

SUMMARY OF ACCESSIBILITY REQUIREMENTS

I. Accessibility Laws and related Documents:

Available from HUD's Direct Distribution System (DDS) 800-767-7468 from 8:00-5:15 Monday through Friday

A. Part 504 of the Rehabilitation Act of 1973. (sec 504)

Available at: www.hudclips.org go to handbooks and forms/go to order hard copy of handbooks and guidebooks/ enter browse/ enter federal register/ go/order item number 04822

1. Implemented by the Uniform Federal Accessibility Standards (UFAS).
2. Applies to housing receiving Federal financial assistance.
3. Future additional accessibility needs are paid by building owners.

B. Fair Housing Amendment Act of 1988, Final Fair Housing Act Accessibility Guidelines – Federal Register, Vol. 56, No. 44, Wednesday, March 6, 1991. (FFHA)

Available at: www.hudclips.org go to handbooks and forms/go to order hard copy of handbooks and guidebooks/ enter browse/ enter federal register/ go/order item number 05802

1. **HUD Fair Housing Act Design Manual, August 1996. (800-767-7468)**
2. Applies to every "covered multifamily dwelling" available for first occupancy after March 13, 1991. "Covered multifamily dwelling" means a building containing 4 or more dwelling units under one roof.
3. Applies to to all new construction- usually whether HUD is involved or not.
4. Beyond the FHA requirements, additional accessibility needs are paid by the tenant.

C. Uniform Federal Accessibility Standards. (UFAS)

Available at: www.access-board.gov/ufas/ufas-html/ufas.htm

1. Uniform Federal Accessibility Standards, published by the Architectural and Transportation Barriers Compliance Board, April 1, 1988.

D. Minimum Property Standards, HB 4910.1, 1994. (MPS)

Available at: www.hudclips.org go to library/go to housing handbooks and search/ enter "4910.1" and submit

1. Applies to all HUD multifamily programs.
2. Note specific items in Chapter 1 reference UFAS for elderly, disabled and care facilities.

II. General Accessibility Items Most Frequently Found To Need Correction:

A. FFHA

1. 100% of the project must comply with FFHA, whether HUD's involved or not.
2. Specify electrical for all (100%) units and all common areas to be handicap accessible (min. 15", max. 48", including thermostats). Verify A/C locations; controls must be at accessible heights.
3. Review and specify doors to have 32" nominal clearance. i.e. bi-pass closet, patio doors Verify latch side clearance of entry doors and at storage locker entry door. Linen closets either must have 32" nominal clearance door or must not exceed 18" maximum depth.
4. Provide an accessible route into and throughout the unit. Drives and walks are part of the accessible route; slope maximum, 1:20 ratio or 5%, unless a handrail is also specified. Specify garage to unit entrance to be accessible.
5. Specify all adaptable units are to have blocking for future grab bars. Water closets to be located 18" from one wall so grab bars are within reach, and provide necessary floor clearance.
6. Appliances and kitchen and bathroom sinks need 48" x 30" on center, clear floor area. Provide route clearance for 40" from kitchen counter or appliances to islands or opposing counter areas to be accessible.

B. UFAS

1. Doors to have latch side clearance.
2. Provide accessible site and garage parking per UFAS.
3. All unit baths are to comply with UFAS: Doors shall not swing into the clear floor space required for any fixture. All bathrooms to have blocking for grab bars -see UFAS for specifics; accessible units and public bathrooms to have grab bars installed. Provide an integral shower bench, slip resistant bathing surface and showers are to comply with UFAS, see fig. 35. Shower size to be either 36" x 36" or 30" x 60". Verify all shower and tub control locations to be per UFAS. Water closets to be located 18" from one wall so grab bars are within reach, and provide floor clearance. Correct public baths TPH-see 4.17 fig 30 d.
4. Provide kitchen sink and a 30" section of counter that complies with UFAS 4.34.6.4 and 4.34.6.5. at 34" height and able to be open below. Insulate piping at accessible sinks. Provide route clearance at kitchens; need 40" minimum clear floor between all opposing base cabinet, counter tops appliances, or walls, and in U shaped kitchens 60" minimum clear floor.
5. Laundry machines controls and clear floor space must comply with UFAS.
6. Mounting heights; locate signage per UFAS 4.30.6

C. 504

1. Comply with all FFHA requirements making all units adaptable and to comply with sec 504, make 5% of the units and all common areas fully accessible.
2. In addition, provide an additional 2% of the units to be accessible to persons with hearing and vision impairments.
3. The fully accessible units will need to be evenly distributed among the various bedroom sizes and units mix and location.

