of the governmental agency's programs, activities, and services.
- C. Examine each program to determine whether any physical barriers to access exist, including whether individuals with mobility impairments are provided access to public meetings.
- D. Review its policies and practices to determine whether any have the effect of excluding or limiting the participation of individuals with disabilities in the governmental agency's programs, activities, or services. The Self-Evaluation should provide justification for any agency policy that creates a barrier for people with disabilities that will not be modified.
- E. Review its policies to assess whether communications with persons with disabilities are as effective as its communication with others.
- F. Review its policies for responding to requests for accommodations to ensure such requests are responded to expeditiously.
- G. Review its employment practices to assess whether they comply with other applicable nondiscrimination requirements, including Section 504 of the Rehabilitation Act and the ADA regulations issued by the Department of Justice.
- H. Review its building and construction policies to assess whether construction of each new facility or part of a facility, or alteration of existing facilities, conforms to the standards designated under the Title II regulations.
- I. Provide the opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the Self-Evaluation process by submitting comments.

In addition, a public entity that employs 50 or more persons shall for at least three years following completion of the Self-Evaluation maintain on file and make available for public inspection: (1) a list of the interested persons consulted; (2) a description of areas examined, and any problems identified, and (3) a description of any modification made.

Transition Plan Requirements

If a state or local government that employs 50 or more persons decides to make structural changes to achieve program access, it must develop a transition plan that identifies those changes and sets a schedule for implementing barrier removal. Transition plans must be available to the public for inspection and allow an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments.

If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

The plan shall, at a minimum:

- Identify physical obstacles in the public entity’s facilities that limit the accessibility of its programs or activities to individuals with disabilities
- Describe in detail the methods that will be used to make the facilities accessible
- Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period
- Indicate the official responsible for implementation of the plan.

If a public entity has already complied with the transition plan requirement of a Federal agency regulation implementing section 504 of the Rehabilitation Act of 1973, then the requirements of this paragraph (d) shall apply only to those policies and practices that were not included in the previous transition plan. [28 CFR §35.150(d)]

DRAFT



**APPENDIX B:
JOINT STATEMENT**



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY



U.S. DEPARTMENT OF JUSTICE
CIVIL RIGHTS DIVISION

Washington, D.C.
April 30, 2013

**JOINT STATEMENT OF
THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND THE DEPARTMENT OF JUSTICE**

***ACCESSIBILITY (DESIGN AND CONSTRUCTION) REQUIREMENTS FOR
COVERED MULTIFAMILY DWELLINGS UNDER THE
FAIR HOUSING ACT***

Introduction

The Department of Justice (“DOJ”) and the Department of Housing and Urban Development (“HUD”) are jointly responsible for enforcing the federal Fair Housing Act (the “Act”),¹ which prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and disability.² One of the types of disability discrimination prohibited by the Act is the failure to design and construct covered multifamily dwellings with certain features of accessible design. *See* 42 U.S.C. § 3604(f). This Joint Statement provides guidance regarding the persons, entities, and types of housing and related facilities that are subject to the accessible design and construction requirements of the Act (hereinafter, “design and construction requirements”). *See* 42 U.S.C. § 3604(f)(3).

¹The Fair Housing Act is codified at 42 U.S.C. §§ 3601-3619.

²The Act uses the term “handicap” instead of “disability.” Both terms have the same legal meaning. *See Bragdon v. Abbott*, 524 U.S. 624, 631 (1998) (noting that definition of “disability” in the Americans with Disabilities Act is drawn almost verbatim “from the definition of ‘handicap’ contained in the Fair Housing Amendments Act of 1988”). This document uses the term “disability,” which is more generally accepted.

This Joint Statement does not focus on the specific technical criteria that must be followed to comply with the design and construction requirements because HUD has already provided rulemaking and specific technical guidance to the public on those criteria. See HUD regulations implementing the design and construction provisions at 24 C.F.R. § 100.200 *et seq.*; *Final Fair Housing Accessibility Guidelines* (“Guidelines”), 56 Fed. Reg. 9,472 (Mar. 6, 1991); *Supplement to Notice of Fair Housing Accessibility Guidelines: Questions and Answers about the Guidelines* (“Questions and Answers”), 59 Fed. Reg. 33,362 (June 28, 1994); *Fair Housing Act Design Manual* (“Design Manual”) (August 1996, Revised April 1998)³. For additional technical assistance, see the Fair Housing Act Accessibility FIRST website, www.fairhousingfirst.org. This Joint Statement also does not focus on the accessibility requirements applicable to housing and related facilities under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (1990), the Architectural Barriers Act (1968), and state or local laws. Housing providers involved in designing and constructing covered multifamily dwellings are also subject to the other nondiscrimination provisions of the Fair Housing Act, including the obligations to provide reasonable accommodations and allow reasonable modifications. See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations under the Fair Housing Act (May 17, 2004) and Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Modifications under the Fair Housing Act (Mar. 5, 2008), at <http://www.hud.gov/offices/fheo/disabilities/index.cfm> or http://www.justice.gov/crt/about/hce/about_guidance.php. Further information about all of the Fair Housing Act’s nondiscrimination requirements is available on HUD’s Fair Housing website, which may be accessed at <http://www.hud.gov/offices/fheo/index.cfm>, and DOJ’s Fair Housing website, which may be accessed at http://www.justice.gov/crt/about/hce/housing_coverage.php.

QUESTIONS AND ANSWERS

Accessibility Requirements of the Fair Housing Act

1. What are the accessible features required by the Act?

The Act requires that covered multifamily dwellings be designed and constructed with the following accessible features:

- The public and common use areas must be readily accessible to and usable by persons with disabilities;
- All doors designed to allow passage into and within all premises of covered dwellings must be sufficiently wide to allow passage by persons with disabilities, including persons who use wheelchairs;
- All premises within covered dwellings must contain the following features:
 - An accessible route into and through the dwelling unit;

³All references to the Fair Housing Act Design Manual are to the August 1996 edition revised and republished April 1998.

- Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
- Reinforcements in bathroom walls to allow the later installation of grab bars;
- Usable kitchens and bathrooms such that an individual using a wheelchair can maneuver about and use the space.

See 42 U.S.C. § 3604(f)(3)(C).

To describe these requirements in more detail, HUD published the Fair Housing Act regulations (“Regulations”) at 24 C.F.R. Part 100 on January 23, 1989, the Guidelines on March 6, 1991, the Questions and Answers on June 28, 1994, and the Design Manual (issued in 1996 and revised and republished in 1998). In the Guidelines, the above statutory provisions appear as seven requirements, as follows:

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

Types of Dwellings Covered by the Act

2. What types of housing are covered by the Fair Housing Act’s design and construction requirements?

The Fair Housing Act requires all “covered multifamily dwellings” designed and constructed for first occupancy after March 13, 1991, to be readily accessible to and usable by persons with disabilities. In buildings with four or more dwelling units and at least one elevator, all dwelling units and all public and common use areas are subject to the Act’s design and construction requirements. In buildings with four or more dwelling units and no elevator, all ground floor units and public and common use areas are subject to the Act’s design and construction requirements.

The term “covered multifamily dwelling” is defined by the Act and its implementing regulations and covers many different types of residential buildings and facilities.⁴ Dwellings subject to the Act’s design and construction requirements include condominiums, cooperatives, apartment buildings, vacation and time share units, assisted living facilities, continuing care facilities, nursing homes, public housing developments, HOPE VI projects, projects funded with HOME or other federal funds, transitional housing, single room occupancy units (SROs), shelters designed as a residence for homeless persons, dormitories, hospices, extended stay or residential hotels, and more.

Housing or some portion of housing covered by the Act’s design and construction requirements may be subject to additional accessibility requirements under other laws. Those laws include Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, the Architectural Barriers Act, and state or local laws.

3. What standards are used to determine whether a housing facility that includes short-term residencies is covered by the Act’s design and construction requirements?

Whether a housing facility that includes short-term residencies is a “dwelling” under the Act depends on whether the facility is intended to be used as a residence for more than a brief period of time. As a result, the operation of each housing facility needs to be examined carefully to determine whether it is intended to contain dwellings. Factors to be considered in determining whether a facility contains dwellings include, but are not limited to: (1) the length of time persons will stay in the project; (2) whether the rental rate for the unit will be calculated on a daily, weekly, monthly or yearly basis; (3) whether the terms and length of occupancy will be established through a lease or other written agreement; (4) how the property will be described to the public in marketing materials; (5) what amenities will be included inside the unit, including kitchen facilities; (6) whether the resident will possess the right to return to the property; and (7) whether the resident will have anywhere else to return. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. 15,740, 15,746-47 (Mar. 23, 2000). *See also* preamble to the final rule implementing the Fair Housing Amendments Act of 1988, stating that the definition of dwelling is “broad enough to cover each of the types of dwellings enumerated in the proposed rule: mobile home parks, trailer courts, condominiums, cooperatives, and time-sharing properties.” 54 Fed. Reg. 3,232, 3,238 (Jan. 23, 1989).

4. Do the Fair Housing Act’s design and construction requirements, or any other laws mandating accessible design, apply to detached single family homes?

The Fair Housing Act’s design and construction requirements apply only to covered multifamily dwellings -- that is, buildings having four or more dwelling units built for first occupancy after March 13, 1991. This includes both rental and sale units and also attached single family homes when there are four or more dwellings in the building (*e.g.*,

⁴The federal regulation specifying the types of residential buildings and facilities that are subject to the design and construction requirements of the Act appears at 24 C.F.R. § 100.201.

condominiums). Detached single family houses as well as duplexes and triplexes are not covered by the Act's design and construction requirements. *See* 42 U.S.C. §§ 3604(f)(3)(C), (f)(7). Condominiums that are not detached are, however, covered. Preamble to the Guidelines, 56 Fed. Reg. at 9,481.

However, any housing (including single family detached homes) constructed by federal, state, or local government entities or constructed using any federal, state, or local funds may be subject to accessibility requirements under laws other than the Fair Housing Act. These laws -- particularly Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Architectural Barriers Act -- have requirements for accessibility that exceed those contained in the Fair Housing Act. In addition, state and local building codes may contain accessibility requirements for detached single family homes and/or other housing. Housing subject to the requirements of more than one federal, state, or local law must comply with the requirements of each such law. Where federal, state, or local laws differ, the more stringent requirements apply. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,477. In other words, state or local laws may increase accessibility beyond what is required by federal law but may not decrease the accessibility required by federal law.

5. Do the Act's design and construction requirements apply to a building with four or more sleeping rooms that are each occupied by a separate household who share toilet or kitchen facilities?

Yes. A building with four or more sleeping rooms, each occupied by a separate household who share toilet or kitchen facilities, constitutes a covered multifamily dwelling for purposes of the Act's design and construction requirements. However, HUD has determined that a single family house that will be occupied by four or more persons functioning as one distinct household, such as a "group home" for persons with disabilities, is not considered to be a "covered multifamily dwelling" for purposes of the Act's design and construction requirements, even if it contains four or more sleeping areas with a shared kitchen and bathroom. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,746.

6. Are carriage house units -- where a dwelling unit is constructed above a garage -- covered by the Act's design and construction requirements?

If an individual stacked flat unit incorporates parking that serves only that unit, and the dwelling footprint is located directly above and within the footprint of the garage below, the unit is treated like a multistory unit without an elevator. It is, therefore, not covered unless the dwelling unit level is on an accessible route. However, for example, where several flat units are located over a common garage, the units are covered, and the units and common garage must comply with the Act's design and construction requirements whether or not the parking spaces are individually assigned or deeded to a specific unit. *See* memorandum from HUD General Counsel, Frank Keating, to Gordon Mansfield, Assistant Secretary for FHEO (Dec. 16, 1991), reprinted in the Design Manual at back of Appendix C. *See also* Design Manual at 1.29.

Example 1: A residential building consists of 4 dwelling units in which each dwelling unit has a 2-car garage and the garage footprint is used as the footprint for the floors of the dwelling unit above. These are carriage houses and are not covered.

Example 2: A residential building consists of 4 dwelling units situated over 4 individual 2-car garages, and the garage footprint serves as the footprint for the dwelling unit above. However, the front of the dwelling unit is accessed at grade from the street and access to the garages is from a lower level at the rear. The dwelling unit level of these units is on an accessible route. Therefore these units do not qualify as carriage houses and must comply with the Act's design and construction requirements.

Ground Floor Dwelling Units

7. Can a non-elevator building have more than one ground floor?

Yes. The Regulations define "ground floor" as "a floor of a building with a building entrance on an accessible route." *See* 24 C.F.R. § 100.201. A building may have one or more ground floors. Where the first floor containing dwelling units in a building is above grade, all units on that floor must be served by a building entrance on an accessible route. This floor will be considered to be a ground floor. *See* Guidelines, 56 Fed. Reg. at 9,500; Questions and Answers, Q. 6 and 12, 59 Fed. Reg. at 33,364, 33,365.

Example 1: A covered building is located on a slope with the upper story at grade on one side and the lower story at grade on the opposite side. It has entrances on both sides. This building has two ground floors.

Example 2: A 3-story residential building has an adjacent 3-story parking garage, with walkways leading from each floor of the garage to each floor of the residential building. In this case, all three floors of the residential building are covered and must comply with the Act's design and construction requirements because there is a vehicular or pedestrian arrival point on each level of the garage that provides access to the dwelling units on the opposite side. For purposes of the Act, each floor of the residential building is treated as a ground floor. This is true irrespective of whether the residential building or the garage has an elevator.

Single-story and Multistory Dwelling Units

8. Does the Fair Housing Act require townhouses to be accessible?

Yes, if the townhouses are single-story, or multistory with elevators internal to the unit, or multistory and located in a building with one or more elevators. *See* questions 22-27, below.

A discussion of the application of the Act's design and construction requirements to townhouses appears in the Preamble to the Regulations, 54 Fed. Reg. at 3,243-44, and in the Preamble to the Guidelines, 56 Fed. Reg. at 9,481. *See also* Questions and Answers, Q. 1, 59 Fed. Reg. at 33,363.

9. May a unit include either a loft or a raised or sunken living room and still comply with the Act's design and construction requirements?

Yes, but with certain restrictions. The Guidelines permit a single-story dwelling unit to have a special design feature such as a loft or an area on a different level within a room, but all portions of the single-story unit except the loft or the sunken or raised area must be on an accessible route. Note, however, that a covered dwelling unit may not have both a loft and a raised or sunken area. A single-story unit may have either a raised or sunken area, but this is limited to an area within a room and not the entire room. Further, the raised or sunken area must not interrupt the required accessible route throughout the rest of the unit. A unit with a loft is treated as a single-story unit. *See* Guidelines, Requirement 4(2), 56 Fed. Reg. at 9,507; *see also* Design Manual at 4.5. A loft (defined as an intermediate level between the floor and ceiling of any story, located within a room or rooms of a dwelling) may be provided without an accessible route to the loft. The Guidelines specify that kitchens and all bathrooms, including powder rooms, must be on an accessible route; therefore, a kitchen, bathroom, or powder room may not be located in a loft, or in a raised or sunken area, unless an accessible route is provided to the loft or the raised or sunken area. Because a unit with a loft is a single-story unit, all primary or functional living spaces must be on an accessible route. Secondary living spaces, such as a den, play area, or an additional bedroom, are the only spaces that may be in a loft unless an accessible route is provided to the loft. *See* Design Manual at 4.7.

10. What constitutes finished living space that would permit a unit to be considered a multistory unit that is not covered under the Act's design and construction requirements?

A multistory dwelling unit is one in which there is finished living space located on one floor and on the floor or floors immediately above or below it. Design Manual at 17, Guidelines, 56 Fed. Reg. at 9,500. An area is considered to have finished living space if it has interior partitions, wall finishes, electrical, heating and cooling systems or other building systems installed and if it complies with local building code requirements for habitable spaces. Habitable space is a space for living, sleeping, eating, or cooking. Habitable space does not include bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,762.

11. Do the Act's design and construction requirements apply to multistory townhouses in non-elevator buildings containing four or more dwelling units?

No. The Fair Housing Act applies to all ground floor dwelling units in non-elevator buildings consisting of four or more dwelling units. Multistory townhouses in non-elevator buildings are not considered ground floor dwelling units because the entire

dwelling unit is not on the floor that qualifies as a ground floor. Thus, if a building containing four or more dwelling units has only multistory townhouses and does not have an elevator, the Act's design and construction requirements do not apply. However, if the building has four or more dwelling units and includes one or more single story dwelling units, such as a townhouse, villa, or patio apartment, then the Act's requirements apply to the single story dwelling unit(s) and to the public and common use areas. *See* Preamble to the Regulations, 54 Fed. Reg. at 3,243-44, and Preamble to the Guidelines, 56 Fed. Reg. at 9,481. *See also* Questions and Answers, Q. 1, 59 Fed. Reg. at 33,363.

Additions

12. Do the Act's design and construction requirements apply to additions of four or more dwelling units or additions of new public and common use areas to existing buildings that were built for first occupancy on or before March 13, 1991?

Yes. When four or more units are built as an addition to a building that was built before the effective date of the Act's design and construction requirements, then the added units must comply with the design and construction requirements of the Act. If any new public and common use spaces are added along with the units, then these spaces are also required to be accessible. However, if only public and common use spaces are added to an existing building not already covered by the Act's design and construction requirements, then those spaces do not need to be made accessible. *See* Design Manual at 11; Questions and Answers, Q. 4, 59 Fed. Reg. at 33,364.

Example 1: An existing 4-wing residential building with four or more units built in 1985 is partially destroyed by fire such that one complete wing of the building must be torn down and rebuilt. Since the fire destruction necessitates complete rebuilding of this wing, all ground floor units in the new wing or all units in the new wing if the building has an elevator, are covered as an addition and must meet the Act's design and construction requirements.

Example 2: The new owner of a residential building built in 1975 decides to add a clubhouse with meeting rooms for residents. Since the original units were not built after the effective date of the Act, and no new units are being added, the new public and common use areas are not subject to the Act's design and construction requirements, but may be subject to other accessibility laws (*e.g.*, ADA, Section 504).

13. Do additions of units or public and common use areas to buildings with four or more units that were built after March 13, 1991, have to meet the design and construction requirements of the Act?

Yes. Any of the following additions to a building with four or more units designed and constructed after March 13, 1991, must comply with the design and construction requirements of the Act: ground floor units in non-elevator buildings; any units in

elevator buildings; and public and common use areas. *See* Questions and Answers, Q. 4, 59 Fed. Reg. at 33,364.

14. If only dwelling units are added to housing that was designed and constructed for first occupancy on or before March 13, 1991, do the existing public or common use areas have to be retrofitted to comply with the Act's design and construction requirements?

No. Although new covered multifamily dwellings designed and constructed for first occupancy after March 13, 1991 would have to comply with the Act's design and construction requirements, public and common use areas designed and constructed for first occupancy before the effective date do not have to be modified to comply with those requirements. The covered dwelling units must be on an accessible pedestrian route. For example, where an addition consisting of new covered multifamily dwellings shares an inaccessible entrance with an existing building, the inaccessible entrance and route thereto must be made accessible to ensure access to the new units. Furthermore, if any new public and common use spaces are constructed at the same or later time as the new covered dwelling units, then these new public and common use spaces would need to be made accessible. *See* Questions and Answers, Q. 4(c), 59 Fed. Reg. at 33,364.

Alterations/Renovations

15. Do the Fair Housing Act's design and construction requirements apply to the alteration or renovation of residential properties designed and constructed for first occupancy on or before March 13, 1991?

No. "First occupancy" as defined in the Regulations implementing the Act means a building that has never before been used for any purpose. Therefore, alterations, rehabilitation, or repair of pre-existing residential buildings are not covered because first occupancy occurred before the effective date of the Act's design and construction requirements. *See* 24 C.F.R. § 100.201; Questions and Answers, Q. 9, 59 Fed. Reg. at 33,365. However, in those cases where the façade on a pre-existing building is maintained, but the building is otherwise destroyed, the new units are subject to the design and construction requirements. *See* Design Manual at 11.

Example 1: A 2-story residential building built in 1964 containing 20 units is being renovated into 10 large luxury condominium units in 2010. The exterior walls and roof will remain in place, but the interior will be completely rebuilt. This building is not covered because the first occupancy of the building occurred before the effective date of the design and construction requirements of the Act, and the renovations do not constitute construction of a new building.

Example 2: An existing residential building in a historic district is being torn down so that a new 2-story non-elevator residential building with eight dwelling units, four on each floor, may be constructed. The façade of the existing building will be preserved, however, and the new building will be built behind the façade.

In this case, the building is a new building designed and constructed for first occupancy after the effective date of the Act's design and construction requirements, and the ground floor units must comply with the Act's design and construction requirements. The preservation of the façade does not change this fact.

16. Do the Fair Housing Act's design and construction requirements apply to the alteration or renovation of nonresidential buildings into residential buildings?

No. First occupancy means a "building that has never before been used for any purpose." The conversion of a nonresidential building into a residential building through alteration or renovation does not cause the building to become a covered multifamily dwelling. This is true even if the original nonresidential building was built after March 13, 1991. This situation needs to be distinguished, however, from additions of covered multifamily dwellings (*see* questions 12, 13 and 14, above). *See* 24 C.F.R. § 100.201; Questions and Answers, Q. 4, 8 and 9, 59 Fed. Reg. at 33,364-65.

Example: A warehouse built in 1994 is being rehabilitated into a small condominium residential building with two stories and a total of 12 dwelling units. This conversion of this building is not covered because at the time of its first occupancy it was not designed and constructed as a covered multifamily dwelling.

Building Separations

17. Does the use of breezeways to separate dwelling units that would otherwise be covered by the Act's design and construction requirements make those units exempt from the Act's requirements?

No. In situations where four or more dwelling units are connected by one or more covered walkways (breezeways), stairs, or other elements that are structurally tied to the main body of a building, the dwelling units are considered to be in a single building. If the building does not contain an elevator, the ground floor units are subject to the Act's design and construction requirements. *See* Design Manual at 10. If the building contains an elevator, all units are subject to the Act's design and construction requirements.

