

## The FHAA - Seven (7) Technical Requirements Accessibility Guidelines

*Fair Housing Act Accessibility Guidelines- Design Guidelines for Accessible/Adaptable Dwellings provides builders and developers with technical guidance on how to comply with the specific accessibility requirements of the Fair Housing Amendments Act of 1988*

**New construction** multifamily buildings **must be** in compliance with the following guidelines. This checklist represents many, but not all, of the accessible and adaptive design and construction requirements of the FHAA. **This checklist is NOT a safe harbor for compliance with the Fair Housing Act, nor does it act in lieu of the accessibility requirements under Sec. 504 of the Rehabilitation Act of 1973.**

### 1. AN ACCESSIBLE ENTRANCE ON AN ACCESSIBLE ROUTE (Please check all that apply)

An accessible entrance must be located on a route that a person in a wheelchair can easily travel, leading to and from meaningful locations; e.g., parking, public transportation, other buildings in the complex, amenities such as laundry room, and recreational facilities.

- The accessible route is a continuous, unobstructed path (no stairs) through the development that connects all buildings containing covered units and all public and common use facilities.
- The accessible route also connects to parking lots and to at least one public street, public sidewalk, and to a public transportation stop, when provided.
- All slopes on the accessible route are no steeper than 8.33%.
- All slopes on the accessible route between 5% and 8.33% have handrails.
- Covered units have at least one entrance on an accessible route.
- There are sufficient numbers of curb ramp cuts for a person using a wheelchair to reach every building in the development.
- Curb ramp cuts slope and cross slope specifications.
- If separate entrances for ground-floor units, each entrance must be accessible.
- If common entrances to a multi-unit building, at least one entrance—typically used by residents for entering the building—must be accessible.

**If any of the above criteria for an accessible entrance on an accessible route is not met, please provide an attached explanation and date when criteria will be completed.**

### 2. ACCESSIBLE PUBLIC AND COMMON-USE AREAS (Please check all that apply)

- At least two percent (2%) of all parking spaces serving covered units are designated as accessible handicapped parking spaces.
- At least one parking space at each common and public use amenity is designated as handicapped accessible parking.
- All handicapped accessible parking spaces have adequate signage.
- All handicapped accessible parking spaces are at least 96" wide with a 60" wide access aisle which can be shared between two spaces.
- The rental or sales office is readily accessible and usable by persons with disabilities as required by both the Fair Housing Act and the Americans with Disabilities Act.
- A sufficient number of mailboxes, swimming pools, tennis courts, clubhouses, rest rooms, showers, laundry facilities, trash facilities, drinking fountains/water coolers, public telephones, and other common and public use amenities offered by the development are readily accessible and usable by persons with disabilities.
- Parking areas, passenger loading areas, curb ramps, building lobbies, lounges, halls and corridors, elevators, public use restrooms, and rental or sales offices must be accessible to people with disabilities. Included are community and exercise rooms, swimming pools, playgrounds, recreation facilities, nature trails.

**If any of the above criteria for accessible public & common areas is not met, please provide an attached explanation and date when criteria will be completed.**

3. USABLE DOORS (Please check all that apply)

- All doors into and through covered units and common use facilities provide a clear opening of at least 32" nominal width to enable a person in a wheelchair to maneuver through them *easily*. Included are public and common-use doors, doors leading into an individual dwelling unit, and all doors within the dwelling unit itself.
- All doors leading into common use facilities have lever door handles operating hardware that does not require grasping and twisting.
- Thresholds at doors to common use facilities are no greater than 1/2".
- All primary entrance doors to covered units have lever door handles operating hardware that does not require grasping and twisting.
- Thresholds at exterior primary entrance doors to covered units are no greater than 3/4" and beveled.

If any of the above criteria for 'usable doors' is not met, please provide an attached explanation and date when criteria will be completed.

4. ACCESSIBLE ROUTES INTO AND THROUGH DWELLING UNIT

- Thresholds of unit's exterior doors may not exceed 3/4" (also applies to sliding door tracks).
- In single-story units, changes in height of 1/4 to 1/2" must be beveled. Those greater than 1/2" must be ramped or have other means of access.
- All routes through all rooms in the covered units have a minimum clear width for accessible route inside the unit of 36".
- Hallways, passages, and corridors must be wide enough to allow room to maneuver a wheelchair throughout the unit.

If any of the above criteria for 'accessible routes into and through the dwelling unit,' is not met, please provide an attached explanation and date when criteria will be completed.

5. ACCESSIBLE LIGHT SWITCHES, ELECTRICAL OUTLETS, AND ENVIRONMENTAL CONTROLS

- All light switches, electrical outlets, thermostats, and other environmental controls are no less than 15" and no greater than 54" from the floor.
- Operable parts of controls must be no lower than 15" and no higher than 48" from the floor.
- Switches, outlets, thermostats, and controls must be accessible to people in wheelchairs.

If any of the above criteria for 'accessible light switches, electrical outlets, thermostats, and other environmental controls' is not met, please provide an attached explanation and date when criteria will be completed.

6. REINFORCED WALLS IN BATHROOM

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

If the above criteria for 'reinforced bathroom(s) walls' is not met, please provide an attached explanation and date when criteria will be completed.

7. USABLE KITCHENS AND BATHROOMS

- ✓ 30" x 48" clear floor space centered at each fixture and appliance.
- ✓ A minimum of 40" of clear floor space between opposing elements to allow a person in a wheelchair to maneuver between opposing base cabinets, countertops, appliances, or walls.
- ✓ A U-shaped kitchen with sink or cooktop at end have 60" diameter clear turning space or have sink or cooktop base with removable cabinets. Appliances must be located so they can be used by a person in a wheelchair. A 30" x 40" clear floor space is required for a parallel or forward approach.
- ✓ Adequate maneuvering space is required in bathroom so that a person in a wheelchair can easily enter, close the door, use the facilities and fixtures, and exit.

If any of the above criteria for 'design and construction of all kitchen and bathrooms in covered multifamily dwelling units' is not met, please provide an attached explanation and date when criteria will be completed.

USABLE BATHROOMS: (check type)

Type A Bathroom ✓

- 30 x 48" clear floor space outside the swing of the door
- 30 x 48" clear floor space at lavatory (if centered for parallel approach, cabinet may be fixed)
- Toilet next to the tub allowing a perpendicular approach
- Centerline of toilet is 18" from bathtub and 15" from lavatory

Type B Bathroom ✓

- 30 x 48" of clear floor space outside swing of door;
- 30 x 48" of clear floor space centered in front of sink;
- 30 x 48" of clear floor space adjacent to the bathtub
- If at least one Type B bathroom is included the other bathroom(s) is exempt from only the maneuvering space requirements.

"The Fair Housing Accessibility Guidelines: Questions and Answers about the Guidelines" can be found on line at <http://www.hud.gov/offices/fhco/disabilities/fhfnasp.cfm>.

**Note to All Funding Recipients:**

Failure to comply with *all* of the accessible and adaptive design and construction requirements for new construction of the Fair Housing Act may result in loss of funding from DHCD through the: (1) Housing Production Trust Fund; (2) Community Development Block Grant Program; (3) HOME Investment Partnership Program; (4) Neighborhood Stabilization Program; (5) The Low Income Housing Tax Credit and/or (6) any other source of local or federal funding that may be generated at the time of the grant/loan.

The Applicant should consult an attorney and/or design professional to ensure that the construction of the multi-family development complies with the accessible and adaptive design and construction requirements of the Fair Housing Act.