D. MPS

1. Comply with MPS Chapter 1 (100-2 for elderly and 100-4 for care facilities)-UFAS requirements...some examples are:
 - A. Provide blocking and grab bars in all bathtubs and showers, an integral shower bench, slip resistant bathing surface and showers are to comply with UFAS 4.21, size to be either 36" x 36" or 30" x 60" and see diagram for clear floor area.
 - B. Provide handrails on at least one side of all corridors, complying with UFAS.
 - C. 100-4.2 requires at least 50% of living units, patient rooms or bedrooms and associated facilities shall comply with the requirements of UFAS in care type facilities.

E. 232

1. Comply with Handbook 4600.01 REV-01 chapter 5. Section 3 requires buildings to be fully accessible (100%)-exception being 5-5 B. (unit kitchens- see handbook for specifics). All unit baths are to comply with UFAS.....
2. Comply with MAP guide:

MAP GUIDE Chapter 5 and Appendix 5 Highlights On Accessibility and 232

Available at: www.hud.gov/fha/mfh/map/maphome.html

MAP 5. B. Accessibility requirements:

1. **The Fair Housing Amendments Act of 1988 applies to all housing in the United States available for first occupancy after March 13, 1991. (See Appendix 5-A)**
2. **Part 504 of the Rehabilitation Act of 1973, which is implemented by the Uniform Federal Accessibility Standards (UFAS), applies only to housing receiving Federal financial assistance. Part 504 does not apply to projects where the only HUD involvement consists of FHA mortgage insurance. (See Appendix 5A and 5E)**

MAP Appendix 5A B. Accessibility for Persons with Disabilities.

1. **Uniform Federal Accessibility Standards (UFAS) apply when compliance with Section 504 or a specific program criteria is required, e.g. 232's.**

2. Title VIII of the Civil Rights Act of 1968, as amended, commonly known as The Fair Housing Act (the Act) directs the Secretary of HUD to provide technical assistance to States, local governments, and other persons in implementing the accessibility requirements of the Act. Section 804(f)(3)(c) requires that all residential buildings which have four or more units and which are built for first occupancy after March 13, 1991 (referred to in the Act as "covered multifamily dwellings"), be designed and constructed to have at least one building entrance on an accessible route, unless it is impracticable to do so because of terrain or unusual site characteristics. Such dwellings must provide for accessibility in all common and public areas. In addition, certain accessibility requirements must be included in all of the dwelling units in buildings with elevators, and in all of the ground floor dwelling units in buildings without elevators. They are:

a. Public and common use areas must be readily accessible to and usable by persons with disabilities;

b. All doors designed to allow passage into and within all premises are wide enough to allow passage by persons in wheelchairs;

c. All premises contain the following:

(1) An accessible route into and through the dwelling unit;

(2) Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(3) Reinforcements in bathroom walls to allow later installation of grab bars; and

(4) Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

As a part of processing and commitment, the Lender's analyst will review construction documents for covered multifamily dwellings pursuant to the MPS (HUD Handbook 4910.1), and the Fair Housing Accessibility Guidelines (the Guidelines). The Guidelines provide minimum accessibility standards. The Guidelines are found in the Federal Register, Vol. 56, No. 44, Wednesday, March 6, 1991. Additional material may be found in the Fair Housing Act Design Manual

MAP Appendix 5B Additional HUD Standards - Substantial Rehabilitation

F. Accessibility for Persons with Disabilities. Only if required by program or for properties built after March 13, 1991 containing Fair Housing Act violations. See Appendix 5A, paragraph B.