18. Are dwelling units in one structure that are separated by firewalls treated as separate buildings under the Act?

No. Under the Act, dwelling units built within a single structure, but separated by a firewall, are treated as part of a single building. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,480; Design Manual at 10; Questions and Answers, Q. 1(c), 59 Fed. Reg. at 33,363.

Example: Four condominiums were designed and constructed after March 13, 1991, as part of one structure. In accordance with the local building code, the

adjoining condominiums are separated by firewalls. Although these condominiums may be considered separate buildings under the local building code, they are considered part of one building for purposes of the Fair Housing Act's design and construction requirements. They must therefore comply with the Act's design and construction requirements.

Dwelling Units Custom-Designed or Pre-Sold Prior to Completion

19. Do the Act's design and construction requirements apply to dwelling units that are sold before construction and/or custom designed during construction for a particular purchaser?

Yes. The mere fact that a covered dwelling unit is sold before the completion of design or construction or is custom designed for a purchaser does not exempt the unit from compliance with the Act's design and construction requirements. The Act's requirements are mandatory, regardless of the ownership status of the individual unit. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,481; Questions and Answers, Q. 3(b), 59 Fed. Reg. at 33,364.

20. May the builder, at the purchaser's request, modify a covered dwelling unit that is sold before the completion of design and construction so that the unit will no longer comply with the design and construction requirements?

No. All covered dwelling units are subject to the design and construction requirements of the Act and although a unit may be custom designed to meet a purchaser's wishes, a builder may not build a covered unit that has features that do not comply with the Act. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,481.

Subsequent Changes to Accessible Features

21. May owners of covered multifamily buildings designed and constructed in compliance with the Fair Housing Act make subsequent changes to the building so that it no longer meets the Act's requirements?

Original and subsequent owners of covered multifamily buildings that were designed and constructed in compliance with the Fair Housing Act's design and construction requirements must maintain the building's accessible features so that the building continues to meet the Act's requirements.

Buildings with One or More Elevators

22. Does the Fair Housing Act require a townhouse to be accessible if it is located in a building that has an elevator and also has at least four dwelling units?

Yes. If the building containing four or more dwelling units has at least one elevator, then all the dwelling units in the building are covered. This requirement applies to single story and multistory townhouses as follows:

- For single story townhouses in such buildings, the accessible features required by the Act must be provided throughout the entire unit. *See* Guidelines, Requirement 4(2), 56 Fed. Reg. at 9,507.
- For multistory townhouses located in such buildings, elevator access must be provided to the primary entrance level of the townhouse, and that level must meet the Act's design and construction requirements including providing a usable kitchen and an accessible bathroom or powder room, or just an accessible bathroom if there is both a bathroom and a powder room. However, the powder room in such situations must still have certain accessible features, including a usable door, and an accessible route into the powder room.⁵

23. If a covered building has a building elevator that serves some, but not all, of the units in the building, is it covered by the design and construction requirements?

The Act's design and construction requirements apply to all dwelling units in buildings with four or more units if such buildings have one or more elevators. Thus, elevator access must be provided to all units in the building. *See* 42 U.S.C. § 3604(f)(7). *See also* Guidelines, Requirement 1(3)(a)(ii), 56 Fed. Reg. at 9,504. The Design Manual at 1.21-1.22, provides a more detailed discussion of how the Act's design and construction requirements apply with respect to elevator buildings.

An exception to this general rule occurs when an elevator is provided only as a means of providing an accessible route to dwelling units on a ground floor that is above grade, below grade, or at grade, and does not provide access to floors that are not ground floors.⁶ In this case, the elevator is not required to serve dwelling units on floors other than ground floors, and the building is not considered to be an elevator building. Under that exception, only the ground floor units are required to meet the requirements of the Guidelines. The Guidelines, Requirement 1(3)(a)(i), 56 Fed. Reg. at 9,504, and the Design Manual at 1.31, illustrate this situation. However, if such an elevator is extended to reach floors other than the ground floor, then all of the units in the building must

⁵The powder room must comply with all the provisions except those applying solely to accessible bathrooms set out in Requirements 6 and 7 of the Guidelines, 56 Fed. Reg. at 9,509-15.

⁶A second exception occurs when the elevator is located completely within one or more units and does not serve other areas of the building. That exception is discussed in more detail in questions 25-27, below.

comply with the design and construction requirements and an accessible route must be provided to all units.

Example: A 3-story building has below grade parking and provides an elevator only as a means of access from the below grade parking to the first level of dwelling units, which is located at grade. In this case, the elevator need not provide access to the second and third floors, and the building is not treated as a building with one or more elevators.

24. If the only elevator provided in a covered building is a freight elevator, are all of the units in the building covered by the design and construction requirements of the Act?

Yes. If a freight elevator is provided in a building with four or more dwelling units, even though no passenger elevator is provided, all units must comply with the Act's design and construction requirements.

Example: A 3-story building has a freight elevator from a side entrance where there is a large level pull-up area for moving vans. The freight elevator serves all 3 stories of the building. In this case, the building is treated as a building with one or more elevators, and all floors and all dwelling units on each floor of the building must comply with the Act's design and construction requirements.

25. If one multistory townhouse, in a building with four or more units, contains an internal (*i.e.*, unit-specific) elevator for that occupant's use, and there are no elevators serving other units in the building, must the unit with an elevator meet the Act's design and construction requirements?

Yes. Because the multistory townhouse has an elevator, the building with four or more units in which the townhouse is located is a building that "ha[s] one or more elevators" within the meaning of 42 U.S.C. § 3604(b)(7)(A). The Act's design and construction requirements therefore apply to any townhouse with an internal (*i.e.*, unit-specific) elevator if the townhouse is part of a building containing four or more units. Because the internal elevator serves only the individual unit, however, and there are no other elevators in the building that serve the other units, those multistory townhouses in the building that do not have internal elevators are not required to meet the Act's design and construction requirements. As the Preamble to the Proposed Guidelines, 55 Fed. Reg. 24,370, 24,377 (June 15, 1990), states:

"In both the proposed and final rulemaking, the Department stated that a dwelling unit with two or more floors in a non-elevator building is not a 'covered dwelling unit' even if it has a ground-floor entrance, because the entire dwelling unit is not on the ground floor. (Of course, if the unit had a[n] internal elevator, it would be subject to the Fair Housing Act requirements.)."

See also Preamble to the Regulations, which states, “townhouses consisting of more than one story are covered only if they have elevators and if there are four or more such townhouses.”⁷

26. How do the Act’s design and construction requirements apply if the builder of multistory townhouses in a building with four or more units offers an elevator as an option, and one or more of the buyers elects the elevator option?

If the developer of a building with four or more units that includes multistory townhouses offers internal (*i.e.*, unit-specific) elevators in the multistory townhouses as an option, and one or more of the buyers elects to have the elevator installed during construction, then those multistory townhouses with interior elevators are covered, and must comply with the Act’s design and construction requirements. In addition, if a multistory townhouse is designed and constructed for later installation of an internal elevator (for example, if it contains an elevator shaft or stacked closets so that the unit was designed for potential installation of an elevator after construction), the multistory townhouse is also covered and must comply with the design and construction requirements. In the case of stacked closets, the closets must have been designed in a manner that will accommodate later installation of an elevator, *e.g.*, inclusion of an elevator pit with a temporary flooring insert, and a raised ceiling to accommodate future elevator cab override. *See, e.g.*, Preamble to the Regulations, 54 Fed. Reg. at 3,244, 3,251; Preamble to the Proposed Guidelines, 55 Fed. Reg. at 24,377; Preamble to the Guidelines, 56 Fed. Reg. at 9,481; Questions and Answers, Q. 13, 59 Fed. Reg. at 33,365-66.

27. If a building with four or more units contains multistory townhouses with internal elevators or the option for a buyer to add an elevator, must the public and common use areas of the development also comply with the design and construction requirements of the Act?

Yes. Once a building is determined to have at least one covered dwelling unit, that is, either an elevator installed in at least one unit, or at least one unit designed for later installation of an elevator (*see* question 25, above), the design and construction requirements apply to the public and common use areas of the building and the development in which the building is located. *See* Questions and Answers, Q. 13, 59 Fed. Reg. at 33,365-66.

⁷*See* Preamble to the Regulations, 54 Fed. Reg. at 3,244, 3,251; Preamble to the Proposed Guidelines, 55 Fed. Reg. at 24,377; Preamble to the Guidelines, 56 Fed. Reg. at 9,481; Questions and Answers, Q. 13, 59 Fed. Reg. at 33,365-66. This position also is recognized in other documents determined by HUD to be safe harbors for compliance (*see* Question 37); *e.g.*, the Appendix to the Code Requirements for Housing Accessibility 2000, states that “a multistory unit in a non-elevator building is not subject to Chapter 4 unless it has an internal elevator. Section 406.7.2 would thus apply to those multistory units with an internal elevator.” Appendix § 406.7.2. Likewise, *see* the Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,740 which noted HUD’s agreement with the model code creators that “multistory units with internal elevators” are covered under the FHA. 65 Fed. Reg. at 15,759, 15,767, 15,776, and 15,786.

Note: If a builder is designing a development with units that come with a buyer's option to have the builder install an elevator, then the builder must design the elevator optional unit(s) and public and common use areas so that they are compliant with the Act's requirements. Otherwise, the builder must modify the elevator optional unit(s) and public and common use areas to comply with the Act's design and construction requirements once a buyer selects an elevator as an option.

Accessible Routes

28. What is an accessible route?

The Regulations define an accessible route as a continuous unobstructed path connecting accessible elements and spaces in a building or within a site that can be negotiated by a person with a severe disability using a wheelchair, and that is also safe for and usable by people with other disabilities. Interior accessible routes may include corridors, floors, ramps, elevators, and lifts. Exterior accessible routes may include parking access aisles, curb ramps, walks, ramps and lifts. A route that complies with the appropriate requirements of ANSI A117.1-1986, a comparable standard, or Section 5, Requirement 1 of the Guidelines is an accessible route. *See* 24 C.F.R. § 100.201. Exterior accessible routes must be pedestrian routes that are separate from the road or driveway. For example, it is not acceptable to provide only a road or driveway as an accessible route. However, there is a vehicular route exception to the requirement to provide an accessible pedestrian route that, if met, may apply. *See* Guidelines, Requirement 1(5), Requirement 2, Chart, Element 1, 56 Fed. Reg. at 9,504, 9,505; Design Manual at 1.9. *See also* question 33, below.

29. Does the Act permit covered multifamily dwellings to be designed and constructed in a manner that requires persons with disabilities to use an indirect or circuitous route to enter a building or unit or to use locks or call buttons that are not required of other persons?

No. Under the Fair Housing Act, persons with disabilities must be able to enter their dwellings through the same entrance that is used by other persons to enter their dwellings. *See* Preamble to the Proposed Regulations, 53 Fed. Reg. 44,992, 45,004 (Nov. 7, 1988) (“[h]andicapped persons should be able to enter a newly constructed building through an entrance used by persons who do not have handicaps.”). In addition, routes to the primary entrances of buildings and dwelling units are public and common use areas and must be readily accessible to and usable by people with disabilities.

Therefore, the accessible route cannot be hidden, remote, circuitous or require people with disabilities to travel long distances. Furthermore, the accessible route to the primary entrance must not place special conditions on persons with disabilities -- such as a special key, an attendant, or additional waiting periods that are not imposed on other persons, *i.e.*, including persons who use an inaccessible entrance. This does not preclude the use of special locks or security systems at entrances that are used by all persons to enter the building and/or the dwelling units, and which are used by all residents and members of

the public visiting the development; however, such locks and security systems must be accessible. *See* Design Manual at 1.35; *see also* 42 U.S.C. § 3604(f)(2).

30. Must an accessible route between public and common use areas and dwelling units be an interior route if the general circulation path is interior?

Yes. The Act permits accessible routes between public and common use areas and dwellings to be interior or exterior. However, if the general circulation path is provided via an interior route, then that path is a public and/or common use area that must be “readily accessible to and usable by” persons with disabilities. *See* Guidelines, Requirement 2, 56 Fed. Reg. at 9,504-05. Persons with disabilities cannot be required to go outside a building to access a public and common use area when persons without disabilities are not required to do the same. The Fair Housing Act prohibits discrimination in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such a dwelling, because of disability. *See* 42 U.S.C. § 3604(f)(2).

31. Does the Act require accessible routes between buildings that contain only covered multifamily dwelling units?

Walkways between separate buildings containing only covered dwelling units generally are not required to be accessible. However, if the walkways also serve as the accessible route to a public or common use area, the walkways must be accessible. For example, if a walkway connects separate buildings containing only covered dwelling units and is the only walkway from the buildings to the clubhouse, it must be accessible. *See* Guidelines, Requirement 2, Chart, Element 1(b), 56 Fed. Reg. at 9,505; Design Manual at 2.16.

32. Must there be accessible pedestrian routes from site arrival points to building entrances serving covered dwelling units?

Yes. Requirements 1 and 2 of the Guidelines require an accessible pedestrian route, within the boundary of the site, from vehicular and pedestrian arrival points to the entrances of covered buildings and dwelling units, except in very limited circumstances where a site is impractical due to steep terrain or unusual site characteristics. The Guidelines outline the tests that must be performed pre-construction during the site design process to determine site impracticality under Requirement 1. If the conditions of these tests are not met, then there must be an accessible entrance on an accessible route from all vehicular and pedestrian arrival points to the entrances of covered buildings and dwelling units. *See* Guidelines, Requirements 1 and 2, 56 Fed. Reg. at 9,503-05 and the discussions of site impracticality in the Design Manual at Part II, Chapter 1. *See also* HUD Final Report of HUD Review of the Fair Housing Accessibility Requirements in the 2003 International Building Code, 70 Fed. Reg. 9,738, 9,742 (Feb. 28, 2005).

33. May a builder use a vehicular route in lieu of an accessible pedestrian route to connect dwelling unit entrances with public and common use areas?

The Act requires an accessible pedestrian route connecting entrances to covered dwelling units with public and common use areas, including the public street or sidewalk, except in rare circumstances that are outside the control of the owner where extreme terrain or impractical site characteristics result in a finished grade exceeding 8.33%, or where physical barriers or legal restrictions that are outside the control of the owner prevent installation of an accessible pedestrian route. In these rare cases, the Guidelines allow access by means of a vehicular route leading from the accessible parking serving the covered dwelling unit to the accessible parking serving the public or common use facility. *See* Guidelines, Requirements 1 and 2, 56 Fed. Reg. 9,503-05. *See also* HUD Final Report of HUD Review of the Fair Housing Accessibility Requirements in the 2003 International Building Code, 70 Fed. Reg. at 9,744.

Example 1: An undisturbed site has slopes of 8.33% or less between planned accessible entrances to covered dwelling units and public use or common use areas and has no legal restrictions or other unique characteristics preventing the construction of accessible routes. For aesthetic reasons, the developer would like to create some hills or decorative berms on the site. Because there are no extreme site conditions (severe terrain or unusual site characteristics such as floodplains), and no legal barriers that prevent installation of an accessible pedestrian route between the covered dwelling units and any planned public use or common use facilities, the developer is obligated to provide accessible pedestrian routes.

Example 2: A developer plans to build several buildings with covered dwelling units clustered in a level area of a site. The site has some undisturbed slopes of 10% and greater. A swimming pool and tennis court will be added on the two opposing sides of the site. The builder plans grading that will result in a finished grade exceeding a slope of 8.33% along the route between the covered dwelling units and the swimming pool and tennis court. There are no physical barriers or legal restrictions (*e.g.*, pipe easement, wildlife habitat, or protected wetlands) outside the control of the owner or builder that prevent the builder from reducing the existing grade to provide an accessible pedestrian route between the covered dwelling units and the pool and tennis court. Therefore, the developer's building plan would not meet the design and construction requirements of the Act because it is within the owner's control to assure that the final grading falls below 8.33% and meets the slope and other requirements for an accessible pedestrian route. Accessible pedestrian routes from the covered dwelling units to the pool and tennis court must be provided.

34. What is the site impracticality exception to the accessible route requirement of the Fair Housing Act design and construction requirements?

The Regulations provide that all covered multifamily dwellings must be served by an accessible route "unless it is impractical to do so because of the terrain or unusual

characteristics of the site.” The Regulations place the burden of establishing site impracticality on the persons or entities that designed or constructed the housing. 24 C.F.R. § 100.205(a). *See also Memphis Ctr. for Indep. Living v. Richard & Milton Grant Co.*, No. 01-CV-2069, Fair Housing-Fair Lending Reporter ¶ 16,779, 16,779.4 (W.D. Tenn. Apr. 26, 2004) (order granting partial summary judgment to the United States). The Guidelines set forth two distinct tests which may be used to establish site impracticality: the site analysis test and the individual building test. To claim impracticality, the test must be fully followed and performed at the design stage before construction starts. *See* Guidelines, Requirement 1, 56 Fed. Reg. at 9,503-04; Questions and Answers, Q. 11, 59 Fed. Reg. at 33,365.

Accessible Entrances

35. How many entrances to a covered multifamily dwelling must be accessible?

The Guidelines require at least one accessible entrance to each covered dwelling unit and to buildings containing covered dwelling units, unless it is impractical to do so as determined by applying one of the site impracticality tests provided in the Guidelines. Additional entrances to a building or to a dwelling also must be accessible if they are public and common use areas, *i.e.*, if they are designed for and used by the public or residents. *See* 24 C.F.R. § 100.201; Design Manual at 3.10 (“[t]he exterior of the primary entry door of covered dwelling units is part of public and common use spaces, therefore, it must be on an accessible route and be accessible . . .”). It is not acceptable to design and construct a covered multifamily building or dwelling unit in such a manner that persons with disabilities must use a different entrance than the entrance used by persons without disabilities. *See* Preamble to the Proposed Regulations, 53 Fed. Reg. at 45,004 (“[h]andicapped persons should be able to enter a newly constructed building through an entrance used by persons who do not have handicaps.”). *See also* Design Manual at 1.28 (illustration). Buildings containing covered dwelling units with more than one ground floor must have an accessible entrance on each ground floor connecting to each covered dwelling unit. *See* 24 C.F.R. § 100.205(a); Guidelines, Requirement 1, 56 Fed. Reg. at 9,503-04.

Example 1: If a secondary entrance at the back of a building containing covered units leads to the clubhouse or parking, both that entrance and the primary entrance at the front of the building must be accessible. *See* Guidelines, Requirement 2, 56 Fed. Reg. at 9,504-05.

Example 2: If a non-elevator building has more than one ground floor (*i.e.*, a building built into a hill with entrances to the first and second stories at grade on opposite sides), then it must have at least one accessible entrance to each floor that connects to the covered dwelling units. *See* 24 C.F.R. § 200.201 (definition of “ground floor”); Guidelines, Requirement 1(1)(a), 56 Fed. Reg. at 9,503.

Example 3: If a covered multifamily building has two entrances -- one entrance facing the public street that is inaccessible because it has steps, and a second

entrance which is accessible, but it is in the back of the building, the building does not comply with the Act. The entrance facing the street must also be made accessible because it is part of the route to the street and is a public and common use area. This is true even if the residential parking is located in the back of the building across from the back entrance and both entrances can be accessed from inside the building via interior hallways. *See* question 36, below.

36. Which entrance to a covered dwelling unit or building containing covered dwelling units must be accessible?

The primary entry to dwelling units that have individual exterior entrances or the primary entry to a building containing covered dwelling units must be accessible. This entrance is part of the public and common use areas because it is used by residents, guests and members of the public for the purpose of entering the dwelling or building. It must therefore be readily accessible to and usable by persons with disabilities. Service doors, back doors, and patio doors may serve as additional accessible entrances, but may not serve as the only accessible entrance to buildings or units. *See* Guidelines, 56 Fed. Reg. at 9,500. *See also United States v. Edward Rose & Sons*, 384 F.3d 258 (6th Cir. 2004), *aff'g*, 246 F. Supp. 2d 744 (E.D. Mich. 2003).

Safe Harbors for Compliance with the Act

37. Are there any “safe harbors” for compliance with the Fair Housing Act?

Yes. In the context of the Act, 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. The Act references the American National Standard Institute (“ANSI”) A117.1 standard as a means of complying with the technical provisions in the Act. In determining whether a standard, guideline or code qualifies as a safe harbor, HUD compares it with the Act, HUD’s regulations implementing the Act, the ANSI A117.1-1986 standard (the edition that was in place at the time the Act was passed) and the Guidelines to determine if, taken as a whole, it provides at least the same level of accessibility. HUD currently recognizes ten safe harbors for compliance with the Fair Housing Act’s design and construction requirements, listed below. If a state or locality has adopted one of these safe harbor documents without amendment or deviation, then covered residential buildings that are built to those specifications will be designed and constructed in accordance with the Act as long as the building code official does not waive or incorrectly interpret or apply one or more of those requirements. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,756; *see also* Final Report of HUD Review of the Fair Housing Accessibility Requirements in the 2003 International Building Code, 70 Fed. Reg. at 9,740; Report of HUD Review of the Fair Housing Accessibility Requirements in the 2006 International Building Code, 72 Fed. Reg. 39,432, 39,438 (July 18, 2007), and Design and Construction Requirements, Compliance with ANSI A117.1 Standards, 73 Fed. Reg. 63,610, 63,614 (Oct. 24, 2008).

Those involved in the design and construction of covered multifamily dwellings who claim the protection of a safe harbor must identify which one of the following HUD-recognized safe harbors they relied upon.

