

ACCESSIBILITY MANUAL

This Manual contains the following:

- **Accessibility Design and Construction Standards**
- **Summary of 2008 QAP Accessibility Scoring Criteria**
- **Appendix I: DCA Accessibility Review Report Guidelines**
- **Summary of Accessibility Laws and Standards**

Accessibility Design and Construction Standards

The 2008 Qualified Allocation Plan (QAP) requires that all projects funded under the Plan meet all federal and state accessibility standards as well as all DCA accessibility requirements. Because accessibility requirements may differ depending on the funding sources of a particular project as well as the type of construction contemplated for a project, identifying the correct standards can be difficult. In addition, DCA encourages the incorporation of additional accessibility components into projects through the scoring process. The following is an overview of the primary accessibility laws and requirements that are applicable to projects funded under the Plan, a summary of the 2008 DCA scoring criteria for accessibility, the guidelines for the DCA Accessibility Review Report and a chart that summarizes the accessibility laws and standards.

Failure to comply with applicable accessibility, adaptive design and construction requirements of these laws may result in loss of tax credits and/or the loss of HOME funds. Therefore, you should consult an attorney and/or design professional to ensure that the rehabilitation and/or construction of the multi-family development complies with the accessible and adaptive design and construction requirements of each applicable law. Failure to comply with accessibility modifications which have received scoring points may result in the non-issuance of 8609's or other sanctions by DCA. These additional accessibility modifications will be incorporated in the Declaration of Land Use Restrictive Covenants for Low-Income Housing Tax Credits (LURC) for the project.

The attached chart, Summary of Accessibility Laws and Standards, can be used to initially determine the appropriate design standards that should be incorporated into a project. Project

Architects, Engineers and Contractors should be familiar with the requirements of each standard to ensure that the appropriate requirements are met.

I. Federal Fair Housing Amendments Act of 1988

(A) **Applicability.** The Fair Housing Amendments Act of 1988 (the Fair Housing Amendments Act) amended title VIII of the Civil Rights Act of 1968 (Fair Housing Act) to add prohibitions against discrimination in housing on the basis of disability and familial status. The Fair Housing Amendments Act requires that covered public and private multifamily dwelling units designed and constructed for first occupancy after March 13, 1991, shall be designed and constructed in a manner that the public and common use portions of such dwellings are readily accessible to and usable by disabled persons. First occupancy is defined as a building that has never before been used for any purpose. The Amendments Act's construction and design requirements apply on a building by building basis. **Under the 2008 Qualified Allocation Plan, all new construction projects applying for 9% or 4% tax credits and/or HOME funds must be built in accordance with the accessibility requirements of the Amendments Act. In addition, rehabilitation projects applying for credits and/or HOME funds must also meet the design and construction standards of the Amendments Act if the first use of the building was after March 13, 1991.** Section 100.205 of the United States Department of Housing and Urban Development (HUD) regulations at 24 CFR part 100 implements the Fair Housing Act's design and construction requirements. These specific design and construction standards can also be found in the appropriate requirements of the American National Standards Institute (ANSI), Fair Housing Accessibility Guidelines (FHAG) and in HUD's Fair Housing Act Design Manual. If a project is built in compliance with HUD's FHAG requirements, a safe harbor for compliance purposes is created.

In determining which units of a proposed project must meet the FHA accessibility standards the following guidelines can be utilized:

- Development has buildings containing 4 or more units and was designed and constructed for first occupancy on or after March 13, 1991

- Acceptable evidence of "first occupancy" is made on a building by building basis. The Fair Housing Act regulations provide that covered multifamily dwellings shall be deemed to be designed and constructed for first occupancy on or before March 13, 1991 (and therefore exempt from the Act's accessibility requirements) if they are occupied by that date or if the last building permit or renewal thereof for the covered multifamily dwellings is issued by a State, county or local government on or before June 15, 1990. For buildings that did not obtain the final building permit on or before June 15, 1990, proof of the date of first occupancy consists of (1) a certificate of occupancy, and (2) a showing that at least one dwelling unit in the building actually was occupied by March 13, 1991.
- Building contains elevator so all units in building are "covered units"
- All units in buildings with elevators are designed and constructed with features required by the Act
- Building does not contain elevator so only ground-floor units in building are "covered units"
- All ground-floor units in buildings without elevators are designed and constructed with features required by the Act
- Development contains "covered units," so the public and common use facilities must be designed and constructed with features required by the Act.

