

## Fair Housing Act Self-Evaluation - Who Must Comply

The design requirements apply to all buildings built for first occupancy after March 13, 1991, which include:

- All dwelling units in buildings containing four or more dwelling units if such buildings have one or more elevators, and
- All ground floor dwelling units in other buildings containing four or more units.

The design and construction requirements of the Fair Housing Amendments Act apply to all new or existing multi-family housing consisting of four or more dwelling units built after March 13, 1991. Such buildings must meet specific design requirements so public and common use spaces and facilities are accessible to people with disabilities. In addition, the interior of dwelling units covered by the Fair Housing Amendments Act must be designed so they too meet certain accessibility requirements.

Single family residences, duplexes, triplexes, and townhouses are exempt.

To be a covered unit, all of the finished living space must be on the same floor, that is, be a single story unit.

The design requirements to which buildings and units must comply are presented in abridged form below. Dwelling units are not subject to these requirements only in the rare and extreme instances when terrain circumstances would prohibit compliance.

- 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 dwelling unit.
- REQUIREMENT 5: Light switches, electrical outlets, thermostats, other environmental controls in accessible locations.
- REQUIREMENT 6: Reinforced walls for grab bars.
- REQUIREMENT 7: Usable kitchens and bathrooms.

### Definitions

**Accessible** means that the public or common use areas of the building can be approached, entered, and used by individuals with physical disabilities. The phrase "readily accessible to and usable by" is synonymous with accessible.

**Accessible route** means a continuous and 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.

**Bathroom** means a room which includes a water closet (toilet), lavatory (sink), and a bathtub or shower. It does not include single-fixture facilities or those with only a water closet and lavatory.

**Building** means a structure, facility or portion thereof that contains or serves one or more dwelling units.

**Building entrance** on an accessible route means an accessible entrance to a building that is connected by an accessible route to public transportation stops, to parking or passenger loading zones, or to public streets or sidewalks.

**Clear** means unobstructed.

**Common use areas** means rooms, spaces, or elements inside or outside of a building that are made available for the use of residents of a building or the guests thereof. These areas include hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas, and passageways among and between buildings.

**Covered multi-family dwellings** means buildings consisting of four or more dwelling units if such buildings have one or more elevators, and ground floor dwelling units. Dwelling units within a single structure separated by firewalls do not constitute separate buildings.

**Dwelling unit** means a single unit of residence for a household of one or more persons.

**Entrance** means any exterior access point to a building used by residents for the purpose of entering.

**Ground floor** means a floor of a building with a building entrance on an accessible route. A building may have one or more ground floors. Where the first floor containing dwelling units is above grade, all units on that floor must be served by a building entrance on an accessible route. This floor will be considered a ground floor.

**Multistory dwelling unit** means a dwelling unit with finished living space located on one floor and the floor or floors immediately above or below it.

**Powder room** means a room containing a toilet and a sink.

**Public use areas** means interior or exterior rooms or spaces of a building that are made available to the general public. Public use may be provided at a building that is privately or publicly owned.

**Single-story dwelling unit** means a dwelling unit with all finished living space located on one floor.

**Site** means a parcel of land bounded by a property line or a designated portion of a public right of way.

**Vehicular or pedestrian arrival points** means public or resident parking areas, public transportation stops, passenger loading zones, and public streets or sidewalks.

**Vehicular route** means a route intended for vehicular traffic, such as a street, driveway, or parking lot.

## **Suggestions**

Obtain a copy of the Fair Housing Design Manual.

- Obtain and know how to read a tape measure.
- Use a 48 inch by 36 inch tablecloth for identifying accessible space in front of fixtures and appliances. (Kitchens and Bathrooms)
- Use a yardstick with tape at 32 inches, or a tape measure, to measure doorways.

Use a tape measure to measure heights of switches and receptacles, thresholds, hallways, toilet compartments, and distances between countertops and appliances.