The ten HUD-recognized safe harbors for compliance with the Act's design and construction requirements are:

1. HUD's March 6, 1991 Fair Housing Accessibility Guidelines and the June 28, 1994 Supplemental Notice to Fair Housing Accessibility Guidelines: Questions and Answers About the Guidelines;
2. ANSI A117.1-1986 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations and the Guidelines;
3. CABO/ANSI A117.1-1992 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations, and the Guidelines;
4. ICC/ANSI A117.1-1998 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations, and the Guidelines;
5. HUD's Fair Housing Act Design Manual published in 1996 and revised in 1998;
6. Code Requirements for Housing Accessibility 2000 (CRHA), approved and published by the International Code Council (ICC), October 2000;
7. International Building Code (IBC) 2000, as amended by the IBC 2001 Supplement to the International Codes;
8. 2003 International Building Code (IBC), with one condition. Effective February 28, 2005, HUD determined that the IBC 2003 is a safe harbor, conditioned upon the International Code Council publishing and distributing the following statement to jurisdictions and past and future purchasers of the 2003 IBC;

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;

9. ICC/ANSI A117.1-2003 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations, and the Guidelines; and

10. 2006 International Building Code, published by ICC, January 2006, with the 2007 erratum (to correct the text missing from Section 1107.7.5), and interpreted in accordance with relevant 2006 IBC Commentary.

HUD's purpose in recognizing a number of safe harbors for compliance with the Fair Housing Act's design and construction requirements is to provide a range of options that, if followed in their entirety without modification or waiver during design and construction, will result in residential buildings that comply with the design and construction requirements of the Fair Housing Act. In the future, HUD may decide to recognize additional safe harbors.

38. May an architect or builder select aspects from among the HUD recognized safe harbors when designing and constructing a single project and retain "safe harbor" status?

No. The ten documents listed above are safe harbors only when used in their entirety, that is, once a specific safe harbor document has been selected, the building in question must comply with all of the provisions in that document that address the Fair Housing Act design and construction requirements to ensure the full benefit of the safe harbor. 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 above 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.

39. If a property is built to some recognized, comparable, and objective standard other than one of the safe harbors, can it still comply with the Act's design and construction requirements?

Yes. The purpose of the Fair Housing Act Guidelines is "to describe the minimum standards of compliance with the specific accessibility requirements of the Act." Preamble to the Guidelines, 56 Fed. Reg. at 9,476. The Introduction to the Guidelines states, "builders and developers may choose to depart from these guidelines and seek alternate ways to demonstrate that they have met the requirements of the Fair Housing Act." Guidelines, 56 Fed. Reg. at 9,499. However, the standard chosen must meet or exceed all of the design and construction requirements specified in the Act and HUD's Regulations, and the builders and developers bear the burden of showing that their standard provides an equivalent or a higher degree of accessibility than every provision of one of the recognized safe harbors. *See* Design Manual at 13; Preamble to the Guidelines, 56 Fed. Reg. at 9,478-79. While there are some differences among the ten designated safe harbors, there is broad consensus about what is required for accessibility based on the ANSI standards and the safe harbors. These standards result from a process that includes input from a variety of stakeholders, including builders, designers, managers, and disability-rights advocates. Builders and designers should therefore exercise caution before following a standard that contains specifications for an element

that do not meet the parallel requirements of the other safe harbors. If the alternative standard is not a generally accepted accessibility standard, it may well not provide the minimum accessibility required by the Act.

40. What constitutes evidence of noncompliance with the Fair Housing Act design and construction requirements?

A case of discrimination may be established by showing that the housing does not meet HUD's Guidelines. This evidence may be rebutted by proof of compliance with a recognized, comparable, objective measure or standard of accessibility. The Ninth Circuit has affirmed this approach in *Nelson v. HUD*, Nos. 07-72803 and 07-73230, 2009 WL 784260, at *2 (9th Cir. Mar. 26, 2009).

41. If I follow my state or local building code, am I safe from liability if a building does not comply with the Fair Housing Act's design and construction requirements?

No. The Fair Housing Act's design and construction requirements are separate from and independent of state and local code requirements. If a state or local code requires, or is interpreted or applied in a manner that requires, less accessibility than the Act's design and construction requirements, the Act's requirements must still be followed. However, state and local governments can assist those involved in building housing subject to the Act's design and construction requirements by incorporating one of the HUD-recognized safe harbors listed above into their building codes without deviation, amendment, or waiver. *See* 42 U.S.C. § 3604(f)(6)(B). For example, some jurisdictions have already adopted the revised editions of the IBC that are recognized by HUD as safe harbors. *See* question 39, above.

42. Does the Fair Housing Act require fully accessible units?

No. The Fair Housing Act does not require fully accessible units. For example, the Act's design and construction requirements do not require the installation of a roll-in shower in a dwelling unit in new construction. The Act's design and construction requirements are modest and result in units that look similar to traditional units and are easily adapted by people with disabilities who require features of accessibility not required by the Fair Housing Act.

43. Can a builder meet the Fair Housing Act's design and construction requirements by building a specific number or percentage of fully accessible dwelling units?

No. Congress specifically rejected the approach of requiring only a specific number or percentage of units to be fully accessible. Instead, Congress decided that all covered multifamily dwelling units must comply with the Act's design and construction requirements. *See* question 1, above, and 42 U.S.C. § 3604(f)(3)(C). Other laws may require developers to construct a specific number or percentage of units with a higher

degree of accessibility than the Act's modest requirements. *See* questions 46, 47 and 48, below. *See* H.R. Rep. 100-711, at 49 (1988).

Reviews for Compliance

44. Does HUD or DOJ review state and local building codes to determine whether they comply with the Act's accessibility requirements?

No. Although HUD has reviewed several model building codes to determine whether they comply with the Act's design and construction requirements (*see* question 37, above), neither HUD nor DOJ reviews individual state and local building codes for consistency with the Act.

45. Does HUD or DOJ review site or building plans for compliance with the Act's design and construction requirements?

No. Neither HUD nor DOJ is required by the Act or has the capacity to review or approve builders' plans or issue certifications of compliance with the Act's design and construction requirements. *See* 42 U.S.C. § 3604(f)(5)(D). The burden of compliance rests with those who design or construct covered multifamily dwellings. *See* Design Manual at 2. To assist those involved in design or construction to comply with the Act's requirements, HUD provides rulemaking, training and technical assistance on the Act, the Regulations, and the Guidelines. HUD has also recognized ten safe harbors for compliance with the Act's design and construction requirements. *See* question 37, above. HUD also provides technical guidance through its Fair Housing Accessibility FIRST program, 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. The Fair Housing Accessibility FIRST website is found at <http://www.fairhousingfirst.org>. DOJ's fair housing website may be accessed at http://www.justice.gov/crt/about/hce/housing_coverage.php.

Buildings Covered by the Act and Other Accessibility Laws or Codes

46. When would both Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act apply to the same property, and which standard would apply in this situation?

If housing was built for first occupancy after March 13, 1991, and federal financial assistance is involved, both Section 504 and the Fair Housing Act apply. The accessibility standards under both laws must be used. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,477-79.

HUD's Section 504 requirements are found in 24 C.F.R. Part 8 and these regulations reference the Uniform Federal Accessibility Standards (UFAS). Further information about the applicability of Section 504 can be found at

<http://www.hud.gov/offices/fheo/disabilities/sect504faq.cfm>. The Uniform Federal Accessibility Standards may be found at <http://www.access-board.gov/ufas/ufas-html/ufas.htm>.

47. What if the Americans with Disabilities Act (ADA) and the Fair Housing Act requirements both apply to the same property?

In those cases where a development is subject to the accessibility requirements of more than one federal law, the accessibility requirements of each law must be met.

There are certain residential properties, or portions of other residential properties, that are covered by both the Fair Housing Act and the ADA. These properties must be designed and built in accordance with the accessibility requirements of both the Fair Housing Act and the ADA. To the extent that the requirements of different federal laws apply to the same feature, the requirements of the law imposing greater accessibility requirements must be met, in terms of both scoping and technical requirements.

In the preamble to its regulation implementing Title III of the ADA, the Department of Justice discussed the relationship between the requirements of the Fair Housing Act and the ADA. The preamble noted that many facilities are mixed-use facilities. For example, a hotel may allow both residential and short term stays. In that case, both the ADA and the Fair Housing Act will apply to the facility. The preamble to the Title III regulation also stated that residential hotels, commonly known as “single room occupancies,” may be subject to Fair Housing Act requirements when operated or used as a residence but they are also considered “places of lodging” subject to the requirements of the ADA when guests are free to use them on a short-term basis. A similar analysis applies with respect to homeless shelters, nursing homes, residential care facilities, and other facilities where persons may reside for varying lengths of time. It is important for those involved in the design and construction of such facilities to comply with all applicable accessibility requirements. *See* 56 Fed. Reg. 35,544, 35,546-47 (July 26, 1991).

Covered multifamily dwellings that are funded or provided through programs operated by or on behalf of state and local entities (*e.g.*, public housing, homeless shelters) are also subject to the requirements of Title II of the ADA.

Under the Fair Housing Act, the common areas of covered multifamily dwellings that qualify as places of public accommodation under the ADA must be designed and constructed in accordance with the ADA Standards for Accessible Design, and the Act’s design and construction requirements. For example, a rental office in a multifamily residential development, a recreational area open to the public, or a convenience store located in that development would be covered by the Act and under Title III of the ADA. *See* 28 C.F.R. § 36.104. Common use areas for use only by residents and their guests are covered by the Act’s design and construction requirements, but would not be covered by the ADA.

48. What if a state or local building code requires greater accessibility than the Fair Housing Act?

The Fair Housing Act does not reduce the requirements of state or local codes that require greater accessibility than the Act. Thus, the state or local building code's greater accessibility must be provided. However, if a state or local code requires, or is interpreted or applied in a manner that requires, less accessibility than the Act, the Act's requirements must nonetheless be followed. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,753-57. *See also* Preamble to the Final Rule, Design and Construction Requirements, Compliance with ANSI A117.1 Standards, 73 Fed. Reg. at 63,610.

Accessible Public and Common Use Areas

49. Are rental offices and other public and common use areas required to be accessible under the Fair Housing Act?

Rental offices and other public and common use areas must be accessible if they serve multifamily dwelling units that are subject to the design and construction requirements of the Act. If there are no covered dwelling units on the site, then the public and common use areas of the site are not required to be accessible under the Fair Housing Act. *See* Questions and Answers, Q. 13, 59 Fed. Reg. at 33,365-66.

It is important to note that Title III of the Americans with Disabilities Act contains accessibility requirements that apply to rental and sales offices and other places of public accommodation that may be associated with housing, even if the housing is not covered by the Fair Housing Act's design and construction requirements. Further, Title II of the ADA applies accessibility requirements to housing and related facilities owned or operated by state or local government entities. In addition, Section 504 of the Rehabilitation Act and the Architectural Barriers Act may also apply to public and common use areas of properties that are designed, constructed, or operated by entities receiving federal financial assistance. The question of whether the accessibility requirements of any of these three federal laws apply to the public or common use areas of a property needs to be considered in addition to whether the Fair Housing Act's design and construction requirements apply.

50. When covered parking is provided as an amenity to covered multifamily housing, what are the accessibility requirements under the Fair Housing Act?

When covered parking is provided, at least 2% of the covered parking serving the covered dwelling units must comply with the accessibility requirements for covered parking and be on an accessible pedestrian route to the covered dwelling units. *See* Guidelines, Requirement 2, Chart, Element 4, 56 Fed. Reg. at 9,505; Design Manual at 2.23 to 2.24.

51. When a swimming pool is provided on a site with covered multifamily dwellings, what are the design and construction requirements for the pool?

When provided, a swimming pool must be located on an accessible pedestrian route that extends to the pool edge, but the Guidelines do not require that the pool be equipped with special features to offer greater access into the pool than is provided for persons without disabilities. In addition, a door or gate accessing the pool must meet the Act's design and construction requirements and the deck around the pool must be on an accessible route. If toilet rooms, showers, lockers or other amenities are provided at the pool, these also must be accessible and meet the requirements for accessible public and common use areas. *See* Guidelines, Requirement 2, 56 Fed. Reg. at 9,504-05. It is important to note that the swimming pools and related facilities may be subject to the ADA if persons other than residents and their guests are allowed to use them.

52. Are garbage dumpsters required to comply with the Act's design and construction requirements?

Garbage dumpsters are public and common use spaces and must be located on accessible pedestrian routes. If an enclosure with a door is built around the dumpster, both the door to the enclosure and the route through this door to the dumpster must meet the provisions of ANSI A117.1-1986 or another safe harbor (when used in accordance with HUD's policy statement, *see* questions 37-38, above). If parking is provided at the dumpster, accessible parking must also be provided. *See* Guidelines, Requirement 2, 56 Fed. Reg. at 9,504-05; Design Manual at 2.16 (figure). However, there are no technical specifications for the actual garbage dumpster.

53. When emergency warning systems are installed in the public and common use areas of covered multifamily buildings (for example, in corridors, or breezeways), do the Act's design and construction requirements require such warning systems to include visual alarms?

Yes. The Act requires public and common uses areas to be readily accessible to and usable by persons with disabilities. This includes accessibility of building emergency warning systems, when provided. Alarms placed in these areas must have audible and visual features and the Guidelines reference the provisions of ANSI A117.1-1986 Section 4.26 for such alarms. *See* Guidelines, Requirement 2, Chart, 56 Fed. Reg. at 9,505.

Example: A single user restroom in a rental office must have a visual alarm if the rental office is served by an audible alarm.

54. If there is an emergency warning system installed in the public and common use areas of a covered multifamily building, must there be visual alarms in the interior of dwelling units?

No. The Fair Housing Act's design and construction requirements do not require installation of visual alarms on the interior of dwelling units; however, if there is a

building alarm system provided in a public and common use area, then it must be accessible as specified in ANSI A117.1-1986. In addition, the system must have the capability of supporting an audible and visual alarm system in individual units. Note: The International Building Code (IBC) requires that certain multifamily residential buildings that must have a fire alarm also have the capability of supporting visible alarm notification appliances which meet the requirements of ICC/ANSI A117.1. *See, e.g.,* 2006 IBC §§ 907.2.9 and 907.9.1.4.

Enforcement

55. What remedies are typically sought in Fair Housing Act design and construction cases?

Lawsuits brought pursuant to the Fair Housing Act may seek injunctive relief including retrofitting of the property so that the covered dwelling units and public and common use areas meet the Act's requirements, training, education, reporting, future compliance with the Act's requirement, surveying and inspecting retrofits, monetary damages for aggrieved persons, and, in cases brought by the federal government, civil penalties.

56. Who can be sued for violations of the accessibility requirements of the Fair Housing Act?

Any person or entity involved in the noncompliant design and construction of buildings or facilities subject to the Act's design and construction requirements may be held liable for violations of the Act. This includes a person or entity involved in only the design, only the construction, or both the design and construction of covered multifamily housing.

Note that a person or entity that has bought a building or property after it was designed and constructed may be sued when that person or entity is necessary to provide authority to remedy violations or allow access for other necessary reasons such as the identification of any aggrieved persons. This may include subsequent owners, homeowners associations, property management companies or later individual owners or occupants of inaccessible units when such persons must be involved to provide authority to remedy violations.

57. If someone is successfully sued for violating the Act's design and construction requirements, will a court order the building to be torn down and rebuilt?

Courts make rulings in cases based on the facts of each specific situation. Thus, it is difficult to predict what a court might order in a case without knowing the facts. However, extensive modifications including complete retrofits of buildings, units, and public and/or common use areas have been routinely sought and obtained by federal law enforcement agencies and ordered by courts.

58. What recourse is available to a person with a disability or a person associated with a person with a disability who believes that she cannot rent, purchase, or view housing at a particular multifamily property because it is in violation of the design and construction requirements of the Act?

When a person with a disability or a person associated with a person with a disability believes that she has been harmed by a failure to design and construct a unit or property in accordance with the Act's requirements (or any other discriminatory housing practice), she may file a complaint with HUD within one year after the alleged discriminatory practice has occurred or terminated or may file a lawsuit in federal district court within two years after the alleged discriminatory practice has occurred or terminated. *See* 42 U.S.C. §§ 3610 and 3613. However, persons aggrieved by discriminatory housing practices are encouraged to file a complaint as soon as possible after the discriminatory housing practice occurs or terminates. If a complaint is filed with HUD, HUD will investigate the complaint at no cost to the complainant.

59. At what point do the time frames for a person filing a complaint begin to run?

A person should file a complaint as soon as possible after becoming aware that he or she has been or may be harmed because a property may not be constructed in compliance with the accessibility requirements of the Fair Housing Act. Under the Fair Housing Act, “[a]n aggrieved person may, not later than one year after an alleged discriminatory housing practice has occurred or terminated, file a complaint” with HUD (*see* 42 U.S.C. § 3610(a)) and “may commence a civil action [in Court]. . . not later than 2 years after the occurrence or the termination of an alleged discriminatory housing practice.” *See* 42 U.S.C. § 3613(a)(1)(A). While some courts have had differing views, HUD and DOJ believe that the Act is violated, and the one- or two-year statute of limitations begins to run, when an “aggrieved person” is injured as a result of the failure to design and construct housing to be accessible as required by the Act. *See* 42 U.S.C. § 3602(i). A failure to design and construct a multifamily property in accordance with the Act may cause an injury to a person at any time until the violation is corrected. A person may be injured before, during or after a sale, rental or occupancy of a dwelling.

In addition, HUD has interpreted the Act to hold that “with respect to the design and construction requirements, complaints can be filed at any time that the building continues to be in noncompliance, because the discriminatory housing practice -- failure to design and construct the building in compliance -- does not terminate” until the building is brought into compliance with the Act and the continuing violation terminates. *See* Design Manual at 22. Although not all courts have agreed with these interpretations, HUD uses them in determining whether to accept a complaint.

Readers should be aware that as of the date of this joint statement, at least one circuit court has ruled that the Act's statute of limitations for individual complaints begins to run

upon the completion of the covered dwelling, regardless of when the dwelling is actually sold, rented or occupied by a person with a disability.⁸

The time frames for the United States to bring an action under the Fair Housing Act are not addressed in this question and answer.

60. If a designer or builder has built more than one multifamily property in violation of the Act's design and construction requirements, may he be held liable for violations at all of those properties?

Where a builder, owner, architect or developer of covered multifamily does not comply with the design and construction requirements over a period of time at multiple properties, violations at all of the noncompliant properties may be part of a continuing violation or pattern or practice of illegal discrimination. HUD and DOJ may investigate and take legal action respecting all such properties. An entity involved in the design and construction of an earlier noncompliant property and involved in the design and construction of a later noncompliant property may therefore be subjected to a complaint for participating in a continuing violation or engaging in a pattern or practice of violating the Act.

61. How is a complaint alleging a failure to design and construct multifamily housing filed?

There are several ways that a person may file a complaint with HUD:

- By placing a toll-free call to 1-800-669-9777 or TTY 1-800-927-9275;
- By completing the "on-line" complaint form available on the HUD internet site: <http://www.hud.gov/offices/fheo/index.cfm>; or
- By mailing a completed complaint form or letter to:

Office of Fair Housing and Equal Opportunity
Department of Housing & Urban Development
451 7th Street, S.W., Room 5204
Washington, DC 20410-2000

Upon request, HUD will provide printed materials in alternate formats (large print, audio tapes, or Braille) and provide complainants with assistance in reading and completing forms.

⁸See *Garcia v. Brockway*, 526 F.3d 456 (9th Cir. 2008) (en banc). Complaints by persons in states and territories located in the Ninth Circuit -- Washington, Idaho, Montana, Oregon, California, Nevada, Arizona, Alaska, Northern Mariana Islands, Hawaii, and Guam -- may be subject to this ruling if other dwellings designed and/or constructed by the same respondent or defendant were not completed within the limitations period.

The Civil Rights Division of the Department of Justice brings lawsuits in federal courts across the country to end discriminatory practices and to seek monetary and other relief for individuals whose rights under the Fair Housing Act have been violated. The Civil Rights Division initiates lawsuits when it has reason to believe that a person or entity is involved in a “pattern or practice” of discrimination or when there has been a denial of rights to a group of persons that raises an issue of general public importance. The Division also participates as *amicus curiae* in federal court cases that raise legal questions involving the application and/or interpretation of the Act. To alert DOJ to matters involving a pattern or practice of discrimination, matters involving the denial of rights to groups of persons, or lawsuits raising issues that may be appropriate for *amicus* participation, contact:

U.S. Department of Justice
Civil Rights Division
Housing and Civil Enforcement Section - G St.
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

To report an incident of housing discrimination to the U.S. Department of Justice, call the Fair Housing Tip Line: 1-800-896-7743, or e-mail: fairhousing@usdoj.gov.

For more information on the types of housing discrimination cases handled by DOJ, please refer to the DOJ’s Housing and Civil Enforcement Section’s website at http://www.justice.gov/crt/about/hce/housing_coverage.php.

A HUD or DOJ determination not to proceed with a Fair Housing Act matter does not foreclose private plaintiffs from pursuing a private lawsuit. However, litigation can be an expensive, time-consuming, and uncertain process for all parties. HUD and DOJ encourage parties to Fair Housing Act disputes to explore all reasonable alternatives to litigation, including alternative dispute resolution procedures, such as mediation. HUD attempts to conciliate all Fair Housing Act complaints. In addition, it is DOJ’s policy to offer prospective defendants the opportunity to engage in pre-suit settlement negotiations, except in unusual circumstances.

Reasonable Accommodations and Reasonable Modifications Under the Act

62. Is any information available concerning reasonable accommodations and reasonable modifications under the Fair Housing Act?

Yes. HUD and DOJ have published joint statements concerning reasonable accommodations and reasonable modifications for persons with disabilities under the Fair Housing Act. See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations under the Fair Housing Act (May 17, 2004) and Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Modifications under the Fair

Housing Act (Mar. 5, 2008), at <http://www.hud.gov/offices/fheo/disabilities/index.cfm> or http://www.justice.gov/crt/about/hce/about_guidance.php.