NOTE: The Fair Housing Act Accessibility Guidelines contain a narrow "Site Impracticality Exception" which provides that first floor units do not have to meet all of the Act's requirements if it is impractical to have an accessible entrance to the building because of the natural hilly terrain or other unusual characteristics of the site. Any project that claims such an exception must submit documentation from the project architect outlining the basis for the site exception. Supporting documentation of the "site impracticality" must also be submitted. DCA may also request the Owner to provide a legal opinion that the project falls with the requirements of the Site Impracticality Exception. DCA's acceptance of such documentation should not be construed as conclusive that the project meets the legal requirements of the exception. Each Project Owner should consult their attorney to make that determination.

(B) **Accessibility Checklist.** The following checklist represents some, but not all of the accessible and adaptive design and construction requirements of the Fair Housing Act. The Internal Revenue Service (IRS), Department of Justice (DOJ) and HUD have jointly prepared it. Adoption of these items into the design and construction of a project will not guarantee that the project complies with all applicable FHA accessibility requirements. The project architect must utilize all requirements set forth in the Fair Housing Act, regulations and FHAG to ensure that the project is accessible in accordance with the law.

1. ACCESSIBLE BUILDING ENTRANCE ON AN ACCESSIBLE ROUTE

- 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 cut ramps for a person using a wheelchair to reach every building in the development.
- Ramp slope and cross slope specifications.

2. ACCESSIBLE COMMON AND PUBLIC USE AREA

- At least 2 percent 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 that can be shared between two spaces.
- The accessible aisle is adjacent to the accessible route.

- 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, public telephones, and other common and public use amenities offered by the development that are readily accessible and usable by persons with disabilities.

3. USABLE DOORS

- All doors into and through covered units and common use facilities provide a clear opening of at least 32" nominal width.
- All doors leading into common use facilities have lever door handles or other operating hardware that does not require grasping and twisting.
- Thresholds at doors to common use facilities are no greater than ½".
- All primary entrance doors to covered units have lever door handles or other operating hardware that does not require grasping and twisting.
- Thresholds at exterior primary entrance doors to covered units are beveled and no greater than ¾".

4. ACCESSIBLE ROUTE INTO AND THROUGH THE COVERED UNIT

- All routes through all rooms in the covered units are no less than 36" wide.

5. ACCESSIBLE ENVIRONMENTAL CONTROLS

- All light switches, electrical outlets, thermostats, and other environmental controls are no less than 15" and no greater than 48" from the floor.

6. REINFORCED BATHROOM WALLS FOR GRAB BARS

- Reinforcements are built into the bathroom walls surrounding toilets, showers, and bathtubs for the later installation of grab bars.

7. USABLE KITCHEN AND BATHROOMS

USABLE KITCHENS

- 30 x 48" clear floor space centered at each fixture and appliance
- 40" of clear floor space between opposing elements (i.e. cabinets, appliances, etc.)
- U-shaped kitchens with sink or cook top at end have 60" diameter turning space or have sink or cook top base with removable cabinets
- Appliances and controls shall conform to the required accessibility design standards.

8. USABLE BATHROOMS

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
- Toilets shall comply with the required design standards for height and location.

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
- Toilets shall comply with the required design standards for height and location.

