

# ADA TITLE II TRANSITION PLAN

*prepared for*

Housing Authority Prince George's County  
9200 Basil Court Suite 500  
Largo, MD 20774



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# 1. CERTIFICATION

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Bureau Veritas has completed a Comprehensive Accessibility Evaluation of the Housing Authority of Prince George's County properties in Prince George's County, MD, in accordance with the requirements of 28 CFR Part 35, the 2010 ADA Design Standards for Accessible Design, and the State of Maryland Building Code sections related to accessibility.

The conclusions and recommendations presented in this report are based on the evaluations of properties under the jurisdiction of the Housing Authority of Prince George's County, associated documentation related to the properties, and input from the Housing Authority of Prince George's County staff.

Accessibility evaluations were conducted by Bureau Veritas Project Architects and Project Engineers during site visits to individual properties. Project Architects' and Engineers' observations were made during site visits conducted in May and June of 2021. Cost estimates for barrier removal are planning level cost estimates based on Bureau Veritas's experience with similar properties.

The assessments were performed at the Client's request using methods and procedures consistent with good commercial and customary practice for assessing compliance with the Title II provisions of the Americans with Disabilities Act (ADA), including the requirements of 28 CFR Part 35, and applicable state requirements. Accessibility barriers in areas which were not readily accessible, and/or may not have been visible, may exist. Individual facility reports describe property conditions at the time that the observations and research were conducted. The individual facility reports are not an engineering evaluation of physical conditions. The Self-Evaluation did not include engineering evaluations or engineering calculations to determine the adequacy of the park or facility's original design or to determine engineered cost estimates.

The opinions Bureau Veritas expresses in this report were formed utilizing the degree of skill and care ordinarily exercised by any prudent architect or engineer in the same community under similar circumstances. Bureau Veritas assumes no responsibility or liability for the accuracy of the information contained in this report, which has been obtained from the client or the client's representatives, from other interested parties, or from the public domain. The conclusions presented represent Bureau Veritas's professional judgment based on information obtained during the course of this assignment. The conclusions presented are based on the data provided, observations made, and conditions that existed specifically on the date of the assessments of individual properties.

Bureau Veritas certifies that Bureau Veritas has no undisclosed interest in the subject property, Bureau Veritas' relationship with the client is at arms-length, and that Bureau Veritas' employment and compensation are not contingent upon the findings or estimated costs to remedy any deficiencies.

This report has been prepared on behalf of and exclusively for the use of the Housing Authority of Prince George's County for the purposes stated herein. The purpose for which this report shall be used shall be limited to the use as stated in the contract between the client and Bureau Veritas.

This report, or any of the information contained therein, is not for the use or benefit of, nor may it be relied upon by any other person or entity, for any purpose without the advance written consent of Bureau Veritas. Any reuse or distribution without such consent shall be at the client's or recipient's sole risk, without liability to Bureau Veritas.

If you have any questions regarding this report, please contact Bryon Scott, Senior Engineering Consultant, (800) 766-0660 x 6625.

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## 2. PURPOSE AND SCOPE

### 2.1 Overview of the Housing Authority of Prince George’s County

The mission of the Housing Authority of Prince George’s County is to expand access to a broad range of quality housing options, create safe, well planned, attractive residential communities while assisting families in maintaining self-sufficiency and promoting stability within communities.

The beneficiaries of our efforts are individuals and families with housing or community improvement needs. Special emphasis is given to low and moderate-income people who live in the County.

We carry out our mission through aggressive financing; innovative planning; and productive partnerships with the public, private and community based organizations.

A seven member Board of Commissioners governs the Housing Authority of Prince George’s County. Nathan Simms, JR is the Executive Director of the Housing Authority of Prince George’s County.

Current staffing consists of 68 full-time, employees.