Location of Documents

63. Where can one find the documents referred to in this Joint Statement?

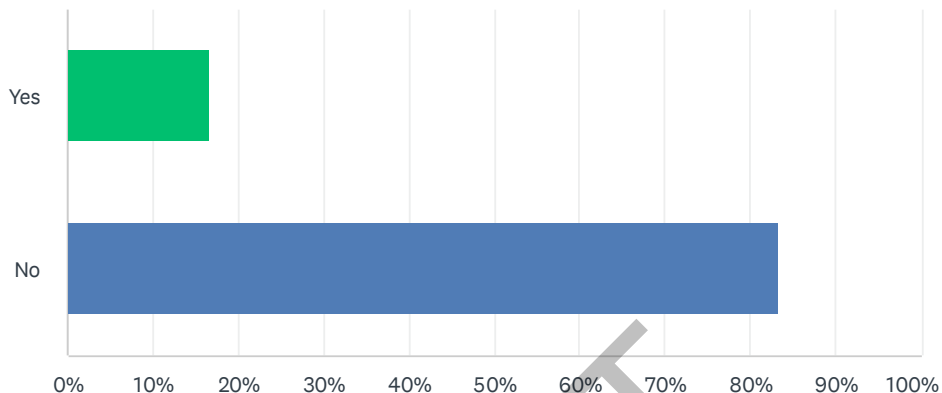
A copy of the Preamble to the Regulations is found at 54 Fed. Reg. 3,243 (Jan. 23, 1989). The Regulations are found at 24 C.F.R. Part 100. The Preamble to the Guidelines can be found at 56 Fed. Reg. 9,472 (Mar. 6, 1991), and both the Preamble to the Guidelines and the Guidelines are reprinted in the Fair Housing Act Design Manual in Appendix B. The Questions and Answers can be found at 59 Fed. Reg. 33,362 (June 28, 1994) and is reprinted at Appendix C of the Fair Housing Act Design Manual. The Fair Housing Act Design Manual can be obtained from <http://www.huduser.org/publications/destech/fairhousing.html>. *See also* HUD's Office of Fair Housing and Equal Opportunity website at <http://www.hud.gov/offices/fheo/disabilities/index.cfm>.

DRAFT

**APPENDIX C:
ACCESSIBILITY SURVEY RESULTS**

Q1 Are there programs or activities sponsored by the Housing Authority of Savannah, or facilities owned by the Housing Authority of Savannah, that you or someone you know cannot participate in or enjoy because of a disability?

Answered: 6 Skipped: 0

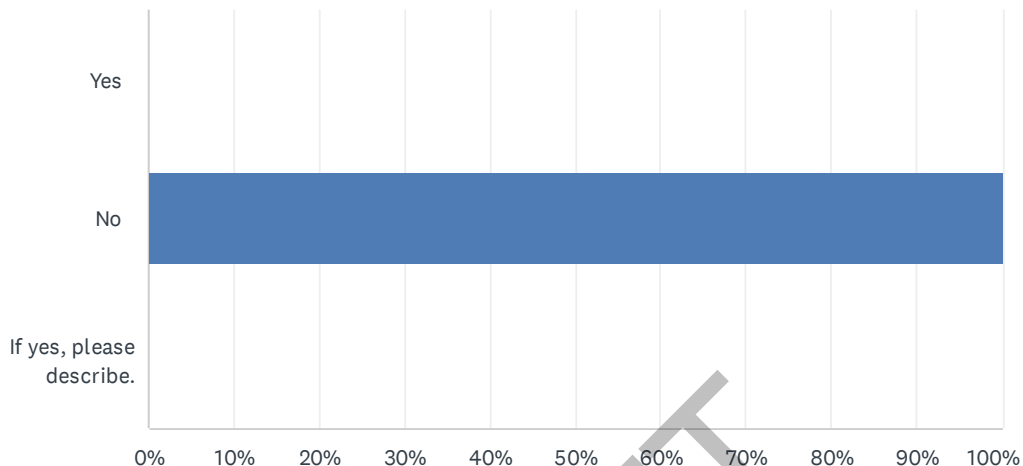


ANSWER CHOICES	RESPONSES	
Yes	16.67%	1
No	83.33%	5
TOTAL		6

DRAFT

Q2 Have you encountered any communication barriers within a Housing Authority of Savannah facility which prevented you from utilizing or participating in a program, service, or activity?

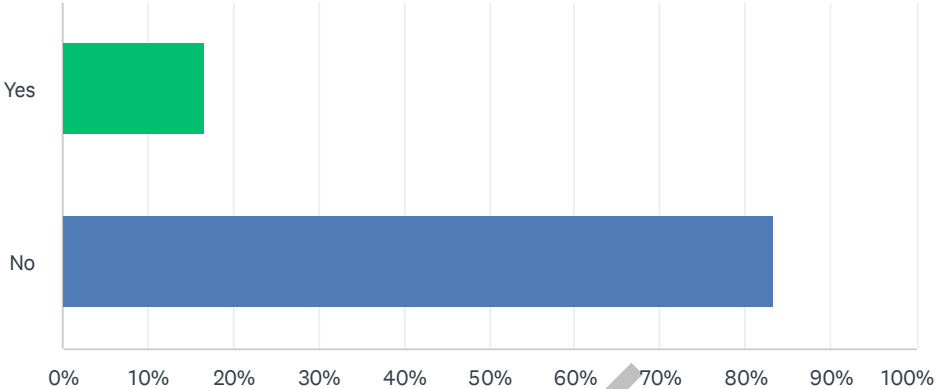
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	6
If yes, please describe.	0.00%	0
TOTAL		6

Q3 Do you or someone you know require visual interpretive services or assisted listening systems at the Housing Authority of Savannah’s programs or public meetings?

Answered: 6 Skipped: 0

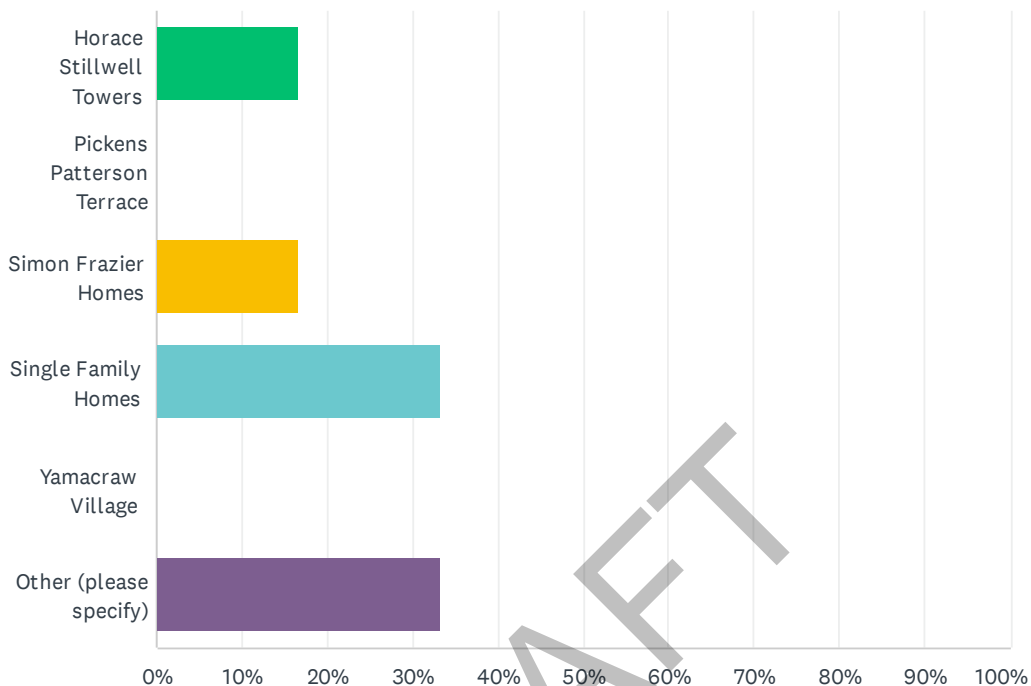


ANSWER CHOICES	RESPONSES	
Yes	16.67%	1
No	83.33%	5
TOTAL		6

DRAFT

Q4 Which Housing Authority of Savannah facility are you a tenant in or do you visit most often? (Check all that applies)

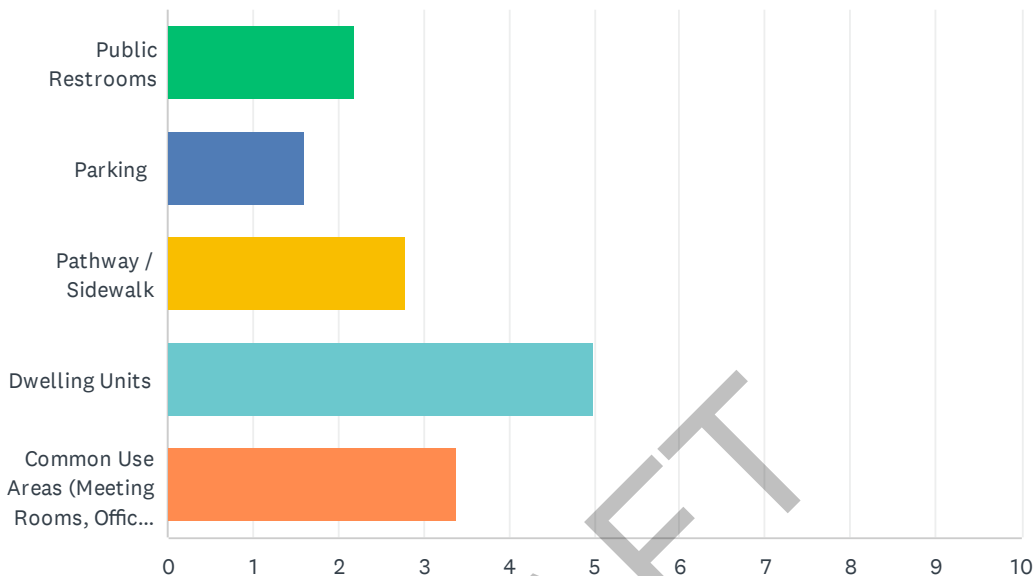
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Horace Stillwell Towers	16.67%	1
Pickens Patterson Terrace	0.00%	0
Simon Frazier Homes	16.67%	1
Single Family Homes	33.33%	2
Yamacraw Village	0.00%	0
Other (please specify)	33.33%	2
Total Respondents: 6		

Q5 Rate the following features of the Housing Authority of Savannah’s facilities in order of importance to you from 1 to 5, with the most important as 1:

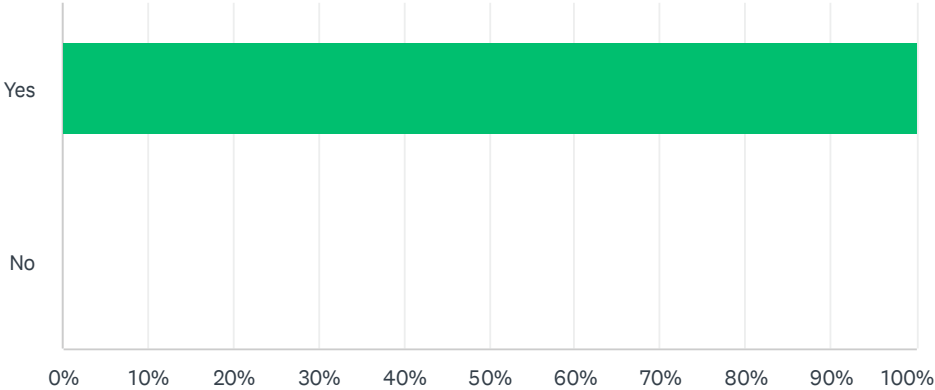
Answered: 5 Skipped: 1



	1	2	3	4	5	TOTAL	SCORE
Public Restrooms	0.00% 0	20.00% 1	0.00% 0	60.00% 3	20.00% 1	5	2.20
Parking	0.00% 0	20.00% 1	0.00% 0	0.00% 0	80.00% 4	5	1.60
Pathway / Sidewalk	0.00% 0	20.00% 1	40.00% 2	40.00% 2	0.00% 0	5	2.80
Dwelling Units	100.00% 5	0.00% 0	0.00% 0	0.00% 0	0.00% 0	5	5.00
Common Use Areas (Meeting Rooms, Offices, Playgrounds)	0.00% 0	40.00% 2	60.00% 3	0.00% 0	0.00% 0	5	3.40

Q6 Is the Housing Authority of Savannah’s website and phone system accessible to you?

Answered: 6 Skipped: 0

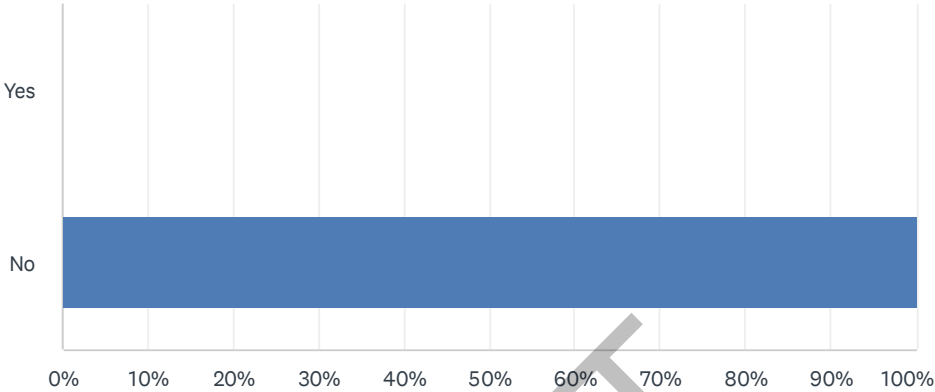


ANSWER CHOICES	RESPONSES	
Yes	100.00%	6
No	0.00%	0
TOTAL		6

DRAFT

Q7 Do you have difficulty maneuvering through Housing Authority of Savannah facilities, due to inaccessibility of walkways or ramps, such as broken / damaged concrete, missing circulation path(s), missing curb ramp(s), etc?

Answered: 6 Skipped: 0

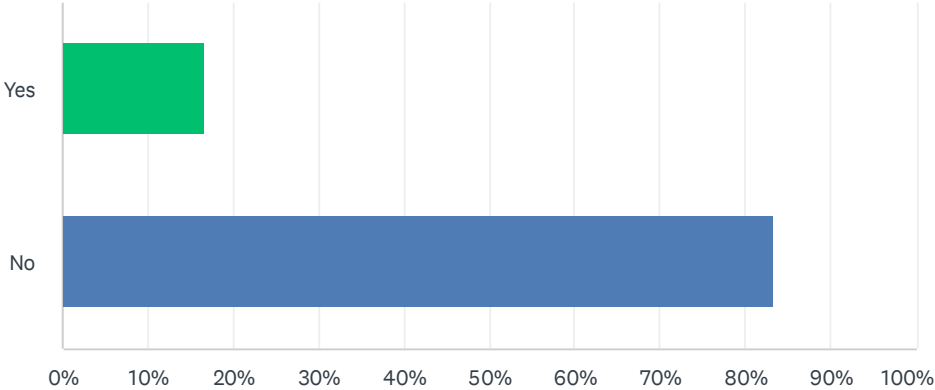


ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	6
TOTAL		6

DRAFT

Q8 Have you experienced physical barriers to accessibility within a Housing Authority of Savannah dwelling unit?

Answered: 6 Skipped: 0

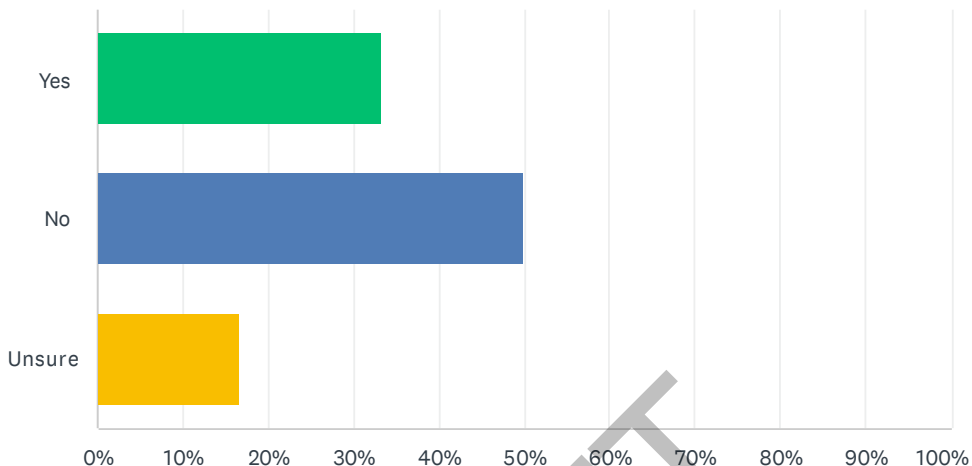


ANSWER CHOICES	RESPONSES	
Yes	16.67%	1
No	83.33%	5
TOTAL		6

DRAFT

Q9 Do you feel that the Housing Authority of Savannah provides adequate reasonable accommodations (changes to programs to accommodate a disability) to assist tenants or guests with disabilities?

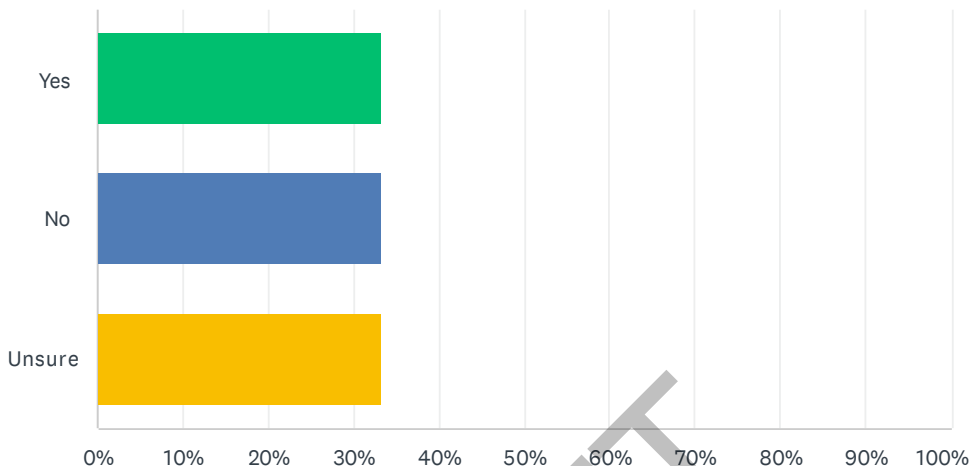
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	33.33%	2
No	50.00%	3
Unsure	16.67%	1
TOTAL		6

Q10 Do you feel that the Housing Authority of Savannah provides adequate reasonable modifications (changes to the dwelling unit or common areas) to assist tenants and guests with disabilities?

Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	33.33%	2
No	33.33%	2
Unsure	33.33%	2
TOTAL		6

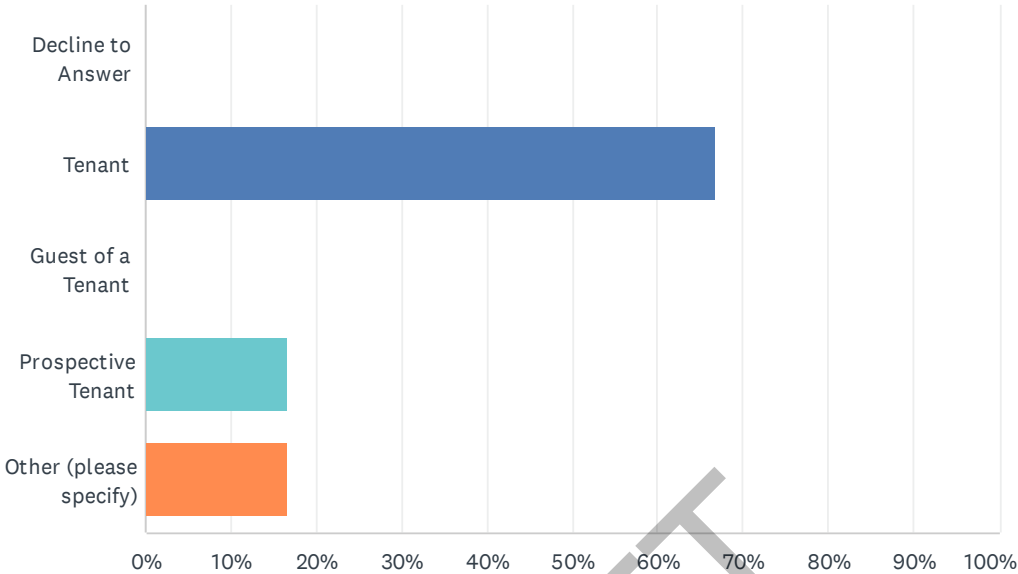
Q11 What program, activity or facility improvements would promote accessibility to the Housing Authority of Savannah's programs, services, and facilities?

Answered: 4 Skipped: 2

DRAFT

Q12 Are you a tenant, guest of a tenant, prospective tenant, or other?