II. Section 504 of the Rehabilitation Act of 1973

(A) **Applicability.** Section 504 of the Rehabilitation Act of 1973 (Section 504) prohibits discrimination against persons with disabilities in the operation of programs receiving federal financial assistance. Specifically, Section 504 governs the design and construction of housing to ensure that federal programs are operated to be accessible to persons with disabilities, and to ensure that a portion of housing developed with federal funds is accessible to those with mobility, visual, and hearing impairments. These programs include, but are not limited to HOME, CDBG, and other programs under the jurisdiction of the HUD Office of Multifamily

Housing Program. HUD regulations implementing Section 504 contain accessibility requirements for new construction and rehabilitation of housing as well as requirements for ensuring that the programs themselves are operated in a manner that is accessible to and usable by persons with disabilities. Both individual units and the common areas of buildings must be accessible under Section 504. **All projects funded under the 2008 QAP which provide for the new construction or rehabilitation of multifamily housing projects must be designed and built in accordance with the appropriate accessibility requirements of Section 504 if the projects will receive HOME or other federal funding.** These specific design and construction standards can be found in the Uniform Federal Accessibility Standards (UFAS).

(B) Specific 504 Requirements.

New Construction – A minimum of 5% or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with mobility impairments. A minimum of 2% or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with sensory impairments (hearing or vision).

Substantial Rehabilitation – If alterations are undertaken to a project that has 15 or more units and the cost of the alteration is 75% or more of the replacement cost of the completed facility, then the accessibility requirements for the projects are the same as for newly constructed projects.

Other Alterations- When other alterations are undertaken, including but not limited to modernization and rehabilitation which does not meet the Threshold of “substantial” rehab under the Act, such alterations are required to be accessible to the maximum extent feasible up to the point where at least 5% or the units in a project are accessible. If alterations of single elements or spaces of a dwelling unit when considered together amount to an alteration of a dwelling unit, then the entire dwelling unit shall be made accessible.

In some cases, Section 504 requirements may be stricter than requirements under the Fair Housing Act. For instance, in regards to town home development, Section 504 would be

applicable to a new construction project composed of all two story town homes. HUD Notices CPD 00-09 and PIH 99-52 (HA) states that, "a development consisting entirely of multistory townhouses constructed with federal financial assistance is not a covered multifamily dwelling for purposes of the design and construction requirements at 24 CFR §100.205 (FHAG), but would still have to meet the Section 504 5% + 2% accessibility requirements at 24 CFR §8.22 (Section 504). A townhouse development of five (5) or more single story units would still have to comply with the Fair Housing Act design and construction requirements. Whether or not the rehab of a development of two story townhouses would need to meet the 504 requirements would depend on the extent of the rehabilitation and whether the applicant could present documentation that the modifications would not be feasible.

NOTE: Section 504 contains a narrow exception in circumstances where alterations that do not meet the standard of “substantial rehabilitation” are undertaken. This exception provides that a recipient is not required to make a dwelling unit, common area, facility or element accessible if doing so would impose undue financial and administrative burden on the operation of the project. Therefore recipients are required to provide access for covered alterations up to the point of being infeasible or an undue financial and administration burden. Any project that claims such an exception must submit documentation from the project architect which outlines the basis for the site exception. Supporting documentation regarding the feasibility of the modification must also be submitted. DCA may also request the Owner to provide a legal opinion that the project falls within the requirements of the exception. DCA’s acceptance of such documentation should not be construed as conclusive that the project meets the legal requirements of the exception. Each Project Owner should consult their attorney to make that determination.

Increasing Program Accessibility

Section 504 regulations also require that a recipient of federal funds ensure that its project when viewed in its entirety, is accessible to persons with disabilities. In order to meet this obligation, Section 504 requires that the Project Owner must:

- To the maximum extent feasible, distribute accessible units through the projects and sites, and make them available in a sufficient range of sizes and amenities so as to not to limit choice.

- Adopt suitable means to assure that information regarding the availability of accessible units reaches eligible individuals with disabilities. Reasonable nondiscriminatory steps to maximize use of such units by eligible individuals must also be taken.
- When an accessible unit becomes vacant, before offering the unit to an individual without a disability, offer the unit: first, to a current occupant of the project requiring the accessibility feature; and second, to an eligible qualified applicant on the waiting list requiring the accessibility features.
- When an applicant or tenant requires an accessible feature or policy modification to accommodate a disability, a federally assisted project must provide such feature or policy modification unless doing so would result in a fundamental alteration in the nature of its program or an undue financial and administrative burden.
- Project Owners are required to ensure that information about their project is disseminated in a manner that is accessible to persons with disabilities.
- Include a lease provision that requires a non disabled family occupying an accessible unit to move if a family with a disability needing that size unit applies and there is an appropriately sized non-accessible unit available for the relocating family.