Physical amenities currently available within the HOUSING AUTHORITY OF PRINCE GEORGE’S COUNTY system are:

AMENITY SUMMARY	
FACILITY	AMENITIES
HAPGC Headquarters	Administrative Office
Cottage City Towers	Residential Dwelling Units
1100 Owens Road	Residential Dwelling Units
Marlborough Towne	Residential Dwelling Units
Rollingcrest Village	Residential Dwelling Units
Kimberly Gardens	Residential Dwelling Units
Project-Based Voucher Program	Direct Pay to independent Landlords
<b>Total Number of Amenities</b>	7

See Appendix E for breakdown by Unit Types

### 2.2 Purpose of the Transition Plan

The purpose of this Transition Plan is to plan accessibility compliance for the Housing Authority of Prince George’s County with the requirements of Title II of the Americans with Disabilities Act (ADA) and applicable state regulations contained in the accessibility and related chapters of the Maryland Building Code. The Transition Plan is part of the Self-Evaluation process required of Title II entities (state and local public agencies).



## 2.3 Basis for Probable Costs

The estimates for the repair and capital reserves items noted within this report are summarized in Section 3, and individual observation details are provided in Appendix A.

The estimates are based on invoice or bid documents provided either by the Owner/facility and construction costs developed by construction resources such as *R.S. Means* and *Marshall & Swift*, Bureau Veritas' experience with past costs for similar properties, city cost indexes, and assumptions regarding future economic conditions. Typically, barrier removal allowances are based upon the removal of the specific element being evaluated (for example, parking stalls, curb ramps, ramps). Grading plans based on field surveys using land surveyor instrumentation could result in significantly different material quantities and subsequent higher project costs. Bureau Veritas has no control over the final scope of work, pricing methods, and costs associated with a contractor constructing the project. The opinion of probable costs within this report cannot guarantee that the costs will accurately reflect the actual bids for construction.

## 2.4 Scope of Work

A Self-Evaluation is a governmental organizations' evaluation of its current services, policies and practices, and all physical facilities. The Self Evaluation comprises three components:

- Data gathering: assessments of individual physical properties and internal reviews of public services and programs, communications, and employment practices
- Transition Plan based on the physical and programmatic assessments
- Action necessary to make required additions or modifications to non-compliant elements

This Transition Plan represents the planned modifications to programs and physical facilities provided by the Housing Authority of Prince George's County. The Transition Plan is a summation and analysis of the barriers to use of facilities.

## 2.5 Physical Barrier Assessments

A Bureau Veritas Subject Matter Expert visited each property within the Housing Authority of Prince George's County to evaluate the facilities in accordance with the ADA and State of Maryland Building Code and assess the existing property improvements' compliance with the Title II provisions of the Americans with Disabilities Act (ADA) and applicable state requirements.

The field observer conducted a thorough review of the facility to observe and identify barriers to accessibility and formulate recommendations to remedy the physical barriers. As a part of the review, the field observer met with a property representative with specific knowledge of the facility to gain a clear understanding of overall features, public use patterns, and relevant historical data. All features of the property are subject to observation, which includes but is not limited to parking lots, sidewalks, access ramps, and all common areas accessible to the public, as well as employee areas.

During the site walk-through, the field observer followed a Survey Form that meets or exceeds the current UFAS format and utilized a digital level, measuring tape, pressure gauge, and digital camera. The field observer identified and prioritized any existing improvements not in accordance with the applicable ADA requirements in the order of preference as set out by the DOJ in general categories, and refined by Bureau Veritas.

The Bureau Veritas team assessed exterior and interior in order to identify existing conditions that are not in accordance with the applicable regulations. Examples of elements required to be accessible are:

Parking- adequacy as to automobile number, van accessible number, signage, and markings

Parking and passenger loading zones

Accessible routes: sidewalks and paths, interior routes

Space allowance and ranges

Protruding objects

Ground and floor surfaces

Curb and other ramps; size, distance, slope, rails, and surface finishes

Exterior and interior common stairs

Platform lifts (wheelchair lifts)

Entrances and exits to common areas and employee areas

Handrails and grab bars

Alarms (visual and audible) and warnings

Signage, Braille, and visual

Switches and outlets

Individual assessment reports for each property surveyed included:

Summary of Findings for all amenity features (parking stalls, curb ramps, paths of travel, etc.)