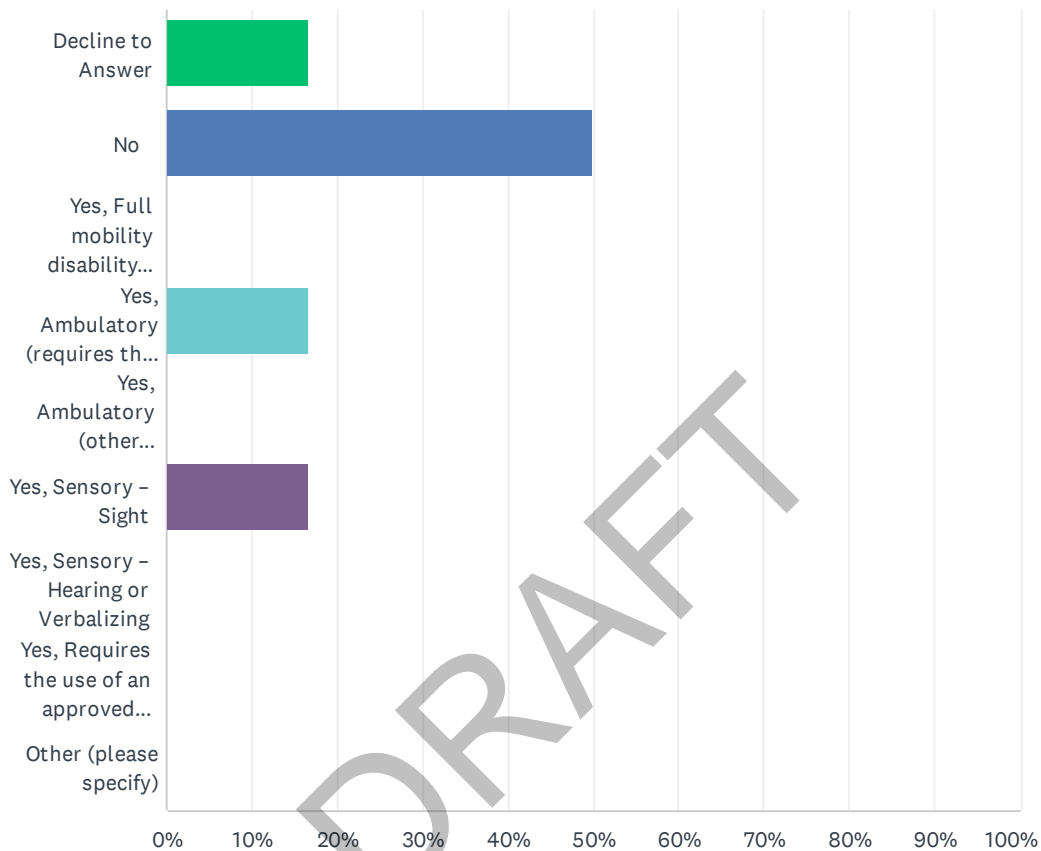
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Decline to Answer	0.00%	0
Tenant	66.67%	4
Guest of a Tenant	0.00%	0
Prospective Tenant	16.67%	1
Other (please specify)	16.67%	1
TOTAL		6

Q13 Do you have a disability that limits one or more essential life functions? In order to better understand the above answers, please self identify.

Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Decline to Answer	16.67%	1
No	50.00%	3
Yes, Full mobility disability (requires a wheelchair or personal assistant.)	0.00%	0
Yes, Ambulatory (requires the use of walker, crutches or other stability aids)	16.67%	1
Yes, Ambulatory (other conditions that limit restrict or limit walking such as a heart condition)	0.00%	0
Yes, Sensory – Sight	16.67%	1
Yes, Sensory – Hearing or Verbalizing	0.00%	0
Yes, Requires the use of an approved service animal (dog or miniature horse trained for a specific need.)	0.00%	0
Other (please specify)	0.00%	0
TOTAL		6

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2024 1:53:35 PM
Last Modified: Thursday, August 08, 2024 4:43:37 PM
Time Spent: 02:50:02

Page 1

Q1 **No**

Are there programs or activities sponsored by the Housing Authority of Savannah, or facilities owned by the Housing Authority of Savannah, that you or someone you know cannot participate in or enjoy because of a disability?

Q2 **No**

Have you encountered any communication barriers within a Housing Authority of Savannah facility which prevented you from utilizing or participating in a program, service, or activity?

Q3 **Yes**

Do you or someone you know require visual interpretive services or assisted listening systems at the Housing Authority of Savannah's programs or public meetings?

Q4 Other (please specify):

Which Housing Authority of Savannah facility are you a tenant in or do you visit most often? (Check all that applies)

The persons I visited are now deceased or no longer there.

Q5
 Rate the following features of the Housing Authority of Savannah's facilities in order of importance to you from 1 to 5, with the most important as 1:

- | | |
|--|---|
| Public Restrooms | 4 |
| Parking | 5 |
| Pathway / Sidewalk | 3 |
| Dwelling Units | 1 |
| Common Use Areas (Meeting Rooms, Offices, Playgrounds) | 2 |

Q6 **Yes**

Is the Housing Authority of Savannah's website and phone system accessible to you?

Q7 **No**

Do you have difficulty maneuvering through Housing Authority of Savannah facilities, due to inaccessibility of walkways or ramps, such as broken / damaged concrete, missing circulation path(s), missing curb ramp(s), etc?

Q8 **No**

Have you experienced physical barriers to accessibility within a Housing Authority of Savannah dwelling unit?

Q9 **No**

Do you feel that the Housing Authority of Savannah provides adequate reasonable accommodations (changes to programs to accommodate a disability) to assist tenants or guests with disabilities?

Q10 **No**

Do you feel that the Housing Authority of Savannah provides adequate reasonable modifications (changes to the dwelling unit or common areas) to assist tenants and guests with disabilities?

Q11

What program, activity or facility improvements would promote accessibility to the Housing Authority of Savannah's programs, services, and facilities?

No disability-specific apartments and more like the Phillips Winters Apts. are needed. There should be accessibilities for blind or hearing impaired clients such as intercoms or notification lighting, and lower floor access for clients with heart or respiratory conditions.

Q12 Other (please specify):

Are you a tenant, guest of a tenant, prospective tenant, or other?

No

Q13 **Yes, Sensory – Sight**

Do you have a disability that limits one or more essential life functions? In order to better understand the above answers, please self identify.

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, August 27, 2024 7:20:19 AM
Last Modified: Tuesday, August 27, 2024 7:24:25 AM
Time Spent: 00:04:05

Page 1

Q1 **No**

Are there programs or activities sponsored by the Housing Authority of Savannah, or facilities owned by the Housing Authority of Savannah, that you or someone you know cannot participate in or enjoy because of a disability?

Q2 **No**

Have you encountered any communication barriers within a Housing Authority of Savannah facility which prevented you from utilizing or participating in a program, service, or activity?

Q3 **No**

Do you or someone you know require visual interpretive services or assisted listening systems at the Housing Authority of Savannah's programs or public meetings?

Q4 **Single Family Homes**

Which Housing Authority of Savannah facility are you a tenant in or do you visit most often? (Check all that applies)

Q5
 Rate the following features of the Housing Authority of Savannah's facilities in order of importance to you from 1 to 5, with the most important as 1:

- | | |
|--|----------|
| Public Restrooms | 5 |
| Parking | 2 |
| Pathway / Sidewalk | 4 |
| Dwelling Units | 1 |
| Common Use Areas (Meeting Rooms, Offices, Playgrounds) | 3 |

Q6

Yes

Is the Housing Authority of Savannah's website and phone system accessible to you?

Q7

No

Do you have difficulty maneuvering through Housing Authority of Savannah facilities, due to inaccessibility of walkways or ramps, such as broken / damaged concrete, missing circulation path(s), missing curb ramp(s), etc?

Q8

No

Have you experienced physical barriers to accessibility within a Housing Authority of Savannah dwelling unit?

Q9

Unsure

Do you feel that the Housing Authority of Savannah provides adequate reasonable accommodations (changes to programs to accommodate a disability) to assist tenants or guests with disabilities?

Q10

Unsure

Do you feel that the Housing Authority of Savannah provides adequate reasonable modifications (changes to the dwelling unit or common areas) to assist tenants and guests with disabilities?

Q11

Respondent skipped this question

What program, activity or facility improvements would promote accessibility to the Housing Authority of Savannah's programs, services, and facilities?

Q12

Tenant

Are you a tenant, guest of a tenant, prospective tenant, or other?

Q13

No

Do you have a disability that limits one or more essential life functions? In order to better understand the above answers, please self identify.

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, August 27, 2024 10:32:25 AM
Last Modified: Tuesday, August 27, 2024 10:49:48 AM
Time Spent: 00:17:23

Page 1

Q1 **No**

Are there programs or activities sponsored by the Housing Authority of Savannah, or facilities owned by the Housing Authority of Savannah, that you or someone you know cannot participate in or enjoy because of a disability?

Q2 **No**

Have you encountered any communication barriers within a Housing Authority of Savannah facility which prevented you from utilizing or participating in a program, service, or activity?

Q3 **No**

Do you or someone you know require visual interpretive services or assisted listening systems at the Housing Authority of Savannah's programs or public meetings?

Q4 **Simon Frazier Homes**

Which Housing Authority of Savannah facility are you a tenant in or do you visit most often? (Check all that applies)

Q5
Rate the following features of the Housing Authority of Savannah's facilities in order of importance to you from 1 to 5, with the most important as 1:

- Public Restrooms 4
- Parking 5
- Pathway / Sidewalk 2
- Dwelling Units 1
- Common Use Areas (Meeting Rooms, Offices, Playgrounds) 3

Q6 **Yes**

Is the Housing Authority of Savannah's website and phone system accessible to you?

Q7 **No**

Do you have difficulty maneuvering through Housing Authority of Savannah facilities, due to inaccessibility of walkways or ramps, such as broken / damaged concrete, missing circulation path(s), missing curb ramp(s), etc?

Q8 **No**

Have you experienced physical barriers to accessibility within a Housing Authority of Savannah dwelling unit?

Q9 **Yes**

Do you feel that the Housing Authority of Savannah provides adequate reasonable accommodations (changes to programs to accommodate a disability) to assist tenants or guests with disabilities?

Q10 **Yes**

Do you feel that the Housing Authority of Savannah provides adequate reasonable modifications (changes to the dwelling unit or common areas) to assist tenants and guests with disabilities?

Q11

What program, activity or facility improvements would promote accessibility to the Housing Authority of Savannah's programs, services, and facilities?

Before & after care would bring more jobs to the community or provide a place for mothers to volunteer. Recreational center for the youth, providing services for single parents who need help with jobs search, creating resumes.

Q12 **Tenant**

Are you a tenant, guest of a tenant, prospective tenant, or other?

Q13 **Decline to Answer**

Do you have a disability that limits one or more essential life functions? In order to better understand the above answers, please self identify.

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 29, 2024 7:42:19 AM
Last Modified: Thursday, August 29, 2024 7:57:47 AM
Time Spent: 00:15:28

Page 1

Q1 **No**

Are there programs or activities sponsored by the Housing Authority of Savannah, or facilities owned by the Housing Authority of Savannah, that you or someone you know cannot participate in or enjoy because of a disability?

Q2 **No**

Have you encountered any communication barriers within a Housing Authority of Savannah facility which prevented you from utilizing or participating in a program, service, or activity?

Q3 **No**

Do you or someone you know require visual interpretive services or assisted listening systems at the Housing Authority of Savannah's programs or public meetings?

Q4 **Horace Stillwell Towers**

Which Housing Authority of Savannah facility are you a tenant in or do you visit most often? (Check all that applies)

Q5
 Rate the following features of the Housing Authority of Savannah's facilities in order of importance to you from 1 to 5, with the most important as 1:

- | | |
|--|---|
| Public Restrooms | 4 |
| Parking | 5 |
| Pathway / Sidewalk | 3 |
| Dwelling Units | 1 |
| Common Use Areas (Meeting Rooms, Offices, Playgrounds) | 2 |

Q6 **Yes**

Is the Housing Authority of Savannah's website and phone system accessible to you?

Q7 **No**

Do you have difficulty maneuvering through Housing Authority of Savannah facilities, due to inaccessibility of walkways or ramps, such as broken / damaged concrete, missing circulation path(s), missing curb ramp(s), etc?

Q8 **No**

Have you experienced physical barriers to accessibility within a Housing Authority of Savannah dwelling unit?

Q9 **Yes**

Do you feel that the Housing Authority of Savannah provides adequate reasonable accommodations (changes to programs to accommodate a disability) to assist tenants or guests with disabilities?

Q10 **Yes**

Do you feel that the Housing Authority of Savannah provides adequate reasonable modifications (changes to the dwelling unit or common areas) to assist tenants and guests with disabilities?

Q11

What program, activity or facility improvements would promote accessibility to the Housing Authority of Savannah's programs, services, and facilities?

Access to HAS guest wifi, A full explanation on the protocol of what a tenet needs to do in order to have adjustments made or added to an apartment per doctors' order.,

Q12 **Tenant**

Are you a tenant, guest of a tenant, prospective tenant, or other?

Q13 **Yes, Ambulatory (requires the use of walker, crutches or other stability aids)**

Do you have a disability that limits one or more essential life functions? In order to better understand the above answers, please self identify.

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 30, 2024 9:57:53 AM
Last Modified: Friday, August 30, 2024 10:02:37 AM
Time Spent: 00:04:44

Page 1

Q1 **Yes,**
Are there programs or activities sponsored by the Housing Authority of Savannah, or facilities owned by the Housing Authority of Savannah, that you or someone you know cannot participate in or enjoy because of a disability? **If yes, please describe:**
Public Housing

Q2 **No**
Have you encountered any communication barriers within a Housing Authority of Savannah facility which prevented you from utilizing or participating in a program, service, or activity?

Q3 **No**
Do you or someone you know require visual interpretive services or assisted listening systems at the Housing Authority of Savannah's programs or public meetings?

Q4 **Other (please specify):**
Which Housing Authority of Savannah facility are you a tenant in or do you visit most often? (Check all that applies) **Kayton Homes**

Q5
Rate the following features of the Housing Authority of Savannah's facilities in order of importance to you from 1 to 5, with the most important as 1:

Public Restrooms	2
Parking	5
Pathway / Sidewalk	4
Dwelling Units	1
Common Use Areas (Meeting Rooms, Offices, Playgrounds)	3

Q6

Yes

Is the Housing Authority of Savannah's website and phone system accessible to you?

Q7

No

Do you have difficulty maneuvering through Housing Authority of Savannah facilities, due to inaccessibility of walkways or ramps, such as broken / damaged concrete, missing circulation path(s), missing curb ramp(s), etc?

Q8

Yes,

Have you experienced physical barriers to accessibility within a Housing Authority of Savannah dwelling unit?

If yes, please describe:

Mold in closet, bathroom in kitchen cabinets roofing leak falling down

Q9

No

Do you feel that the Housing Authority of Savannah provides adequate reasonable accommodations (changes to programs to accommodate a disability) to assist tenants or guests with disabilities?

Q10

No

Do you feel that the Housing Authority of Savannah provides adequate reasonable modifications (changes to the dwelling unit or common areas) to assist tenants and guests with disabilities?

Q11

What program, activity or facility improvements would promote accessibility to the Housing Authority of Savannah's programs, services, and facilities?

Roof and the mold

Q12

Tenant

Are you a tenant, guest of a tenant, prospective tenant, or other?

Q13

No

Do you have a disability that limits one or more essential life functions? In order to better understand the above answers, please self identify.

#6

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, October 01, 2024 4:54:33 AM
Last Modified: Tuesday, October 01, 2024 4:57:34 AM
Time Spent: 00:03:01

Page 1

Q1 **No**

Are there programs or activities sponsored by the Housing Authority of Savannah, or facilities owned by the Housing Authority of Savannah, that you or someone you know cannot participate in or enjoy because of a disability?

Q2 **No**

Have you encountered any communication barriers within a Housing Authority of Savannah facility which prevented you from utilizing or participating in a program, service, or activity?

Q3 **No**

Do you or someone you know require visual interpretive services or assisted listening systems at the Housing Authority of Savannah's programs or public meetings?

Q4 **Single Family Homes**

Which Housing Authority of Savannah facility are you a tenant in or do you visit most often? (Check all that applies)

Q5 **Respondent skipped this question**

Rate the following features of the Housing Authority of Savannah's facilities in order of importance to you from 1 to 5, with the most important as 1:

Q6 **Yes**

Is the Housing Authority of Savannah's website and phone system accessible to you?

Q7

No

Do you have difficulty maneuvering through Housing Authority of Savannah facilities, due to inaccessibility of walkways or ramps, such as broken / damaged concrete, missing circulation path(s), missing curb ramp(s), etc?

Q8

No

Have you experienced physical barriers to accessibility within a Housing Authority of Savannah dwelling unit?

Q9

No

Do you feel that the Housing Authority of Savannah provides adequate reasonable accommodations (changes to programs to accommodate a disability) to assist tenants or guests with disabilities?

Q10

Unsure

Do you feel that the Housing Authority of Savannah provides adequate reasonable modifications (changes to the dwelling unit or common areas) to assist tenants and guests with disabilities?

Q11

Respondent skipped this question

What program, activity or facility improvements would promote accessibility to the Housing Authority of Savannah's programs, services, and facilities?

Q12

Prospective Tenant

Are you a tenant, guest of a tenant, prospective tenant, or other?

Q13

No

Do you have a disability that limits one or more essential life functions? In order to better understand the above answers, please self identify.

**APPENDIX D:
TITLE II ADA COORDINATOR ROLE**

TITLE II ADA COORDINATOR ROLE IN STATE AND LOCAL GOVERNMENT

ADA Coordinator's Role

Title II of the ADA requires all state or local government entities with 50 or more employees to appoint a responsible person to coordinate the administrative requirements of ADA compliance and to respond to complaints filed by the public. The name and contact information for the responsible person is required to be publicly advertised. The ADA coordinator can be either a single individual or an office of the ADA Coordinator with more than one staff member, however the Title II requirements dictate that one individual's name be publicized.

[28 C.F.R. § 35.107]: A Title II entity with more than 50 employees must designate an ADA Coordinator who coordinates agency efforts to comply with and carry out the responsibilities of the ADA. The coordinator provides a single point of contact for members of the public about ADA and the agency. In order to ensure that individuals can easily identify the ADA Coordinator, the governmental agency must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals.

The ADA Coordinator facilitates compliance with the ADA and provides expertise regarding the American Disability Act and ADA Standards. The ADA coordinator receives and investigates complaints related to discrimination on the basis of disability.

Under 28 C.F.R. § 35.107, a grievance procedure is required for public entities of 50 or more employees. Title II entities are required to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by 28 C.F.R. § 35.

The drafters of the ADA modeled this position after the 504 Coordinator that had been required under the Rehabilitation Act. Title II of the ADA stipulates five major administrative duties:

1. Publicize the name and contact information of the designated ADA Coordinator responsible to oversee compliance;
2. Administer and write self-evaluation of the programmatic barriers in services offered by the state or local government;
3. Establish a complaint or grievance procedure to respond to complaints of noncompliance from the public;
4. Develop a transition plan if structural changes are necessary for achieving program accessibility; and
5. Retain the self-evaluation for three years.

While additional duties of an ADA Coordinator are not defined by law, the usual duties would require the attention of an experienced professional who can effectively handle a variety of responsibilities. The ADA coordinator should have a general understanding of the ADA and the legal requirements of the ADA. Duties most often include coordination and development of ongoing efforts for full ADA compliance, including administering ADA consultative services to agency/department management.

Other tasks may include:

- involvement in agency/department public outreach;
- developing processes for fulfillment of public requests for alternative formats, interpreting services and other communication access needs;
- coordinating and monitoring programmatic and physical barrier surveys and barrier removal;

- development of the required Transition Plan to remove accessibility barriers;
- assistance to the agency/department to facilitate policy formation and to review existing policies, such as reasonable accommodation for employees.
- establishing training programs for employees, including conducting training.

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**APPENDIX E:
NOTICE UNDER THE ADA (DOJ MODEL)**



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the **[name of public entity]** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: **[name of public entity]** does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: **[Name of public entity]** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **[name of public entity's]** programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: **[Name of public entity]** will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in **[name of public entity]** offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of **[name of public entity]**, should contact the office of ***[name and contact information for ADA Coordinator]*** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **[name of public entity]** to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of **[name of public entity]** is not accessible to persons with disabilities should be directed to ***[name and contact information for ADA Coordinator]***.

[Name of public entity] will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

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**APPENDIX F:
GRIEVANCE PROCEDURE (DOJ MODEL)**

[Name of public entity]
Grievance Procedure under
The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the **[name of public entity]**. The **[e.g. State, City, County, Town]**'s Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

[Insert ADA Coordinator's name]
ADA Coordinator [and other title if appropriate]
[Insert ADA Coordinator's mailing address]

Within 15 calendar days after receipt of the complaint, **[ADA Coordinator's name]** or **[his/her]** designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **[ADA Coordinator's name]** or **[his/her]** designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the **[name of public entity]** and offer options for substantive resolution of the complaint.

If the response by **[ADA Coordinator's name]** or **[his/her]** designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee.

Within 15 calendar days after receipt of the appeal, the **[City Manager/County Commissioner/ other appropriate high-level official]** or *[his/her]* designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **[City Manager/County Commissioner/ other appropriate high-level official]** or *[his/her]* designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by *[name of ADA Coordinator]* or *[his/her]* designee, appeals to the **[City Manager/County Commissioner/ other appropriate high-level official]** or *[his/her]* designee, and responses from these two offices will be retained by the **[public entity]** for at least three years.