III. Visitability

HUD recommends that all design, construction and alterations for multifamily units, incorporate, whenever practical, the concept of visitability in addition to the requirements under Section 504 and the Fair Housing Act. Visitability is a design concept, which for very little or no additional cost, enables persons with disabilities to visit relatives, friends, and neighbors in their homes within a community. DCA has also adopted the concept of visitability as a recommended practice for all projects that receive funding under the 2008 Qualified Allocation Plan. Visitability design incorporates the following basic visitability design requirements in all construction or alterations, in addition to the applicable requirements of Section 504 and the Fair Housing Act, whenever practical and possible for as many units as possible within a development:

- Provide 32 inch clear openings in all bathrooms and interior doorways
- Provide at least one accessible means of egress/egress for each unit.

Visitability also expands the availability of housing options for individuals who may not require full accessibility. It will assist project owners in making reasonable accommodations and reduce, in some cases, the need for structural modifications or transfers when individuals become disabled in place.

IV. The American with Disabilities Act

(A) **Applicability.** The American with Disabilities Act guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services and telecommunication. It is divided into five titles. Two of which are primarily applicable to multifamily housing agencies.

Title II. Public services, which include state and local government instrumentalities, cannot deny people with disabilities from participating in programs or activities which are available to people without disabilities.

Title III. Prohibits disability based discrimination and requires privately owned “places of public accommodation” be designed, constructed and altered in compliance with certain accessibility standards.

Under the 2008 Qualified Allocation Plan, the ADA is applicable to all new construction projects that are selected for funding. In rehabilitation projects, existing facilities must comply to the extent readily achievable. Please note that generally the requirements of the ADA are not as restrictive as the requirements under Section 504. Projects financed through an allocation of 4% or 9% tax credits need to closely review the requirements of the ADA Standards for Accessible Design (ADAAG) or UFAS as it pertains to these areas of public accommodation.

(B) Basic ADA Requirements

For all DCA new construction projects the following requirements are applicable:

- The common areas that are for public use at "covered multifamily dwellings" under the Act must meet the ADAAG. For example, a rental office in a multifamily residential development or a convenience store located in that development would be covered under Title III of the ADA.
- Public accommodations does not include portions of privately owned rental housing used exclusively as residences, but does include areas within such facilities that are available to the general public such as rental offices, parking areas and community rooms for rent by non residents.
- Specifically, rental offices that serve the public must comply with the access requirements of the ADA, Title III (that is, if they are constructed for first occupancy after January 26, 1993), and they must be constructed to comply with ADAAG. If constructed before that date, architectural barriers must be removed if doing so is "readily achievable."
- Social service programs operated by a housing provider that are available to non-residents would be considered public accommodations and must be accessible under Title III.

Note: Design, construction or alteration of facilities in conformance with ADAAG shall be deemed to comply with requirements of the ADA.

For rehabilitation projects, the following requirements are applicable to those areas covered by the ADA:

- All architectural barriers in existing facilities must be removed where such removal is readily achievable that is easily accomplished and able to be carried out. This would include adding grab bars, ramping of a few steps and lowering telephones. If barrier removal is not readily achievable then services must be made available through alternative methods.

Note: Any project that claims a required modification is not readily achievable must submit documentation from the project architect which outlines the basis for the exception. Supporting documentation regarding the achievability of the modification must also be submitted. DCA may

also request the Owner to provide a legal opinion that the project falls with the requirements of the exception. DCA's acceptance of such documentation should not be construed as conclusive that the project meets the legal requirements of the exception. Each Project Owner should consult their attorney to make that determination.