Individually recorded barriers

Digital photos of observed deficiencies and representative photos of elements observed to be in compliance

Geocode GPS references for the location of observed deficiencies

Applicable ADA and State of Maryland regulatory references were applied to public facing areas

Applicable UFAS and State of Maryland regulatory references were applied to tenant facing areas

Recommendations for viable corrective measures necessary to comply with regulations

Planning level cost estimates for each barrier

Assessment results were tabulated into an ADA database using AssetCALC™, an online interactive database created by Bureau Veritas to manage ADA and state accessibility code information. The AssetCALC™ asset management database used by Bureau Veritas establishes an online database in [www.Assetcalc.net](http://www.Assetcalc.net), which is used to compile records of all deficiencies and accessibility barriers, store photos, and documents related to the individual facilities, and create reports. AssetCALC™ provides the ability to list, prioritize, query, and track accessibility barrier removals. Cost data in the database is calculated using rounding. Any minor discrepancies in the costs shown in this report are the result of rounding.

### 3. ACCESSIBILITY REQUIREMENTS

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The Americans with Disabilities Act (ADA) of 1990 provides comprehensive, wide-ranging rights and protections to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. Many consider it to be one of the most important civil rights laws since the Civil Rights Act of 1964. The goal of the ADA is to ensure equality of opportunity, full participation, and independent living to all individuals, including those with disabilities; it expressly prohibits all state and local governments and most private businesses from discriminating on the basis of disability. The ADA provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities. The ADA includes the definition of a disability, and in 2008, the ADA Amendments Act expanded and better defined the definition of a disability.

The ADA defines a disability, with respect to an individual, in one of three ways: a physical or mental impairment that substantially limits one or more major life activities; a record or history of such impairment; or regarded as having such as an impairment. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

The ADA is divided into 5 Titles: Employment, Public Services, Public Accommodations and Commercial Facilities, Telecommunications, and Miscellaneous Provisions. This report focuses on the Title II requirements.

The Department of Justice (DOJ) is responsible for the enforcement of the provisions of the ADA other than employment policy related issues. The United States Department of Justice's regulations implementing Title II of the ADA dictate that local governments and public agencies such as the Housing Authority of Prince George's County must evaluate their services, programs, policies, and practices and identify barriers that may limit accessibility for individuals with disabilities and develop transition plans describing how they will address identified barriers.

In 2010, the Department of Justice issued revised and expanded ADA regulations. The new regulations revised and updated earlier standards as well as included new standards for various recreational uses such as play equipment, amusement rides, fishing piers, etc. These are collectively called the 2010 ADA Standards for Accessible Design (the "2010 Standards"). These new standards guide all new park construction and renovation projects. All facilities and parks have been evaluated and audited using the 2010 Standards.

Generally, Title II of the Americans with Disabilities Act (ADA) prohibits discrimination by public entities to access and use of on the basis of disability. In addition, public agencies must provide program access to all programs of the agency. Program, as used in the phrase "program access", is defined by the Department of Justice as "programs, facilities, and activities" of the public agency. Regardless of their age, programs, facilities, and activities must be maintained and operated to comply with the Americans with Disabilities Act Accessibility Guidelines (UFAS), and applicable state and local accessibility regulations.

Buildings completed and occupied after January 26, 1992 are required to comply fully with ADA. Existing facilities constructed prior to this date are held to the lesser standard of complying to the extent allowed by structural feasibility and the financial resources available, or a reasonable accommodation must be made. However, program access by the public is still required.

A full explanation of the ADA is located in Appendix A.





## 4.COMPLIANCE STRATEGY

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The proposed strategy for ADA compliance is a multi-phase approach for facility access as well as programmatic access. The goal of this strategy is to ensure that the programs, services, and opportunities offered by Housing Authority of Prince George's County (HAPGC) are accessible to the citizens of Prince George's County, regardless of abilities, yet provide a realistic plan for barrier removal, which is within the fiscal capabilities of the Housing Authority of Prince George's County.