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**APPENDIX G:
ACCESSIBILITY OF STATE AND LOCAL
GOVERNMENTS WEBSITES TO PEOPLE WITH
DISABILITIES**



Accessibility of State and Local Government Websites to People with Disabilities

The Internet is dramatically changing the way that American government serves the public. Taking advantage of new technology, many State and local governments are using the web to offer citizens a host of services including:

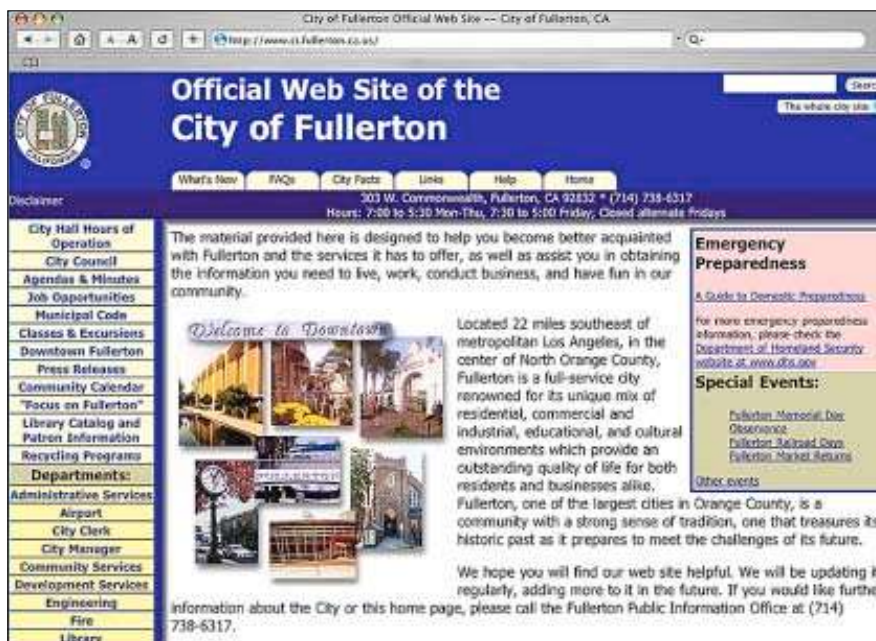
- corresponding online with local officials;
- providing information about government services;
- renewing library books or driver's licenses;
- providing tax information and accepting tax returns; and
- applying for jobs or benefits.

These government websites are important because they:

- allow programs and services to be offered in a more dynamic, interactive way, increasing citizen participation;
- increase convenience and speed in obtaining information or services;
- reduce costs in providing programs and information about government services;
- reduce the amount of paperwork; and
- expand the possibilities of reaching new sectors of the community or offering new programs.

When government is constantly being asked to do more with less, the Internet is playing a vital role in allowing government to better serve all of its citizens.

The Americans with Disabilities Act (ADA) and, if the government entities receive Federal funding, the Rehabilitation Act of 1973, generally require that State and local governments provide qualified individuals with disabilities equal access to their programs, services, or activities, unless doing so would fundamentally alter the nature of their programs, services, or activities or would impose an undue burden. One way to help meet these requirements is to ensure that government websites have accessible features for people with disabilities, using the simple steps described in this document. An agency with an inaccessible website may also meet its legal obligations by providing an alternative accessible way for citizens to use the programs or services, such as a staffed telephone information line. These



alternatives, however, are unlikely to provide an equal degree of access in terms of hours of operation and the range of options and programs available. For example, job announcements and application forms, if posted on an accessible website, would be available to people with disabilities 24 hours a day, 7 days a week.

Online Barriers Faced By People with Disabilities

Many people with disabilities use “assistive technology” to enable them to use computers and access the Internet. Blind people who cannot see computer monitors may use screen readers – devices that speak the text that would normally appear on a monitor. People who have difficulty using a computer mouse can use voice recognition software to control their computers with verbal commands. People with other types of disabilities may use still other kinds of assistive technology. New and innovative assistive technologies are being introduced every day.

Poorly designed websites can create unnecessary barriers for people with disabilities, just as poorly designed buildings prevent some from entering. Designers may not realize how simple features built into a web page will assist someone who, for instance, cannot see a computer monitor or use a mouse.

One example of a barrier would be a photograph of a Mayor on a town website with no text identifying it. Because screen readers cannot interpret images unless there is text associated with it, a blind person would have no way of knowing whether the image is an unidentified photo or logo, artwork, a link to another page, or something else. Simply adding a line of simple hidden computer code to label the photograph “Photograph of Mayor Jane Smith” will allow the blind user to make sense of the image.

Accessible Design Benefits Everyone

When accessible features are built into web pages, websites are more convenient and more available to everyone – including users with disabilities. Web designers can follow techniques developed by private and government organizations to make even complex web pages usable by everyone including people with disabilities. For most websites, implementing accessibility features is not difficult and will seldom change the layout or appearance of web pages. These techniques also make web pages more usable both by people using older computers and by people using the latest technologies (such as personal digital assistants, handheld computers, or web-enabled cellular phones).

With the rapid changes in the Internet and in assistive technologies used by people with disabilities to access computers, private and government organizations have worked to establish flexible guidelines for accessible web pages that permit innovation to continue.

Resources for Web Developers

To make web pages accessible, the web developer needs to know about web page features that can make a web page less accessible or more accessible. Information about such features is easily available and many software developers are adding tools to web development software to make it easier to make web pages accessible.

Two important resources provide guidance for web developers designing accessible web pages. One is the **Section 508 Standards**, which Federal agencies must follow for their own new web pages. To learn more about the Section 508 Standards:

- The Access Board maintains information on its website at www.access-board.gov and has a useful guide for web developers at www.access-board.gov/sec508/guide/1194.22.htm;

- The Department of Justice has information about accessible web page design in an April 2000 report to the President. This report is available at www.usdoj.gov/crt/508/report/content.htm, and
- The General Services Administration hosts an online course for web developers interested in accessible web design. This program was developed in conjunction with

the Access Board, the Department of Justice, and the Department of Education and provides an interactive demonstration of how to build accessible web pages. This course is available at www.section508.gov, which also provides information about the Federal government's initiative to make its electronic and information technology accessible to people with disabilities.

Voluntary Action Plan for Accessible Websites

- **Establish a policy that your web pages will be accessible** and create a process for implementation.
- **Ensure that all new and modified web pages and content are accessible:**
 - Check the HTML¹ of all new web pages. Make sure that accessible elements are used, including alt tags, long descriptions, and captions, as needed.
 - If images are used, including photos, graphics, scanned images, or image maps, make sure to include alt tags and/or long descriptions for each.
 - If you use online forms and tables, make those elements accessible.
 - When posting documents on the website, always provide them in HTML or a text-based format (even if you are also providing them in another format, such as Portable Document Format (PDF)).
- **Develop a plan for making your existing web content more accessible.** Describe your plan on an accessible web page. Encourage input on improvements, including which pages should be given high priority for change. Let citizens know about the standards or guidelines that are being used. Consider making the more popular web pages a priority.
- **Ensure that in-house staff and contractors responsible for web page and content development are properly trained.**
- **Provide a way for visitors to request accessible information or services by posting a telephone number or E-mail address on your home page.** Establish procedures to assure a quick response to users with disabilities who are trying to obtain information or services in this way.
- **Periodically enlist disability groups to test your pages for ease of use;** use this information to increase accessibility.

¹ Web pages are written using a language called HTML (or "hypertext markup language"). HTML is a "markup language" that tells a computer program (called a "browser") how information will appear or will be arranged on a computer screen. HTML tags are specific instructions understood by a web browser or screen reader.

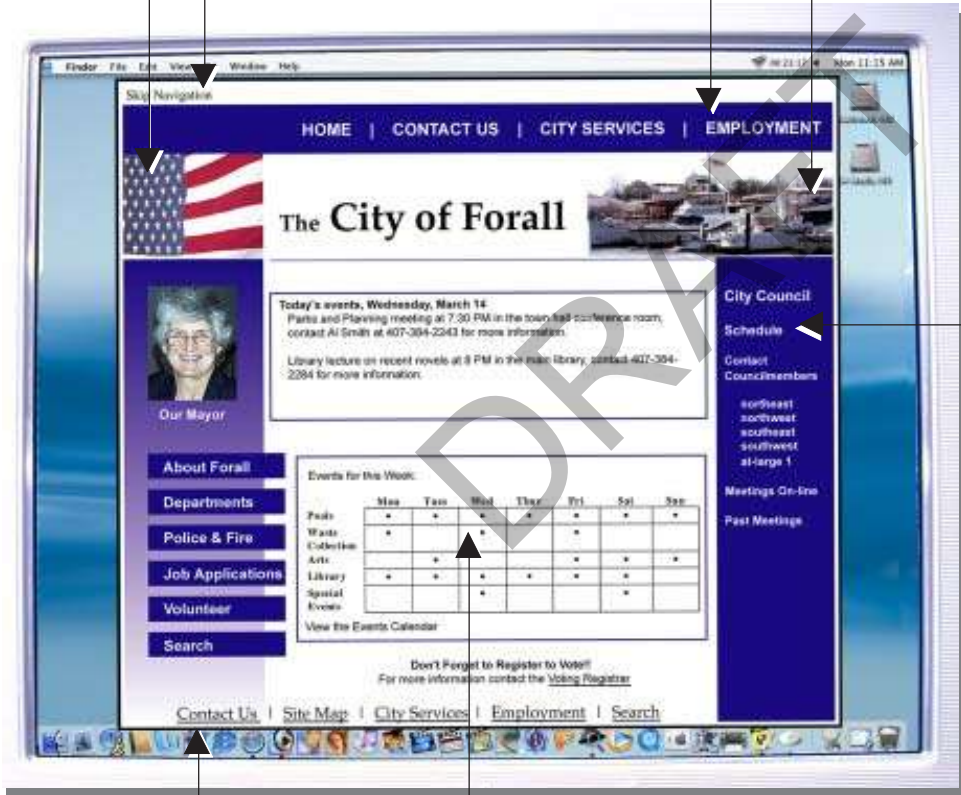
Examples of Accessible Features for Websites

All images and graphics need to have an alt tag or long description.

Use alt tags for image maps and for graphics associated with the image map so that a person using a screen reader will have access to the links and information.

When navigation links are used, people who use a screen reader must listen to all the links before proceeding. A skip navigation link provides a way to bypass the row of navigation links by jumping to the start of the web page content.

Some photos and images contain content that cannot be described with the limited text of an alt tag. Using a long description tag provides a way to have as much text as necessary to explain the image so it is accessible to a person using a screen reader but not visible on the web page.



Text links do not require any additional information or description if the text clearly indicates what the link is supposed to do. Links such as "click here" may confuse a user.

When tables with header and row identifiers are used to display information or data, the header and row information should be associated with each data cell by using HTML so a person using a screen reader can understand the information.

A link with contact information provides a way for users to request accessible services or to make suggestions.

Resources for Web Developers (continued)

A more comprehensive resource is the **Web Content Accessibility Guidelines** developed by the Web Accessibility Initiative. These guidelines help designers make web pages as accessible as possible to the widest range of users, including users with disabilities. The Web Accessibility Initiative is a subgroup of the World Wide Web Consortium — the same organization that standardizes the programming language followed by all web developers.

- Information for web developers interested in making their web pages as accessible as possible, including the current version of the **Web Content Accessibility Guidelines** (and associated checklists), can be found at www.w3c.org/WAI/Resources, and
- Information about the Web Accessibility Initiative can be found at www.w3c.org/WAI.

For More Information

Technical Information Regarding Web Accessibility

For technical assistance regarding Section 508 Standards and how to make web pages accessible to people with disabilities, please contact the Access Board:

800-872-2253 (voice)

800-993-2822 (TTY)

Information about the ADA

The Department of Justice provides technical assistance to help State and local governments understand and comply with the ADA. An important source of ADA information is the Department's ADA Home Page on the World Wide Web. This extensive website provides access to ADA regulations; all Department ADA technical assistance materials, including newly-released publications; proposed changes in the ADA regulations; and access to Freedom of Information Act materials, including technical assistance letters. The website also provides links to other Federal agencies with ADA responsibilities.

ADA Home Page -- www.ada.gov

In addition, the Department of Justice operates a toll-free ADA Information Line that provides access to ADA specialists during business hours.

ADA Information Line

800-514-0301 (voice)

800-514-0383 (TTY)

Reproduction

Reproduction of this document is encouraged.

June 2003

The Attorney General has determined that publication of this periodical is necessary in the transaction of the public business required by law of the Department of Justice.

**APPENDIX H:
ACCESSIBILITY SUMMARIES BY FACILITY**

Accessibility Summary Report

Facility / Building	Priority 1		Priority 2		Priority 3		Priority 4		Priority 5		Total	
	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items
Horace Stillwell Towers												
Horace Stillwell Towers	\$240,276	44	\$42,149	14	\$32,904	22	\$25,935	4			\$341,264	84
Subtotal	\$240,276	44	\$42,149	14	\$32,904	22	\$25,935	4			\$341,264	84
Pickens Patterson Terrace												
Pickens Patterson Terrace	\$306,822	38	\$75,944	6	\$47,006	11	\$17,865	1			\$447,637	56
Subtotal	\$306,822	38	\$75,944	6	\$47,006	11	\$17,865	1			\$447,637	56
Simon Frazier Homes												
Simon Frazier Homes	\$424,947	62	\$82,578	13	\$111,161	45	\$2,978	1			\$621,664	121
Subtotal	\$424,947	62	\$82,578	13	\$111,161	45	\$2,978	1			\$621,664	121
Single Family Homes												
Single Family Homes	\$82,872	14	\$44,466	10	\$20,646	8	\$1,225	2			\$149,209	34
Subtotal	\$82,872	14	\$44,466	10	\$20,646	8	\$1,225	2			\$149,209	34
Yamacraw Village												
Yamacraw Village	\$1,495,520	68	\$106,574	12	\$232,671	22	\$6,948	2			\$1,841,714	104
Subtotal	\$1,495,520	68	\$106,574	12	\$232,671	22	\$6,948	2			\$1,841,714	104
Grand Total	\$2,550,436	226	\$351,712	55	\$444,389	108	\$54,950	10			\$3,401,487	399

**APPENDIX I:
BARRIERS BY TRANSITION PHASE**

PHASE ONE BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407619	Horace Stillwell Towers	From PROW	Exterior Accessi	1	A compliant accessible route is not provided from the public access to the amenity.	\$20,000
407620	Horace Stillwell Towers	To Public Transportation	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$3,000
407621	Horace Stillwell Towers	Curb Ramp 1	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407622	Horace Stillwell Towers	P1-C	Parking Space -	1	The slope of the parking space is greater than 1:50 (2%).	\$7,875
407623	Horace Stillwell Towers	P1-F	Parking Space-C	1	The access aisle slope is greater than 1:50 (2%).	\$12,500
407624	Horace Stillwell Towers	P1-E	Parking Space-C	1	The access aisle slope is greater than 1:50 (2%).	\$6,250
407625	Horace Stillwell Towers	P1-C	Parking Space -	1	Signage is not located at the required height for the standard accessible space.	\$350
407626	Horace Stillwell Towers	P1-A and B	Parking Space -	1	The slope of the parking space is greater than 1:50 (2%).	\$15,750
407627	Horace Stillwell Towers	P1-A/B	Parking Space -	1	The access aisle slope is greater than 1:50 (2%).	\$6,250
407628	Horace Stillwell Towers	P1-A/B	Parking Space-C	1	The access aisle does not adjoin an accessible route.	\$6,250
407629	Horace Stillwell Towers	Curb Ramp 1	Curb Ramp	1	The curb ramp has openings in the ground surface greater than 1/2" wide.	\$200
407630	Horace Stillwell Towers	Parking Lot 1	Parking Space-V	1	Compliant signage is not provided at the van stall.	\$700
407632	Horace Stillwell Towers	Main Entrance to south	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$29,500
407633	Horace Stillwell Towers	Smoking Area	Bus Shelter	1	The bus stop shelter is not compliant.	\$300
407634	Horace Stillwell Towers	Smoking Area	Exterior Accessi	1	A compliant turning space is not provided at a change of direction.	\$625
407635	Horace Stillwell Towers	South side to Rear of Building	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$4,000
407637	Horace Stillwell Towers	Entrance 2	Building Entranc	1	The maneuvering clearance at the accessible door is not level and clear.	\$1,563
407638	Horace Stillwell Towers	Entrance 3	Building Entranc	1	The maneuvering clearance at the accessible door is not level and clear.	\$1,563
407639	Horace Stillwell Towers	Curb Ramp 2	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407640	Horace Stillwell Towers	Curb Ramp 2 to Dumpsters	Exterior Accessi	1	The accessible route has gaps in the surface greater than 1/2" wide.	\$150
407641	Horace Stillwell Towers	Curb Ramp 3	Curb Ramp	1	A curb ramp is not provided where the accessible route crosses a curb.	\$2,188
407642	Horace Stillwell Towers	P1-G	Parking Space -	1	GEORGIA: The accessible car stall signage is not compliant.	\$350
407643	Horace Stillwell Towers	P1-G/H	Parking Space -	1	The access aisle is less than 60" wide.	\$525
407644	Horace Stillwell Towers	P1-H	Parking Space -	1	The access aisle is less than 60" wide.	\$525
407645	Horace Stillwell Towers	Parking Lot 1	Parking Space-C	1	Accessible car aisle markings do not define the aisle width.	\$4,200
407646	Horace Stillwell Towers	Front Foyer	Floor Surface	1	Floor surfaces are not firm, stable or slip resistant	\$2,500
407659	Horace Stillwell Towers	All Mobility Units (Except 403,	Door- Exterior E	1	A vision scope is not provided in the primary entry door of a communication accessi	\$2,930
407690	Horace Stillwell Towers	Elevator	Elevator	1	The re-opening device is not compliant.	\$8,050
407692	Horace Stillwell Towers	Trash Room	Door	1	The accessible door with door closer has a sweep period of less than 5 seconds from	\$1,373
407693	Horace Stillwell Towers	Trash Room	Door	1	The pull side of the accessible door does not have the required maneuvering clearar	\$4,688

PHASE ONE BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407696	Horace Stillwell Towers	Stair Doors	Door	1	The accessible door with door closer has a sweep period of less than 5 seconds from	\$4,575
407697	Horace Stillwell Towers	Stairways	Protruding Obje	1	Protruding objects obstruct the required clear width of the accessible route.	\$1,250
407698	Horace Stillwell Towers	Stairways	Stairs	1	Handrails are not compliant.	\$4,890
407699	Horace Stillwell Towers	Stairways	Stairs	1	Handrail extensions are not compliant.	\$8,150
407700	Horace Stillwell Towers	Stairways	Stairs	1	Handrails are not compliant.	\$65,200
407708	Horace Stillwell Towers	North Stairwell Exit	Building Entranc	1	The accessible door with door closer has a sweep period of less than 5 seconds from	\$458
407709	Horace Stillwell Towers	North Stairwell Exit	Door	1	The threshold at the accessible door is greater than ½" in height.	\$224
407724	Horace Stillwell Towers	Community Room	Controls And Dis	1	The height of controls throughout the common area are not compliant.	\$3,750
407727	Horace Stillwell Towers	Managers Office	Door	1	The accessible door with door closer has a sweep period of less than 5 seconds from	\$458
407729	Horace Stillwell Towers	Managers Office	Door	1	The hardware at the accessible door (including sliding doors - both sides) requires ti	\$366
407730	Horace Stillwell Towers	Managers Office	Door	1	The hardware at the accessible door (including sliding doors - both sides) requires ti	\$366
407731	Horace Stillwell Towers	Managers Office	Interior Access F	1	Clear widths at turning area are less than 60" minimum.	\$250
407732	Horace Stillwell Towers	Managers Office	Interior Access F	1	The width of the accessible route is less than 36".	\$250
407733	Horace Stillwell Towers	Vestibule Entry	Door	1	The pull side of the accessible door does not have the required maneuvering clearar	\$1,563
407538	Pickens Patterson Terrace	To Play Area	Exterior Accessi	1	The accessible route has gaps in the surface greater than 1/2" wide.	\$600
407540	Pickens Patterson Terrace	Curb Ramp 1	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407541	Pickens Patterson Terrace	Curb Ramp 1	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the r	\$1,611
407542	Pickens Patterson Terrace	Walkway 1	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$12,500
407543	Pickens Patterson Terrace	Curb Ramp 2	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407544	Pickens Patterson Terrace	Curb Ramp 2	Curb Ramp	1	A landing at the top of the curb ramp is not present.	\$1,611
407545	Pickens Patterson Terrace	Curb Ramp 4	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407546	Pickens Patterson Terrace	Curb Ramp 4	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the r	\$1,611
407547	Pickens Patterson Terrace	Walkway 2	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$2,500
407548	Pickens Patterson Terrace	Throughout Site	Exterior Accessi	1	Sidewalk has areas of vertical level changes in excess of 1/4" that are not ramped.	\$2,500
407549	Pickens Patterson Terrace	All Mobility Units	Parking Space-V	1	GEORGIA: The accessible van stall signage is not compliant.	\$15,000
407550	Pickens Patterson Terrace	All Mobility Units	Parking Space-V	1	The parking space slope is greater than 1:50 (2%).	\$47,250
407551	Pickens Patterson Terrace	Unit 271	Ramp	1	The ramp is required but not provided.	\$12,330
407552	Pickens Patterson Terrace	Unit 271	Exterior Accessi	1	Sidewalk has areas of vertical level changes in excess of 1/4" that are not ramped.	\$125
407555	Pickens Patterson Terrace	All Mobility Units	Building Entranc	1	The space between two doors in a series is less than 48".	\$39,000
407572	Pickens Patterson Terrace	All Mobility Units	Door	1	The pull side of the accessible door does not have the required maneuvering clearar	\$9,375