V. DCA Accessibility Requirements

DCA requires that all projects which receive funding under the 2008 Qualified Allocation Plan be designed and constructed in a manner so that the units, common areas, facilities and services are readily accessible to and usable by disabled persons. All projects that receive allocations or funding under the Plan must comply with all applicable federal and state accessibility laws. When two or more accessibility standards apply, the provider is required to follow and apply both standards so that a maximum accessibility is obtained. In addition, **DCA requires that the accessibility requirements of Section 504 be incorporated into the design and construction of all new construction and/or rehabilitation projects funded under the 2008 Qualified Allocation Plan regardless of whether or not the project will receive federal financing assistance. This constitutes a higher standard of accessibility than what may be required under federal laws.** This means that all projects including those financed with tax exempt bonds which receive an allocation of 4% tax credits and 9% tax credit only projects, must incorporate at a minimum the requirements of the UFAS into the design and construction of the project.

DCA will not waive these requirements for *any* new construction project. Waivers for rehabilitation projects will be considered in accordance with the requirements set forth in Section 504. Section 504 provides that a recipient is not required to make a dwelling unit, common area, facility or element accessible if doing so would impose undue financial and administrative burden on the operation of the project and if the rehabilitation is not substantial. Therefore, recipients are required to provide access for covered alterations up to the point of being infeasible or an undue financial and administration burden. Any project that claims such an exception must submit documentation from the project architect which outlines the basis for the waiver request. Supporting documentation regarding the feasibility of the modification must also be submitted.

DCA requires that all accessibility modifications be “in place” upon completion of new construction and/or completion of substantial rehabilitation, including kitchen and closet shelving, grab bars, and appliances. The ability of the applicant to “adapt” a unit to the required standard upon request is generally not sufficient to meet this requirement. However, “removable” or “adaptable” base cabinets will be permitted under kitchen and bathroom sinks and under kitchen work surfaces, provided that written instructions for the removal and adaptation of these cabinets is on file in the leasing office. In addition, the following equipment may be stored on site for installation at the tenant’s request: under-sink pipe guards, visual/hearing impaired equipment, and tub seats. Refer to Uniform Federal Accessibility Standards 4.34 for additional design standards for dwelling units and consumer information that must be made available to the tenant in an accessible unit. In the case of a rehab of an occupied unit, the applicant can submit a plan for incorporating the required accessibility modifications into the project based on projected end dates or move out of tenants provided all of the modifications are complete within 24 months.

VI. State Fair Housing Laws

Georgia Fair Housing Law

(O.C.G.A. §8-3-200 to §8-3-223)

The Georgia Fair Law contains substantially the same requirements as the Federal Fair Housing Law. It requires that the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991 be designed and constructed to have at least one building entrance on an accessible route unless it is impractical to do so because of the terrain or unusual characteristics of the site.

Georgia Access Law

(O.C.G.A. §30-3 et. seq.)

The Georgia Access Law contains substantially the same requirements as the Federal American with Disabilities Act. It was enacted to further the policy of the State of Georgia to encourage and enable persons with disabilities or elderly persons to participate fully in the social and economic life of Georgia and to encourage and promote their education and rehabilitation. It is

the intent of the law to eliminate, insofar as possible, unnecessary physical barriers encountered by persons with disabilities or elderly persons whose ability to participate in the social and economic life of this state is needlessly restricted when such persons cannot readily use government buildings, public buildings, and other facilities used by the public.

Georgia Single Family Accessibility

(O.C.G.A. §8-3-172)

Georgia Law requires single-family affordable housing projects awarded state or federal funds and constructed for individuals and families of low and very low incomes be constructed to be accessible. Specifically, at least one entrance door, whether it is located at the front, side, or back of the building, has to be on an accessible route served by a ramp or no-step entrance and has to have at least a standard 36-inch door. In addition, on the first floor of the building, each interior door must be at least a standard 32 inch door, unless the door provides access only to a closet of less than 15 square feet in area; each hallway has a width of at least 36 inches and is level, with ramped or beveled changes at each door threshold; each bathroom wall is reinforced for potential installation of grab bars; each electrical panel or breaker box, light switch, or thermostat is not higher than 48 inches above the floor; each electrical plug or other receptacle is at least 15 inches above the floor; and the main breaker box is located inside the building on the first floor. A person who builds single-family affordable housing to which this Code section applies may obtain a waiver from the requirement that one entrance door be on an accessible route served by a ramp or no-step entrance if the cost of grading and other improvements to the terrain which are required in order to meet the requirement of such subparagraph is unreasonably expensive.