MAP Appendix 5E Section 232 – Additional Codes, Standards and Guides STANDARDS. All applicable standards in Appendices 5A, 5B, 5C, and 5D, in accordance with the type of construction or program, apply to Section 232 projects. The following additional standards also apply:

Priority and interpretation of referenced standards:

The Minimum Property Standards (MPS) takes priority over all other codes and standards where a conflict exists, unless the other codes and/or standards require a greater degree of protection for life safety and accessibility than the MPS, in which case the other code and/or standard would control.

Projects must meet this Appendix's specific requirements for Section 232, even if excepted by other standards.

HUD is the final interpreter for codes and standards referenced for the Department's purpose.

Compliance with the referenced standards does not relieve the need for compliance with any other applicable Federal, State or local requirement.

A. Minimum Property Standards for Housing (MPS), HUD Handbook 4910.1, including: Local Codes and/or Model Codes accepted by HUD for the municipal jurisdiction as per MPS Paragraph 102.

B. Uniform Federal Accessibility Standards (UFAS); Note that the UFAS is scheduled to be replaced by the ABA/ADA Accessibility Guidelines in the year 2000. BUT THIS HAS NOT OCCURRED YET

C. Fair Housing Accessibility Guidelines issued pursuant to the Fair Housing Act, P.L. 100-430, approved Sept. 13, 1988;

D. Life Safety Code, NFPA 101;

E. State Standards established, maintained and enforced by the State (or local authorities designated by the State) for each level of care facility, i.e. Skilled Nursing Facilities (SNF), Intermediate Care Facilities (ICF), Board and Care Facilities (B&C), and Assisted Living Facilities (ALF).

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MAP Appendix 5F

Section 232 – Additional Accessibility Requirements

Section 232 projects must comply with all applicable accessibility requirements, in accordance with the type of construction or program, in Appendices 5A through 5C. In addition, the following requirements apply:

A. Skilled Nursing and Intermediate Care Facilities.

1. Design must comply with UFAS.

2. Accessibility for the mobility impaired must be provided for 100 percent of resident bedrooms and toilet rooms, public use spaces (primary entrances, elevators, etc.) and common use spaces (community rooms, dining rooms, etc.).

3. Accessibility for the vision or hearing impaired must be provided for:

a. Two (2) percent of the resident bedrooms but not less than 1 unit;

b. All public use facilities and

c. Not less than one each of common use facilities.

4. Require a furniture layout plan demonstrating accessibility for people with disabilities for:

a. Typical resident rooms, spaces and accommodations;

b. Public spaces;

c. Common use spaces including congregate dining areas.

B. Board and Care Facilities and Assisted Living Facilities.

1. Accessibility for the mobility impaired must be provided for 100 percent of the public areas, common use areas, and residential accommodations, except that the following applies to residential accommodation kitchens:

a. Ten percent of kitchens included for independent living units and other residential accommodations must comply with UFAS provisions for residential kitchens, except:

(1) A 30-inch wide counter work area with clear knee space (in addition to the sink area with clear knee space) is not required where a galley kitchenette (manufactured compact or site assembled components) of 6 or fewer feet is used, and

(2) A pullout bread board work surface is provided in lieu of the counter work area with clear knee space beneath.

(3) Full compliance with UFAS is required where kitchen facilities exceed a 6-foot galley kitchenette.

b. The balance of the kitchens included for independent living units and other residential accommodations must comply with UFAS provisions for residential kitchens, except:

(1) A 30-inch wide clear knee space is not required at either the sink or for a separate work area, where a galley kitchenette (manufactured or site assembled components) of 5 or fewer feet is used, and

(2) Kitchenette counter tops need not be 34 inches high nor adaptable.

(3) Comply with item a. above, where accommodation kitchen facilities exceed a 5-foot galley kitchenette.

2. Accessibility for the vision or hearing impaired must be provided for:

a. Two (2) percent of the resident bedrooms but not less than 1 unit;

b. All public use facilities and

c. Not less than one each of common use facilities.

3. Require a furniture layout plan demonstrating accessibility for persons with disabilities for:

a. Typical resident rooms, spaces and accommodations;

b. Public spaces;

c. Common use spaces including congregate dining areas.