PHASE ONE BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407573	Pickens Patterson Terrace	271 to 273	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$4,955
407574	Pickens Patterson Terrace	Unit 273	Ramp	1	The ramp is required but not provided.	\$12,330
407577	Pickens Patterson Terrace	Unit 283	Ramp	1	The ramp is required but not provided.	\$15,413
407583	Pickens Patterson Terrace	Unit 323	Ramp	1	The ramp is required but not provided.	\$49,650
407600	Pickens Patterson Terrace	Curb Ramp 7	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407601	Pickens Patterson Terrace	Curb Ramp 7	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the r	\$3,223
407602	Pickens Patterson Terrace	Curb Ramp 8	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407603	Pickens Patterson Terrace	Curb Ramp 6	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407604	Pickens Patterson Terrace	Curb Ramp 6	Curb Ramp	1	The curb ramp has openings in the ground surface greater than 1/2" wide.	\$0
407605	Pickens Patterson Terrace	Curb Ramp 6 to Unit 183	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$3,750
407606	Pickens Patterson Terrace	Curb Ramp 6 to Circle	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$3,750
407607	Pickens Patterson Terrace	All Mobility Units - Unit Back P	Building Entranc	1	The maneuvering clearance at the accessible door is not level and clear.	\$9,375
407608	Pickens Patterson Terrace	To Clothes Lines	Exterior Accessi	1	A compliant accessible route is not provided from the public access to the amenity.	\$8,064
407609	Pickens Patterson Terrace	Curb Ramp 5	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407610	Pickens Patterson Terrace	Curb Ramp 9 to Unit 323	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$1,875
407611	Pickens Patterson Terrace	Curb Ramp 9	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407612	Pickens Patterson Terrace	Curb Ramp 9	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the r	\$1,611
407613	Pickens Patterson Terrace	Unit 323	Exterior Accessi	1	The accessible route running slope is greater than 1:20 (5%).	\$3,000
407615	Pickens Patterson Terrace	To PROW	Curb Ramp	1	A curb ramp is not provided where the accessible route crosses a curb.	\$13,125
407616	Pickens Patterson Terrace	To PROW	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$10,000
407617	Pickens Patterson Terrace	To PROW	Exterior Accessi	1	The accessible route has areas of vertical level changes in excess of 1/4" that are no	\$1,000
407618	Pickens Patterson Terrace	Curb Ramp 10	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
412668	Single Family Homes	29 Bridgestone	Parking Space-C	1	The slope of the standard car parking space is greater than 1:50 (2%).	\$23,625
412671	Single Family Homes	Throughout the Site	Exterior Accessi	1	The accessible route has gaps in the surface greater than 1/2" wide.	\$1,586
412675	Single Family Homes	To PROW	Curb Ramp	1	A curb ramp is not provided where the accessible route crosses a curb.	\$2,188
412676	Single Family Homes	Curb Ramp 3	Curb Ramp	1	A curb ramp is not provided where the accessible route crosses a curb.	\$2,188
412677	Single Family Homes	Curb Ramp 1, 10 and11	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$6,563
412678	Single Family Homes	Curb Ramp 1 thru 11	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the r	\$17,724
412679	Single Family Homes	Walkway 1	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$2,000
412680	Single Family Homes	At Driveway Crossings	Exterior Accessi	1	The accessible route has greater than 1:20 (5%) running slope and 1:50 (2%) cross sl	\$6,000

PHASE ONE BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
412681	Single Family Homes	Bridgestone Sidewalk	Exterior Accessi	1	The walkway has areas with greater than 1:20 (5%) running slope.	\$5,000
412682	Single Family Homes	Throughout Site	Exterior Accessi	1	In areas along the route there are level changes of 1/2" or greater that are not ramp	\$2,000
412683	Single Family Homes	Near Curb Ramp 6	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$1,000
412684	Single Family Homes	Throughout Site	Exterior Accessi	1	Sidewalk less than 60" wide does not have passing spaces at 200" maximum interval	\$1,000
412685	Single Family Homes	Sebring Sidewalk	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$2,000
412686	Single Family Homes	To Mailboxes	Exterior Accessi	1	The accessible route has cross slopes greater than 1:50 (2%).	\$10,000
					Total Barriers: 96, Total Cost: \$629,970	

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PHASE TWO BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407381	Simon Frazier Homes	Curb Ramp 1	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407382	Simon Frazier Homes	Parking Lot 1	Parking Space - Van	1	The van access aisle is less than 96" wide where the van stall is less than 132" wide.	\$525
407383	Simon Frazier Homes	Parking Lot 1	Parking Space - Van	1	GEORGIA: The accessible van stall signage is not compliant.	\$350
407384	Simon Frazier Homes	Curb Ramp 1	Curb Ramp	1	The landing at the top of the curb ramp is not a compliant size.	\$1,611
407385	Simon Frazier Homes	Ramp 1	Ramp	1	The ramp has a running slope in excess of 1:12 (8.33%) and/or cross slope in excess of 1:50 (2%).	\$12,413
407386	Simon Frazier Homes	Ramp 1	Ramp	1	The handrail height is not compliant.	\$6,928
407387	Simon Frazier Homes	Management Office -	Exterior Access Route	1	The accessible route is less than 36" wide.	\$25
407388	Simon Frazier Homes	Management Office -	Stairs	1	Steps do not have uniform riser heights and tread widths.	\$1,721
407389	Simon Frazier Homes	Stair 1	Stairs	1	Handrails are not compliant or are not provided.	\$1,223
407390	Simon Frazier Homes	Office Entrance	Building Entrance - Door	1	The pull side of the accessible door does not have the required maneuvering clearance.	\$1,563
407393	Simon Frazier Homes	Office	Exterior Accessible Route	1	The accessible route has cross slopes greater than 1:50 (2%).	\$12,500
407394	Simon Frazier Homes	Curb Ramp 2	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407395	Simon Frazier Homes	Curb Ramp 2	Curb Ramp	1	A landing at the top of the curb ramp is not present.	\$1,611
407396	Simon Frazier Homes	Stair 2	Stairs	1	Steps do not have uniform and compliant riser heights and/or tread depths.	\$1,148
407397	Simon Frazier Homes	Management Office -	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is greater than 1:50 (2%).	\$1,000
407398	Simon Frazier Homes	Stair 2	Stairs	1	Handrails are not compliant or are not provided.	\$815
407399	Simon Frazier Homes	Basketball Court and S	Exterior Accessible Route	1	A compliant accessible route is not provided from the public access to the amenity.	\$12,500
407400	Simon Frazier Homes	Basketball Court	Exterior Accessible Route	1	The accessible route has gaps in the surface greater than 1/2" wide.	\$2,500
407401	Simon Frazier Homes	Throughout Complex	Curb Ramp	1	A curb ramp is not provided where the accessible route crosses a curb.	\$13,125
407402	Simon Frazier Homes	Throughout Complex	Exterior Accessible Route	1	Sidewalk has areas of vertical level changes in excess of 1/4" that are not ramped.	\$5,000
407403	Simon Frazier Homes	Throughout Complex	Exterior Accessible Route	1	The accessible route has gaps in the surface greater than 1/2" wide.	\$2,240
407405	Simon Frazier Homes	Playground	Exterior Accessible Route	1	A compliant accessible route is not provided from the public access to the amenity.	\$4,000
407414	Simon Frazier Homes	All Mobility Units	Building Entrance-Door	1	The space between two doors in a series is less than 48".	\$78,000
407456	Simon Frazier Homes	Unit 517 A Emerald	Exterior Accessible Route	1	The opening in the walking surface is more than 1/2" wide and/or is not oriented perpendicular to the path.	\$125
407460	Simon Frazier Homes	Courtyard to 1108A	Ramp	1	The ramp has a running slope in excess of 1:12 (8.33%) and/or cross slope in excess of 1:50 (2%).	\$4,965
407461	Simon Frazier Homes	Parking to 1108A and	Ramp	1	The ramp is required but not provided.	\$16,440
407462	Simon Frazier Homes	Parking to 1108A	Exterior Accessible Route	1	The walkway has areas with greater than 1:20 (5%) running slope.	\$750
407470	Simon Frazier Homes	Management Office	Door	1	The pull side of the accessible door does not have the required maneuvering clearance.	\$1,563
407471	Simon Frazier Homes	Management Office	Door	1	The accessible door with door closer has a sweep period of less than 5 seconds from the closed position.	\$458
407495	Simon Frazier Homes	Curb Ramp 3 - From M	Curb Ramp	1	A curb ramp is not provided where the accessible route crosses a curb.	\$2,188

PHASE TWO BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407496	Simon Frazier Homes	Walkway 1	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is gr	\$10,000
407497	Simon Frazier Homes	Walkway 2	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is gr	\$6,000
407498	Simon Frazier Homes	Walkway 3	Exterior Accessible Route	1	The accessible route has cross slopes greater than 1:50 (2%).	\$1,000
407499	Simon Frazier Homes	Mailboxes	Exterior Accessible Route	1	A compliant accessible route is not provided from the public access to the amenity.	\$12,500
407500	Simon Frazier Homes	Courtyard to 608A	Ramp	1	The ramp has a running slope in excess of 1:12 (8.33%) and/or cross slope in excess	\$4,965
407501	Simon Frazier Homes	All 2 Story Buildings	Exterior Accessible Route	1	The sidewalk does not have 80" vertical clearance.	\$71,933
407503	Simon Frazier Homes	Mobility Accessible Ur	Exterior Accessible Route	1	A compliant accessible route is not provided from the public access to the amenity.	\$2,688
407505	Simon Frazier Homes	Residents Parking Lots	Parking Spaces-General	1	The required minimum number of accessible parking spaces is not provided.	\$7,200
407506	Simon Frazier Homes	Walkway 4	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is gr	\$5,000
407508	Simon Frazier Homes	Walkway 5	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is gr	\$9,000
407510	Simon Frazier Homes	Curb Ramp 7	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407513	Simon Frazier Homes	Curb Ramp 8	Curb Ramp	1	A compliant parallel curb ramp is not provided.	\$2,188
407514	Simon Frazier Homes	Curb Ramp 8	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the m	\$1,611
407515	Simon Frazier Homes	Walkway 6	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is gr	\$8,000
407516	Simon Frazier Homes	Curb Ramp 10	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407517	Simon Frazier Homes	Walkway 7	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is gr	\$10,000
407518	Simon Frazier Homes	Parking to 1008A	Ramp	1	The ramp is required but not provided.	\$30,825
407519	Simon Frazier Homes	Curb Ramp 11	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407520	Simon Frazier Homes	Walkway 8	Exterior Accessible Route	1	The accessible route has cross slopes greater than 1:50 (2%).	\$5,000
407521	Simon Frazier Homes	Curb Ramp 12	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407522	Simon Frazier Homes	Curb Ramp 13	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407523	Simon Frazier Homes	Curb Ramp 14	Curb Ramp	1	A compliant parallel curb ramp is not provided.	\$2,188
407524	Simon Frazier Homes	Walkway 9	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is gr	\$6,000
407525	Simon Frazier Homes	Curb Ramp 17	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407526	Simon Frazier Homes	Curb Ramp 18	Curb Ramp	1	A compliant parallel curb ramp is not provided.	\$2,188
407527	Simon Frazier Homes	Walkway 10	Exterior Access Route	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is gr	\$8,000
407528	Simon Frazier Homes	Curb Ramp 20	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407529	Simon Frazier Homes	Curb Ramp 19	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
407530	Simon Frazier Homes	Curb Ramp 19	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the m	\$1,611
407531	Simon Frazier Homes	Curb Ramp 21	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188

PHASE TWO BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407532	Simon Frazier Homes	Ramp 2	Ramp	1	The ramp run has a rise greater than 6"; however, handrails are not provided.	\$4,075
407533	Simon Frazier Homes	Stair 3	Stairs	1	Handrails are not compliant or are not provided.	\$1,630
					Total Barriers: 62, Total Cost: \$424,947	

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PHASE THREE BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
424245	Yamacraw Village	2 and 3 bedroom units	Residential Unit	1	HUD 504: Less than the required number of accessible units are provided.	\$1,093,750
413295	Yamacraw Village	Unit 251 to Unit 261	Exterior Accessible Rou	1	The accessible route has cross slopes greater than 1:50 (2%).	\$12,500
413297	Yamacraw Village	Throughout Site	Exterior Accessible Rou	1	The accessible route has areas of vertical level changes in excess of 1/4" that are n	\$2,500
413298	Yamacraw Village	Unit 251	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413299	Yamacraw Village	Unit 251	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the	\$1,611
413300	Yamacraw Village	Unit 251	Exterior Accessible Rou	1	The accessible route has cross slopes greater than 1:50 (2%).	\$1,600
413301	Yamacraw Village	Unit 251	Ramp	1	The ramp does not have a level landing at the top and/or bottom of each run.	\$4,138
413302	Yamacraw Village	Unit 251	Ramp	1	The ramp run has a rise greater than 6" and/or extends more than 72" horizontally	\$5,298
413304	Yamacraw Village	Curb Ramp 1	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413305	Yamacraw Village	Curb Ramp 1	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the	\$1,611
413306	Yamacraw Village	Curb Ramp 2	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413307	Yamacraw Village	Curb Ramp 2	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the	\$1,611
413308	Yamacraw Village	Unit 261	Exterior Accessible Rou	1	The accessible route has cross slopes greater than 1:50 (2%).	\$634
413309	Yamacraw Village	Unit 261	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413310	Yamacraw Village	Unit 261	Ramp	1	The ramp does not have a level landing at the top and/or bottom of each run.	\$4,138
413311	Yamacraw Village	Unit 361	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413312	Yamacraw Village	Unit 361 to PROW	Exterior Accessible Rou	1	The accessible route has cross slopes greater than 1:50 (2%).	\$1,982
413313	Yamacraw Village	Unit 361 to PROW	Curb Ramp	1	A curb ramp is not provided where the accessible route crosses a curb.	\$2,188
413314	Yamacraw Village	Unit 361	Ramp	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes gre	\$16,550
413317	Yamacraw Village	Curb Ramp 3	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413318	Yamacraw Village	Curb Ramp 3	Curb Ramp	1	A landing at the top of the curb ramp is not present.	\$1,611
413319	Yamacraw Village	From CR3 to Unit 351	Exterior Accessible Rou	1	The accessible route has cross slopes greater than 1:50 (2%).	\$10,625
413320	Yamacraw Village	Unit 351	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413321	Yamacraw Village	Unit 351	Ramp	1	The ramp does not have a level landing at the top and/or bottom of each run.	\$4,363
413322	Yamacraw Village	Curb Ramp 4	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413323	Yamacraw Village	Curb Ramp 4	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the	\$1,611
413324	Yamacraw Village	Curb Ramp 4 to PROW	Exterior Accessible Rou	1	The accessible route has cross slopes greater than 1:50 (2%).	\$12,500
413325	Yamacraw Village	Unit 341	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413326	Yamacraw Village	Unit 341	Ramp	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes gre	\$13,240
413327	Yamacraw Village	Curb Ramp 5	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188

PHASE THREE BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
413328	Yamacraw Village	Curb Ramp 5	Curb Ramp	1	The curb ramp surface has vertical height changes greater than 1/4" that are not ra	\$2,188
413329	Yamacraw Village	From Curb Ramp 5 to Ma	Exterior Accessible Rou	1	The accessible route has cross slopes greater than 1:50 (2%).	\$1,250
413330	Yamacraw Village	Mailboxes	Exterior Accessible Rou	1	A compliant accessible route is not provided from the public access to the amenity	\$625
413331	Yamacraw Village	Mailboxes	Curb Ramp	1	A curb ramp is not provided where the accessible route crosses a curb.	\$2,188
413333	Yamacraw Village	All Mobility Units	Exterior Accessible Rou	1	A compliant accessible route is not provided from the public access to the amenity	\$33,750
413334	Yamacraw Village	Curb Ramp 8	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413336	Yamacraw Village	Curb Ramp 7	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413340	Yamacraw Village	Playground	Exterior Accessible Rou	1	A compliant accessible route is not provided from the public access to the amenity	\$3,000
413342	Yamacraw Village	Curb Ramp 6	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413343	Yamacraw Village	Leasing Office	Building Entrance - Doc	1	The maneuvering clearance at the accessible door is not level and clear.	\$1,563
413346	Yamacraw Village	Curb Ramp 9	Curb Ramp	1	The curb ramp does not meet the slope requirements.	\$2,188
413347	Yamacraw Village	Curb Ramp 9	Curb Ramp	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the	\$1,611
413348	Yamacraw Village	Parking Lot 1	Parking Space - Van	1	GEORGIA: The accessible van stall signage is not compliant.	\$350
413349	Yamacraw Village	Parking Lot 1	Parking Space-Van	1	Accessible van stall markings do not define the stall width.	\$1,575
413350	Yamacraw Village	Parking Lot 1-A	Parking Space-Van	1	The van stall and/or access aisle has openings in ground surfaces greater than 1/2"	\$450
413351	Yamacraw Village	Parking Lot 1-B	Parking Space - Car	1	The slope of the parking space is greater than 1:50 (2%).	\$7,875
413352	Yamacraw Village	Parking Lot 1	Parking Space - Van	1	The van access aisle is less than 96" wide where the van stall is less than 132" wide	\$525
413353	Yamacraw Village	Parking Lot 2	Parking Space - Van	1	A van access aisle is not provided.	\$1,050
413354	Yamacraw Village	Parking Lot 2	Parking Space - Car	1	GEORGIA: The accessible car stall signage is not compliant.	\$350
413355	Yamacraw Village	Parking Lot 2	Parking Space-Van	1	Accessible van stall markings do not define the stall width.	\$2,625
413356	Yamacraw Village	Parking Lot 2	Parking Space - Car	1	Signage is not located at the required height for the standard accessible space.	\$700
413359	Yamacraw Village	Leasing Office	Controls And Dispense	1	Controls throughout the common area are not compliant.	\$1,406
413360	Yamacraw Village	Leasing Office	Interior Access Route	1	The width of the accessible route is less than 36".	\$1,000
413373	Yamacraw Village	Leasing Office	Interior Access Route	1	The interior accessible route has non-compliant slopes.	\$2,483
413376	Yamacraw Village	Leasing Office	Controls And Dispense	1	The height of controls throughout the common area are not compliant.	\$200
413379	Yamacraw Village	All Mobility Units	Controls And Dispense	1	The height of controls throughout the common area are not compliant.	\$5,625
413385	Yamacraw Village	All Mobility Units	Controls And Dispense	1	The height of controls throughout the common area are not compliant.	\$16,875
413394	Yamacraw Village	All Mobility Units	Head Room	1	The height of the interior accessible route is less than 80" AFF.	\$17,190
413399	Yamacraw Village	Unit 261	Ramp	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes gre	\$18,205
413400	Yamacraw Village	Unit 566	Ramp	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes gre	\$24,825

PHASE THREE BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
413401	Yamacraw Village	Unit 561	Ramp	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes gre	\$19,860
413402	Yamacraw Village	Unit 351	Ramp	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes gre	\$18,205
413403	Yamacraw Village	Unit 361	Ramp	1	The ramp run has a rise greater than 6" and/or extends more than 72" horizontally	\$10,188
413404	Yamacraw Village	Next to 351	Parking Space - Car	1	GEORGIA: The accessible car stall signage is not compliant.	\$1,050
413405	Yamacraw Village	Next to 351	Parking Space - Car	1	The slope of the parking space is greater than 1:50 (2%).	\$23,625
413406	Yamacraw Village	Next to 351	Parking Space - Van	1	A van access aisle is not provided.	\$1,050
413407	Yamacraw Village	Unit 561 and 461	Ramp	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes gre	\$41,375
413408	Yamacraw Village	To rear entrances 561 ar	Exterior Accessible Rou	1	Sidewalk does not meet the 36" minimum clear width requirement (60" minimum	\$6,000
					Total Barriers: 68, Total Cost: \$1,495,520	\$0

PHASE FOUR BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407631	Horace Stillwell Towers	At Entrance 3 Opener	Exterior Accessible Rou	2	Clear ground space is not provided at the operable part.	\$300
407636	Horace Stillwell Towers	Pavilion	Picnic Table	2	The picnic table does not allow a clear space for forward wheelchair approach with	\$1,625
407672	Horace Stillwell Towers	Unit 407 and 507 AV	Communication Unit	2	The communication accessible unit does not have compliant components.	\$15,000
407678	Horace Stillwell Towers	Unit 403 and 408	Restroom/Bathroom-L	2	All exposed pipes at accessible lavatories lack insulation and/or sharp or abrasive s	\$163
407694	Horace Stillwell Towers	Trash Room	Door	2	The bottom of the door vision light is higher than 43" and less than 66".	\$9,750
407695	Horace Stillwell Towers	Hallways	Reach Range	2	Items requiring an unobstructed side reach motion are higher than 48" maximum a	\$698
407701	Horace Stillwell Towers	Stairways	Signage	2	Tactile means of egress signage is not provided at the latch side of the door. (Appli	\$1,100
407704	Horace Stillwell Towers	Trash Room	Reach Range	2	Items requiring an unobstructed side reach motion are higher than 48" maximum a	\$1,875
407706	Horace Stillwell Towers	Laundry Room	Door	2	The surface of the swinging door within 10 inches of the finish floor or ground for t	\$116
407707	Horace Stillwell Towers	Laundry Room	Interior Access Route	2	The vending machines have operable parts which are not within reach range.	\$8,135
407711	Horace Stillwell Towers	Community Room	Sink	2	The sink rim is higher than 34", and does not have knee and toe clearance (does no	\$900
407713	Horace Stillwell Towers	Community Room	Reach Range	2	Items requiring an unobstructed side reach motion are higher than 48" maximum a	\$116
407725	Horace Stillwell Towers	Lobby	Interior Access Route	2	The sales or service counter does not have an accessible portion with maximum 36	\$2,256
407728	Horace Stillwell Towers	Managers Office	Door	2	The surface of the swinging door within 10 inches of the finish floor or ground for t	\$116
424085	Pickens Patterson Terrace	Communication Units	Communication Unit	2	The communication accessible unit does not have compliant components.	\$30,000
407539	Pickens Patterson Terrace	Mailboxes	Exterior Accessible Rou	2	Clear ground space is not provided at the operable part.	\$300
407557	Pickens Patterson Terrace	All Mobility Units	Kitchen Cabinets	2	The kitchen cabinet shelving, shelf areas, and drawers are not within reach range.	\$9,563
407559	Pickens Patterson Terrace	All Mobility Units	Reach Range	2	Operable parts or items requiring an unobstructed side reach motion are higher th	\$9,750
407562	Pickens Patterson Terrace	All Mobility Units	Reach Range	2	Operable parts or items requiring an unobstructed forward reach motion are highe	\$26,250
407588	Pickens Patterson Terrace	Unit 323	Restroom/Bathroom-L	2	All exposed pipes at accessible lavatories lack insulation and/or sharp or abrasive s	\$81
407391	Simon Frazier Homes	Office Entrance	Reach Range	2	Operable parts or items requiring an obstructed side reach motion are higher than	\$500
407392	Simon Frazier Homes	Office Entrance	Reach Range	2	Operable parts or items requiring an obstructed side reach motion are higher than	\$625
407404	Simon Frazier Homes	Playground	Gate	2	The gate does not have a smooth surface within 10" of the ground.	\$400
407406	Simon Frazier Homes	Communication Units	Communication Unit	2	Less than 2% of the total number of residential units are communication units.	\$5,000
407413	Simon Frazier Homes	All Mobility Units	Kitchen Cabinets	2	The kitchen cabinet shelving, shelf areas, and drawers are not within reach range.	\$6,375
407415	Simon Frazier Homes	All Mobility Units	Operable Part	2	The operable parts are mounted higher than 54" for a side approach or higher than	\$3,000
407431	Simon Frazier Homes	All Mobility Unit Entranc	Building Entrance-Door	2	The space between two doors in a series is less than 48".	\$39,000
407432	Simon Frazier Homes	All Mobility Units	Building Entrance-Door	2	The hardware at the accessible door is not compliant.	\$4,395
407444	Simon Frazier Homes	All Mobility Units	Door	2	The maneuvering clearance at the door is not compliant.	\$18,750
407463	Simon Frazier Homes	Unit 1206A West Broad	Building Entrance-Door	2	The hardware at the accessible door is not compliant.	\$366