DCA considers all single family detached units which are part of a multifamily project funded with HOME to be covered under this statute. In addition, DCA requires that a single family detached project also meet the requirements of Section 504.

VII. Layered Properties

In many projects, multiple sources of funding may mean the projects must meet both the Fair Housing and Section 504 new construction requirements. Where two or more accessibility standards apply, the Project Owner is required to follow and apply both standards so that maximum accessibility is obtained. HUD has provided the following examples illustrating how these requirements would apply:

- A project building with an elevator constructed with HOME funding would be required to have 5% of its dwelling units meet the Section 504 accessibility requirements. The remaining 95% of its units would be required to comply with the Fair Housing design and construction requirements.
- A newly constructed 100 unit two story garden apartment development with no elevator construction with HOME assistance with half (50) of its dwelling units on the ground floor and half (50) on the second floor would be required to have 5 of its ground floor dwelling units built to comply with Section 504 accessibility requirements and the remaining 45 ground floor dwellings built to comply with the Fair Housing Act design and construction standards.
- A development consisting entirely of multistory rental townhouses constructed with federal financial assistance is not a covered multifamily dwelling for purposes of the design and construction requirements of the Fair Housing Act. However, it would still have to meet the Section 504 5% accessibility requirements.

VIII. Special Threshold Requirements & Summary of 2008 Scoring Criteria

(A) The 2008 QAP has additional accessibility requirements and amenities for Senior projects (Elderly & Housing for Older Persons) that are more stringent than the requirements for family projects. Elevators must be installed for access to all units above the ground floor and 100% of Senior units must be accessible and adaptable, as defined by the Fair Housing Amendments Act (a waiver may be available for properties built prior to 1991). In addition, all units must be equipped with an installed call system including a buzzer/bell and light to the exterior.

(B) Projects can receive additional points for agreeing to include accessibility components selected from the list below:

- Applicant agrees to engage a third party professional accessibility consultant to perform three inspections during the construction of the project: the inspections will take place at the completion of site grading activities, one at the completion of wall framing, and one at or near substantial completion (for rehabs, owners may seek different benchmarks for the timing of the

three reviews) that reviews the completed project for compliance with all applicable accessibility regulations. Each inspection report must be provided to DCA. 5 points

- Applicant agrees that prior to the commencement of construction, the final plans and specifications will be reviewed by a third-party professional accessibility consultant to determine that the all federal, state and DCA accessibility guidelines are accurately incorporated into the Project design. A copy of the report (per the format in the Accessibility Manual) will be provided to DCA and to the Project Architect. 2 points

- In addition to the 5% of units required to be equipped for the mobility disabled, the applicant agrees that an additional 2% of the units (with a minimum of one) will be equipped for the mobility disabled. Each of these additional units must include the installation of a roll in shower. 2 points

- All units designated as units for individuals with disabilities are equipped with front-loading washers and dryers at no expense to the tenant. 2 points

- The maximum length of travel from each first floor unit in every building to the closest parking space designated for the disabled does not exceed 200 feet. 2 points

- All units on all floors shall be modified to be ‘visitable’ according to the FHA construction requirements (not available for senior projects). 2 points

IX. Additional Resources

The below referenced links may be used to access different accessibility standards and information:

Georgia Housing Search:

www.GeorgiaHousingSearch.org

This program provides up-to-the-minute information on our tax credit, Section 8, and affordable housing units across the state. Property managers now have a one-stop shop to list their available units with detailed unit information and property amenities, while prospective tenants can quickly locate affordable housing units based upon their individual requirements, including accessibility features in the event of a physical disability. In addition, our housing professionals

can utilize the information stored on this centrally located resource to better serve their communities and to gauge the rental housing market across the state. This new program replaces the Rental Access Network (RAN). All projects selected for funding under the 2008 QAP must list all available affordable housing units funded by DCA on the Georgia Housing Search website.

