

TEN SAFE HARBORS FOR COMPLIANCE WITH THE FAIR HOUSING ACT

A safe harbor is a law, accessibility standard, or building code identified by the U.S. Department of Housing and Urban Development (HUD) as consistent with the Fair Housing Act's Design and Construction Requirements. Once a specific safe harbor has been selected, designers and builders should comply with ALL of the relevant provisions in that document. The status of "safe harbor" may be lost if provisions are selected from a variety of sources.

1. HUD Fair Housing Accessibility Guidelines and the Supplemental Notice to Fair Housing Accessibility Guidelines
2. HUD Fair Housing Act Design Manual
3. ANSI A117.1 (1986)*
4. CABO/ANSI A117.1 (1992)*
5. ICC/ANSI A117.1 (1998)*
6. ICC/ANSI A117.1 - 2003 (Accessible and Usable Buildings and Facilities)
7. ICC Code Requirements for Housing Accessibility 2000 (CRHA)
8. International Building Code 2000 as amended by the 2001 Supplement to the International Codes.
9. International Building Code 2003, with one condition.
10. 2006 International Building Code®

*used with the Fair Housing Act, HUD's regulations, and the Guidelines.

Visit www.fairhousing.org for more information

The Fair Housing Act accessibility requirements encourage the design and construction of more accessible housing for persons with disabilities. This brochure provides a summary of the seven design and construction requirements of the Fair Housing Act and resources for additional information on accessibility.



Inland Fair Housing and Mediation Board (IFHMB) is a non-profit agency that has been dedicated to equality in housing choice since 1983. IFHMB provides information, education, mediation, and investigation of housing-related discrimination complaints. IFHMB also conducts accessibility compliance reviews to ensure that multifamily housing meets the stipulated accessibility guidelines.

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FAIR HOUSING ACT ACCESSIBILITY GUIDELINES

*Design and Construction Requirements
for Multifamily Housing*



THE DESIGN AND CONSTRUCTION REQUIREMENTS OF THE FAIR HOUSING ACT

The Fair Housing Act establishes requirements and guidelines intended to reduce barriers for individuals living with disabilities and to encourage the design and construction of accessible multifamily dwellings. The guidelines include seven design and construction requirements which apply to construction of multifamily dwellings containing four or more units and built for first occupancy after **March 13, 1991**.

While the requirements may not provide relief for all situations involving individuals with disabilities, they are intended to aid builders, architects, engineers, and contractors in creating housing that is more accessible.

The seven design and construction requirements contained in this brochure provide only a summary of each requirement. The Fair Housing Act Design Manual provides comprehensive information about the requirements and uses detailed illustrations to explain the application of the guidelines to multifamily housing.

THE SEVEN DESIGN AND CONSTRUCTION REQUIREMENTS OF THE FAIR HOUSING ACT

REQUIREMENT 1:

Accessible building entrance on accessible route

Multi-family dwellings must have at least one building entrance on an accessible route. In rare cases, after rigorous evaluation, some properties may be exempted from the requirement when it is impractical to create an accessible route due to the terrain or the unusual characteristics of a site.

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REQUIREMENT 2:

Accessible and usable public and common use areas

Public and common areas must be readily accessible to and usable by persons with disabilities. These common areas can include walkways, hallways, laundry rooms, and recreational areas.

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REQUIREMENT 3:

Usable doors

All doors in public and common use areas and within dwelling units must have a nominal width of 32" or more to allow passage by a person in a wheelchair. This includes entrances to buildings, into and within laundry rooms, mail rooms, recreational areas, public restrooms, rental offices, and secondary entry doors within units.

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Findings from a HUD Study...

Builders that comply with the Fair Housing Act during construction find that their costs only rise about a third of 1%. Retrofitting a building that has already been constructed can cost considerably more.

Knowing and understanding the legal standards will ensure that constructed units meet requirements and serve the needs of individuals living with disabilities.

REQUIREMENT 4:

Accessible route into and through the unit

There must be an unobstructed, accessible route into and through dwelling units, providing access for a person with a wheelchair. Hallways must have a minimum nominal width of 36" in order to meet this requirement.

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REQUIREMENT 5:

Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations

All switches, outlets, and other controls used by residents on a frequent or regular basis must be no higher than 48" above the finished floor and no lower than 15" above the finished floor.

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REQUIREMENT 6:

Reinforced walls for grab bars

Dwelling units must contain reinforced bathroom walls to allow for later installation of grab bars around toilets, bathtubs, and shower stalls. In some situations, reinforcing for shower seats is also required.

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SOURCES FOR ADDITIONAL INFO ON ACCESSIBILITY

The Department of Housing and Urban Development
(800) 347-3739 or www.hud.gov

California Department of Housing and Community Development
(916) 445-4782 or www.hcd.ca.gov

Fair Housing Accessibility First
(888) 341-7781 or www.fairhousingfirst.org

Inland Fair Housing and Mediation Board
(800) 321-0911 or www.ifhmb.com

REQUIREMENT 7: Usable kitchens and bathrooms

Dwelling units must contain usable kitchens and bathrooms that allow an individual who uses a wheelchair to maneuver in the area. There must be 30" x 48" of clear floor space parallel to and centered at the sink, kitchen top, or range. Additionally, there must be 30" x 48" of clear floor space for either a parallel or forward approach at kitchen appliances such as ovens, dishwashers, refrigerators, and trash compactors.

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Compliance Reminder!

There may be state and local requirements that are more restrictive than federal requirements. Prior to construction, applicable federal, state and local regulations should be consulted and verified for compliance.