PHASE FOUR BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407468	Simon Frazier Homes	Management Office	Interior Access Route	2	The service counter does not have 36" wide section that is 36" maximum above fin	\$2,256
407493	Simon Frazier Homes	Management Office	Reach Range	2	Items requiring an unobstructed side reach motion are higher than 48" maximum a	\$349
407512	Simon Frazier Homes	Unit 616 Emerald	Building Entrance-Door	2	The maneuvering clearance area at the accessible door is not level and clear.	\$1,563
412647	Single Family Homes	118 Sebring Place	Kitchen Cabinets	2	The kitchen cabinet shelving, shelf areas, and drawers are not within reach range.	\$531
412648	Single Family Homes	118 Sebring Place	Kitchen - General	2	The controls and operating mechanisms in the kitchen are not compliant.	\$250
412649	Single Family Homes	118 Sebring Place	Reach Range	2	Operable parts or items requiring an obstructed side reach motion are higher than	\$116
412650	Single Family Homes	118 Sebring Place	Operable Part	2	The operable parts are mounted higher than 54" for a side approach or higher than	\$250
412651	Single Family Homes	Mobility Units	Reach Range	2	Elements that require a side reach motion are not within the allowable reach range	\$750
412652	Single Family Homes	118 Sebring Place	Interior Access Route	2	An accessible route is not provided to all spaces and elements.	\$36,488
412664	Single Family Homes	118 Sebring Place	Door	2	The distance between two doors in a series is less than 48", plus the width of any d	\$3,250
412665	Single Family Homes	Mobility Units	Reach Range	2	Operable parts are not within the allowable reach ranges.	\$750
412669	Single Family Homes	Visual and Hearing Units	Communication Unit	2	Less than 2% of the total number of residential units are communication units.	\$2,000
412670	Single Family Homes	29 Bridgestone	Restroom/Bathroom-L	2	All exposed pipes at accessible lavatories lack insulation and/or sharp or abrasive s	\$81
413303	Yamacraw Village	Hearing and Visual	Communication Unit	2	Less than 2% of the total number of residential units are communication units.	\$7,000
413316	Yamacraw Village	Dumpsters	Exterior Accessible Rou	2	Clear ground space is not provided at the operable part.	\$2,400
413337	Yamacraw Village	Picnic Shelter	Picnic Table	2	The picnic table does not allow a clear space for forward wheelchair approach with	\$1,625
413338	Yamacraw Village	Playground	Ground Surface-Fibar	2	The ground surface has not been inspected and maintained regularly.	\$100
413339	Yamacraw Village	Playground	Transfer System	2	The transfer platform connecting to elevated play elements has a non-compliant h	\$6,250
413344	Yamacraw Village	Housing Office	Reach Range	2	Items requiring an unobstructed forward reach motion are higher than 48" maximu	\$500
413345	Yamacraw Village	Housing Office	Exterior Accessible Rou	2	Clear ground space is not provided at the operable part.	\$2,800
413358	Yamacraw Village	Leasing Office	Interior Access Route	2	The service counter does not have 36" wide section that is 36" maximum above fin	\$2,256
413375	Yamacraw Village	Leasing Office	Operable Part	2	Clear floor space is not provided at the operable part.	\$1,800
413378	Yamacraw Village	Unit 251	Kitchen Cabinets	2	The kitchen cabinet shelving, shelf areas, and drawers are not within reach range.	\$14,344
413395	Yamacraw Village	Unit 251	Operable Part	2	The operable parts are mounted higher than 54" for a side approach or higher than	\$9,000
413398	Yamacraw Village	All Mobility Units	Door	2	The distance between two doors in a series is less than 48", plus the width of any d	\$58,500
407649	Horace Stillwell Towers	Unit 508	Kitchen	3	The under sink area has abrasive surfaces and/or the pipes are not insulated.	\$81
407656	Horace Stillwell Towers	All Residential Units	Restroom/Bathroom-W	3	The toilet paper dispenser location is not compliant.	\$4,200
407660	Horace Stillwell Towers	All Residential Units	Kitchen	3	The under sink area has abrasive surfaces and/or the pipes are not insulated.	\$975
407668	Horace Stillwell Towers	Unit 303, 304, 308, 409,	Restroom/Bathroom-S	3	A shower spray unit with 60" long hose is not provided in the shower.	\$6,500
407675	Horace Stillwell Towers	Unit 503 and 509	Restroom/Bathroom-W	3	The side grab bar at the water closet is not compliant.	\$888

PHASE FOUR BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407676	Horace Stillwell Towers	Unit 503	Restroom/Bathroom-W	3	The rear grab bar at the water closet is not compliant.	\$444
407683	Horace Stillwell Towers	Unit 409	Door	3	The accessible door does not have the required PULL SIDE maneuvering clearances	\$1,563
407687	Horace Stillwell Towers	Unit 304, 309, 409, 507	Restroom/Bathroom-W	3	The flush control is located on the closed side and is more than 48" high.	\$1,956
407689	Horace Stillwell Towers	Mobility Units	Restroom/Bathroom-W	3	For a Type B accessible water closet, the centerline of the water closet is not 18" ex	\$6,300
407702	Horace Stillwell Towers	Stair Doors	Signage	3	Means of egress signage is not provided.	\$688
407712	Horace Stillwell Towers	Community Room	Signage	3	Means of egress signage is not provided.	\$206
407714	Horace Stillwell Towers	Community Room Mens	Restroom/Bathroom -	3	The accessible door with door closer has a sweep period of less than 5 seconds fro	\$915
407715	Horace Stillwell Towers	Community Room Mens	Restroom/Bathroom -	3	The clear floor space at the urinal is less than minimum 30" by minimum 48".	\$1,375
407716	Horace Stillwell Towers	Community Room Mens	Restroom/Bathroom -	3	The side grab bar at the water closet is not compliant.	\$888
407717	Horace Stillwell Towers	Community Room Mens	Restroom/Bathroom -	3	The rear grab bar at the water closet is not compliant.	\$888
407718	Horace Stillwell Towers	Community Room Mens	Restroom/Bathroom -	3	The water closet in a wheelchair stall in a multi-stall restroom does not have the re	\$3,420
407719	Horace Stillwell Towers	Community Room Mens	Restroom/Bathroom -	3	The toilet paper dispenser is not at a compliant location.	\$350
407720	Horace Stillwell Towers	Community Room Mens	Restroom/Bathroom -	3	The coat hook is not within an allowable reach range.	\$288
407721	Horace Stillwell Towers	Community Room Mens	Controls And Dispense	3	The height of controls are not compliant.	\$500
407722	Horace Stillwell Towers	Community Room Mens	Controls And Dispense	3	The height of controls are not compliant.	\$250
407723	Horace Stillwell Towers	Community Room Mens	Restroom/Bathroom -	3	Pipes are not insulated.	\$163
407726	Horace Stillwell Towers	Rear exit	Signage	3	Means of egress signage is not provided.	\$69
407564	Pickens Patterson Terrace	All Mobility IUnits	Restroom/Bathroom-W	3	The rear grab bar at the water closet is not compliant	\$2,663
407565	Pickens Patterson Terrace	All Mobility Units	Restroom/Bathroom-W	3	The toilet paper dispenser location is not compliant.	\$2,100
407566	Pickens Patterson Terrace	Unit 271, 283 and 181	Restroom/Bathroom-W	3	The flush control is located on the closed side and is more than 48" high.	\$1,174
407568	Pickens Patterson Terrace	Unit 271, 283 and 323	Restroom/Bathroom-L	3	The lavatory does not have the required knee clearance.	\$1,800
407569	Pickens Patterson Terrace	Unit 271, 273, 283 and 3	Restroom/Bathroom-M	3	The bottom of the reflective surface of the mirror is mounted higher than 40".	\$1,000
407570	Pickens Patterson Terrace	All Mobility Units	Restroom/Bathroom-B	3	Grab bars are not compliant	\$2,663
407571	Pickens Patterson Terrace	All Mobility Units	Restroom/Bathroom-B	3	The spray unit does not have a minimum 59" long hose.	\$4,875
407580	Pickens Patterson Terrace	All Mobility Units	Door	3	The hardware at the accessible door requires tight grasping, pinching or twisting of	\$4,395
407597	Pickens Patterson Terrace	Unit 183 and 273	Restroom/Bathroom-L	3	Clear floor space with knee and toe clearance is not provided.	\$7,500
407598	Pickens Patterson Terrace	Unit 183, 271, 273 and 3	Restroom/Bathroom-W	3	For a Type B accessible water closet, the centerline of the water closet is not 18" ex	\$11,025
407614	Pickens Patterson Terrace	Units 181, 183, 283, 271	Door	3	The accessible door does not have the required PULL SIDE maneuvering clearances	\$7,813
407410	Simon Frazier Homes	All Mobility Units	Sink	3	Knee clearance under the kitchen sink is not provided.	\$29,790
407412	Simon Frazier Homes	Unit 621W Gwinnett	Kitchen Appliances	3	The oven is not self-cleaning or an adjustable height counter with knee space below	\$973

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Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407418	Simon Frazier Homes	Unit 621 W Gwinnett	Restroom/Bathroom-L	3	Clear floor space is not provided at the lavatory.	\$116
407419	Simon Frazier Homes	Unit 621W Gwinnett	Restroom/Bathroom-B	3	Bathtub grab bars are not compliant or reinforcement for grab bar placement is no	\$888
407420	Simon Frazier Homes	Unit 621 W Gwinnett	Restroom/Bathroom-S	3	A shower spray unit with 60" long hose is not provided in the shower.	\$813
407423	Simon Frazier Homes	Unit 621 W Gwinnett	Restroom/Bathroom-W	3	The toilet paper dispenser is not compliant.	\$250
407427	Simon Frazier Homes	Unit 621 W Gwinnett and	Door	3	The door does not have a compliant maneuvering clearance area.	\$3,125
407429	Simon Frazier Homes	All Mobility Units	Controls And Dispense	3	The controls and operable parts are not within an allowable reach range.	\$3,000
407430	Simon Frazier Homes	All Mobility Units	Controls And Dispense	3	The controls and operable parts are not within an allowable reach range.	\$9,000
407434	Simon Frazier Homes	All Mobility Units	Controls And Dispense	3	The controls and operable parts are not within an allowable reach range.	\$3,000
407437	Simon Frazier Homes	Unit 608 W Gwinnett, U	Restroom/Bathroom-B	3	Bathtub grab bars are not compliant or reinforcement for grab bar placement is no	\$2,663
407438	Simon Frazier Homes	Units 608 W Gwinnett, 6	Restroom/Bathroom-W	3	The centerline of the water closet is not exactly 18" from the side wall.	\$349
407439	Simon Frazier Homes	Unit 608 W Gwinnett	Restroom/Bathroom	3	The accessible dwelling unit lavatory cabinet is not removable.	\$975
407440	Simon Frazier Homes	All Mobility Units	Restroom/Bathroom-M	3	The height of the bottom of the reflective surface of the mirror is greater than 40".	\$1,500
407441	Simon Frazier Homes	Unit 608 W Gwinnett	Restroom/Bathroom-F	3	The bathroom does not have a turning space or clear floor space at fixtures.	\$15,000
407443	Simon Frazier Homes	All Mobility Units	Controls And Dispense	3	The controls and operable parts are not within an allowable reach range.	\$3,000
407446	Simon Frazier Homes	All Mobility Units	Restroom/Bathroom-L	3	Lavatory hot water and drain pipes are not insulated.	\$975
407449	Simon Frazier Homes	Unit 1002A W Broad	Restroom/Bathroom-W	3	The side grab bar is not compliant.	\$444
407453	Simon Frazier Homes	All Mobility Units	Door	3	The hardware at the accessible door is not compliant.	\$4,395
407454	Simon Frazier Homes	Unit 1008a W Broad and	Restroom/Bathroom-L	3	The lavatory does not have knee and toe clearance.	\$1,800
407459	Simon Frazier Homes	Unit 1108 West Broad	Restroom/Bathroom-W	3	The rear grab bar is not compliant.	\$444
407467	Simon Frazier Homes	Unit 602A Emerald Drive	Restroom/Bathroom-W	3	The side grab bar is not compliant.	\$444
407469	Simon Frazier Homes	Management Office	Signage	3	Means of egress signage is not provided.	\$413
407472	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The provided signage is not mounted at the latch side of the door or at a compliant	\$138
407474	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The accessible door with door closer has a sweep period of less than 5 seconds fro	\$915
407475	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The mirror is mounted higher than 40" above finish floor to the bottom of the refle	\$500
407476	Simon Frazier Homes	Management Office - Me	Restroom/Bathroom-M	3	The mirror is mounted higher than 40" above finish floor to the bottom of the refle	\$500
407477	Simon Frazier Homes	Men's and Women's Res	Controls And Dispense	3	The height of controls are not compliant.	\$500
407478	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	Pipes are not insulated.	\$163
407479	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The water closet in a single user / unisex restroom does not have the required clea	\$3,420
407480	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The grab bars at the water closet are not compliant.	\$1,775
407481	Simon Frazier Homes	Women's Restroom	Restroom/Bathroom -	3	The flush control is located on the closed side and/or is not within reach range.	\$391

PHASE FOUR BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
407482	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The side grab bar at the water closet is not compliant.	\$888
407483	Simon Frazier Homes	Men's and women's rest	Restroom/Bathroom -	3	The rear grab bar at the water closet is not compliant.	\$888
407484	Simon Frazier Homes	Management Office - Me	Controls And Dispense	3	The height of controls are not compliant.	\$500
407485	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The mirror is mounted higher than 40" above finish floor to the bottom of the refle	\$500
407486	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The toilet paper dispenser is not at a compliant location.	\$700
407487	Simon Frazier Homes	Mens Restroom	Restroom/Bathroom -	3	The centerline of the toilet in the wheelchair stall is not 16" minimum to 18" maxim	\$788
407488	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The wheelchair stall door is not compliant.	\$1,250
407489	Simon Frazier Homes	Men's and Women's Res	Restroom/Bathroom -	3	The wheelchair stall door is not compliant.	\$1,250
407490	Simon Frazier Homes	Mens Restroom	Restroom/Bathroom -	3	The urinal dimensions are not compliant.	\$1,169
407491	Simon Frazier Homes	Management Office - Me	Restroom/Bathroom-D	3	The pull side of the accessible door does not have the required maneuvering cleara	\$1,563
407492	Simon Frazier Homes	Management Office - Wc	Restroom/Bathroom-D	3	The pull side of the accessible door does not have the required maneuvering cleara	\$1,563
407509	Simon Frazier Homes	Unit 621 W Gwinnett an	Door	3	The door does not have a compliant maneuvering clearance area.	\$3,125
422912	Simon Frazier Homes	All Mobility Units	Restroom/Bathroom-W	3	The rear grab bar is not compliant.	\$5,325
412646	Single Family Homes	118 Sebring Place	Sink	3	Knee clearance under the kitchen sink is not provided.	\$2,483
412653	Single Family Homes	118 Sebring Place	Restroom/Bathroom -	3	The bathroom does not have a turning space or clear floor space at fixtures.	\$15,000
412655	Single Family Homes	118 Sebring Place	Restroom/Bathroom -	3	The toilet paper dispenser is not compliant.	\$250
412657	Single Family Homes	118 Sebring Place	Restroom/Bathroom -	3	A shower spray unit with 60" long hose is not provided in the shower.	\$813
412658	Single Family Homes	118 Sebring Place	Restroom/Bathroom -	3	Clear floor space is not provided at the lavatory.	\$1,416
412660	Single Family Homes	118 Sebring Place	Restroom/Bathroom -	3	The height of the bottom of the reflective surface of the mirror is greater than 40".	\$125
412672	Single Family Homes	207 South Avalon	Restroom/Bathroom-W	3	The side grab bar at the water closet is not compliant.	\$444
412673	Single Family Homes	207 South Avalon	Restroom/Bathroom -	3	The centerline of the water closet is not exactly 18" from the side wall.	\$116
413332	Yamacraw Village	All Mobility Units	Sink	3	The sink and/or surrounding counter are not compliant.	\$22,309
413357	Yamacraw Village	Leasing Office	Signage	3	Means of egress signage is not provided.	\$138
413361	Yamacraw Village	Leasing Office	Restroom/Bathroom -	3	The provided signage is not mounted at the latch side of the door or at a compliant	\$138
413362	Yamacraw Village	Leasing Office	Restroom/Bathroom -	3	The water closet in a single user / unisex restroom does not have the required clea	\$3,420
413363	Yamacraw Village	Leasing Office	Restroom/Bathroom -	3	The centerline of the toilet in the wheelchair stall is not 16" minimum to 18" maxim	\$1,575
413364	Yamacraw Village	Leasing Office	Restroom/Bathroom -	3	The grab bars at the water closet are not compliant.	\$1,775
413365	Yamacraw Village	Leasing Office	Restroom/Bathroom -	3	Pipes are not insulated.	\$163
413366	Yamacraw Village	Leasing Office	Restroom/Bathroom -	3	The toilet paper dispenser is not at a compliant location.	\$700
413367	Yamacraw Village	Leasing Office	Restroom/Bathroom -	3	The mirror is mounted higher than 40" above finish floor to the bottom of the refle	\$500

PHASE FOUR BARRIERS

Id	Facility	Location Description	Category	Barrier Priority	Detail	Estimate
413368	Yamacraw Village	Leasing Office	Controls And Dispense	3	The height of controls are not compliant.	\$750
413369	Yamacraw Village	Leasing Office	Controls And Dispense	3	The height of controls are not compliant.	\$500
413370	Yamacraw Village	Leasing Office - Women's	Restroom/Bathroom -	3	The flush control is located on the closed side and/or is not within reach range.	\$391
413371	Yamacraw Village	Leasing Office	Restroom/Bathroom -	3	The height of the water closet is not 17" minimum to 19" maximum above finished	\$788
413372	Yamacraw Village	Leasing Office	Controls And Dispense	3	The height of controls are not compliant.	\$1,250
413383	Yamacraw Village	All Mobility Units	Restroom/Bathroom-L	3	Pipes are not insulated.	\$731
413384	Yamacraw Village	All Mobility Units	Restroom/Bathroom-L	3	The lavatory in the Type A dwelling unit does not have the required clear floor space	\$33,750
413386	Yamacraw Village	All Mobility Units	Restroom/Bathroom-M	3	The medicine cabinet over the lavatory in a residential dwelling unit is higher than	\$3,713
413387	Yamacraw Village	All Mobility Units	Restroom/Bathroom-W	3	Grab bars are not provided at the water closet.	\$7,988
413388	Yamacraw Village	Unit 251 and 461	Restroom/Bathroom-W	3	The flush control is located on the closed side and is more than 48" high.	\$783
413391	Yamacraw Village	All Mobility Units	Restroom/Bathroom-F	3	The bathroom does not have a turning space or clear floor space at fixtures.	\$135,000
413392	Yamacraw Village	All Mobility Units	Door	3	The door does not have a compliant maneuvering clearance area.	\$14,063
413396	Yamacraw Village	All Mobility Units	Controls And Dispense	3	The controls and operable parts are not within an allowable reach range.	\$2,250
407647	Horace Stillwell Towers	All Units	Signage	4	Compliant interior signage indicating a space or facility is not provided.	\$13,750
407651	Horace Stillwell Towers	Unit 408, 409, 508 and 5	Kitchen- Oven/Residen	4	The oven does not have an adjacent work surface which is a minimum height of 28	\$11,910
407691	Horace Stillwell Towers	Trash Room	Signage	4	Compliant interior signage indicating a space or facility is not provided.	\$206
407705	Horace Stillwell Towers	Laundry Room	Signage	4	Compliant interior signage indicating a space or facility is not provided.	\$69
407599	Pickens Patterson Terrace	All Mobility Units	Kitchen- Oven/Residen	4	The oven does not have an adjacent work surface which is a minimum height of 28	\$17,865
407494	Simon Frazier Homes	Management Office	Kitchen- Counter In Pul	4	A minimum 30" wide section of the counter is not a minimum height of 28" and ma	\$2,978
412645	Single Family Homes	118 Sebring Place	Kitchen - Oven	4	The oven door is not located adjacent to a compliant work surface.	\$975
412663	Single Family Homes	118 Sebring Place	Reach Range	4	The clothes rod is mounted higher than 54".	\$250
413374	Yamacraw Village	Leasing Office	Drinking Fountain/Wat	4	The minimum number of drinking fountains is not provided. If the minimum number	\$4,698
413393	Yamacraw Village	All Mobility Units	Reach Range	4	The clothes rod is mounted higher than 54".	\$2,250
					Total Barriers: 173, Total Cost: \$851,051	