Supplement to Notice of Fair Housing Accessibility Guidelines: Questions and Answers about the Guidelines:

<http://www.hud.gov/offices/fheo/disabilities/fhefhasp.cfm>

HUD Fair Housing Design Manual:

<http://www.huduser.org/publications/destech/fairhousing.html>

HUD Section 504 Website:

<http://www.hud.gov/offices/fheo/disabilities/sect504.cfm>

Fair Housing Accessibility Guidelines (FHAG):

<http://www.hud.gov/fhe/fhefhag.html>

Uniform Federal Accessibility Standards (UFAS):

<http://www.access-board.gov/ufas/ufas-html/ufas.htm>

ADA Accessibility Guidelines for Buildings and Facilities (ADAAG):

<http://www.access-board.gov/adaag/html/adaag.htm>

Official Code of Georgia Unannotated:

<http://www.lexis-nexis.com/hottopics/gacode/default.asp>

Fair Housing Accessibility First:

<http://www.FairHousingFIRST.org>

Please note that DCA does not endorse any of the above sites, but provides them as an resource only. Please consult with your Project Architects, Engineers, Contractors and Attorneys to determine how the requirements of each standard will be met.

APPENDIX I
DCA ACCESSIBILITY REVIEW REPORT GUIDELINES

The Accessibility Review Report must be undertaken and completed by a competent professional consultant (“Consultant”) in the construction industry. The final plans, specifications, and design development documents must be reviewed by a professional accessibility consultant to determine that the all federal, state and DCA accessibility requirements are accurately incorporated into the Project design.

The Accessibility Review Report must be completed by an independent third party who **can not be the project architect, applicant, sponsor, owner or manager of the property**. The report must include a resume of the education, background and experience of the individual or company presenting the assessment. In addition, any accessibility certifications obtained must be included. The report must also include three letters of recommendation and endorsement attesting to the Consultant's prior work. At least one of these references should be from a real estate development or construction firm that used the Consultant to perform an accessibility analysis of a residential project.

DCA reserves the right to verify all information contained in the report, with an on site inspection of the property. DCA reserves the right, at its sole and absolute discretion, to decline any report if it is determined to be inadequate and does not address the minimum DCA requirements.

Minimum Requirements:

The Accessibility Review Report must contain, at a minimum, completion of the below checklist and a discussion of the accessibility laws and regulations applicable to the project along with a detailed discussion of how the laws and applicable regulations and standards have been satisfied. The certification at the end of the checklist must be signed by the Consultant. The certification provides that the accessibility review has been completed in accordance with DCA requirements and the information included is accurate. The statement also includes reliance to DCA for all information included in the report.

REQUIRED CHECKLIST:

Check the box of all applicable requirements. In addition, discuss the accessibility laws and regulations applicable to the project with the submission of Design Development Documents. Attach additional pages if necessary.

↑ *Fair Housing Act (Standards: Fair Housing Accessibility Guidelines (FHAG); Reference: Fair Housing Act Design Guidelines)*

1. Accessible Building Entrance on an Accessible Route

↑ 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 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 cuts for a person using a wheelchair to reach every building in the development.

↑ Curb cut ramp slope and cross slope specifications.

2. Accessible Common and Public Use Area

↑ At least 2 percent 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.

1 All handicapped accessible parking spaces have adequate signage.

1 All handicapped accessible parking spaces are at least 96" wide with a 60" wide access aisle that can be shared between two spaces.

1 The accessible aisle connects to a curb ramp and the accessible route.

1 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.

1 A sufficient number of mailboxes, swimming pools, tennis courts, clubhouses, rest rooms, showers, laundry facilities, trash facilities, drinking fountains, public telephones, and other common and public use amenities offered by the development are readily accessible and usable by persons with disabilities.

3. Usable Doors

1 All doors into and through covered units and common use facilities provide a clear opening of at least 32" nominal width.

1 All doors leading into common use facilities have lever door handles or other operating hardware that does not require grasping and twisting.

1 Thresholds at doors to common use facilities are no greater than 1/2".

1 All primary entrance doors to covered units have lever door handle or other operating hardware that does not require grasping and twisting.

1 Thresholds at exterior primary entrance doors to covered units are no greater than 3/4" and beveled.

4. Accessible Route Into and Through the Covered Unit

↑ All routes through all rooms in the covered units are no less than 36" wide.

5. Accessible Environmental Controls

↑ All light switches, electrical outlets, thermostats, and other environmental controls are no less than 15" and no greater than 48" from the floor.

6. Reinforced Bathroom Walls for Grab Bars

↑ Reinforcements are built into the bathroom walls surrounding toilets, showers, and bathtubs for the later installation of grab bars.

7. Usable Kitchens and Bathrooms

Usable Kitchens

- ↑ 30 x 48" clear floor space centered at each fixture and appliance
- ↑ 40" of clear floor space between opposing elements (i.e. cabinets, appliances, etc.)
- ↑ U-shaped kitchens with sink or cook top at end have 60" diameter turning space or have sink or cook top base with removable cabinets

Usable Bathrooms

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

┆ ***Section 504 of the Rehabilitation Act of 1973 (Standard: Uniform Federal Accessibility Standards (UFAS))***

1. New Construction

↑ A minimum of 5% or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with mobility impairments.

↑ A minimum of 2% or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with sensory impairments (hearing or vision).

2. Substantial Rehabilitation

↑ If alterations are undertaken to a project that has 15 or more units and the cost of the alteration is 75% or more of the replacement cost of the completed facility, then the accessibility requirements for the projects are the same as for newly constructed projects and must meet the 5% and 2% requirements.

3. Other Alterations

↑ When other alterations are undertaken, including, but not limited to modernization and rehabilitation which does not meet the Threshold of “substantial” rehab under the Act, such alterations are required to be accessible to the maximum extent feasible, up to the point where at least 5% or the units in a project are accessible.

↑ If alterations of single elements or spaces of a dwelling unit, when considered together, amount to an alteration of a dwelling unit, then the entire dwelling unit shall be made

accessible.

↑ ***ADA Requirements (Standard: ADA Accessibility Guidelines for Buildings and Facilities (ADAAG))***

↑ All areas of public accommodation including, but not limited to:

↑ Rental offices

↑ Parking lots

↑ Accessible routes, walkways and paths

↑ ***DCA Accessibility Requirements (Standard: DCA Accessibility Manual)***

↑ The Design Development Documents must also include:

↑ 5% of all units (with a minimum of one) shall be equipped for the mobility disabled (DCA Requirement)

1 2% of all units (with a minimum of one) shall be equipped for the hearing and sight impaired (DCA Requirement)

1 All optional accessibility components certified to at Application as set forth in the Application Manual

1 In addition to the 5% of units required to be equipped for the mobility disabled, the applicant agrees that an additional 2% of the units (with a minimum of one) will be equipped for the mobility disabled. Each of these additional units must include the installation of a roll in shower.

1 All units designated and equipped as units for the disabled are equipped with front loading washers and dryers at no expense to the tenant.

1 The maximum length of travel from each first floor unit in every building to the closest parking space designated as a "Handicapped" space, does not exceed 200 feet.

1 All units on all floors incorporate the following visitability modifications for the mobility disabled: All bathroom and interior doorways shall be a minimum 32” clear opening and each unit shall provide at least one accessible means of egress/ingress.

E. Signature & Certification:

The undersigned certifies to the Georgia Department of Community Affairs (DCA)/Georgia Housing and Finance Authority (GHFA) that the accessibility review report has been completed in accordance with DCA requirements and that the statements contained in this report are a true, correct and accurate description of the required and optional accessibility components that will be incorporated into the proposed project. The undersigned acknowledges that this report and certification will be relied upon by DCA/GFHA.

Signed: _____ Date: _____

Professional Accessibility Consultant