Provision of facility access is proposed to be based on residential dwelling units and the related common areas. HAPGC recognizes that they have a fundamental requirement under the law to provide mobility accessible and sensory accessible dwelling units along with programmatic access under the Fair Housing Act. To date, HAPGC has made substantial progress to the Retro-fit, certification and compliance with UFAS regulations, the Voluntary Compliance Agreement (VCA), and Disability Rights Maryland (DRM) Settlement Agreement, for selected Public Housing units. The removal of comparable barriers to accessibility is to be identified at Project Based units and HAPGC Headquarters/Admin Office.

At a minimum, program access is required across all programs administered by HAPGC, and difficult to deem which programs or dwelling units have priorities over others. Therefore, HAPGC approach is to remediate barriers focusing on two areas simultaneously.

HAPGC is currently repositioning the ownership of its properties to allow for additional funding from new partners. This will allow HAPGC to complete the repairs to the facilities at an accelerated pace, allowing for exterior site barriers to be remediated years ahead of the current schedule. HAPGC has completed the remediation of mobility barriers within the dwelling units in four of the five properties they currently own.

For Project-Based Vouch units, HAPGC has completed the self-evaluation of properties that landlords have identified as accessible dwelling units. HAPGC is in conversation with these Landlords regarding the removal of barriers to accessibility in these units. To further this effort, HAPGC is soliciting additional Landlords in an effort to increase the number of mobility and sensory units within the Project-Based Voucher program.

HAPGC continues to strategically and purposefully engage other county agencies, community partners and developers to increase the number of accessible dwelling units through new construction. In the fall of 2021, HAPGC, in partnership, will break ground on a 163-unit, mixed-use, multifamily/mixed-income development, serving families and individuals age 62 and above. This property will add 24 UFAS units, to include 4 sensory units. Additional projects are currently in the development stage



## 5. Targeted Numbers

HAPGC has determined that the total number of dwelling units in their inventory subject to the VCA is 554. This number is a combination inclusive of all Project-Based Voucher Units and all current PH Developments, excluding Kimberly Gardens. HAPGC was the contract administrator for HUD for a MOD Rehab project – Regency Lane. The owner of the MOD property chose to opt-out of their contract with HUD effective May 31, 2021. Effective that date, HAPGC no longer has any MOD Rehab units that it manages.) HAPGC has a total of 178 PBVs under contract with another 59 PBV units under AHAP. The units under AHAP (which are slated to come online in 2022/2023) are all designated to be Accessible Dwelling Units.

HAPGC has contractual control of 554 dwelling units and is required to provide 28 Mobility and 12 Communication dwelling units.

HAPGC has completed a review of its waitlist for accessible units. As of February 24, 2021, 19 applications have self-identified as waiting on Accessible Dwelling units and 8 applicants that have self-identified as waiting on Sensory Dwelling units.

Combining the waitlist and actual inventory, HAPGC will need 47 Mobility and 20 Sensory Dwelling Units in their inventory.

HAPGC has several self-identified Accessible Project Based Voucher (PBV) units. However, upon the initial Self-Evaluation of the PBV units by the ILA, it was found that most were lacking basic requirements to be classified or modified to be Accessible Dwelling Units. The ILA is working with HAPGC to identify which PBV units that could possibly be converted.

The addition of 59 AHAP units, will give HAPGC and surplus of 32 mobility units\*. HAPGC will need to still supply 9 additional sensory units.

	Dwelling Units	5% Mobility	2% Sensory
HAPGC Public Housing	376	19	8
HAPGC PBV	178	9	4
HAPGC Wait List 2-24-21		19	8
Units needed 2-24-21		47	20
<b>HAPGC Current Inventory</b>		<b>(20)</b>	<b>(8)</b>
Inventory Needed 2-24-21		27	12
<b>Identified New PBV Units (AHAP)</b>	59	<b>(59)</b>	<b>(2)</b>
Units need after new Development		<b>(32)*</b>	10

## 6 PRIORITIES

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### 6.1 Facility Priorities

The Housing Authority of Prince George's County has established an accessibility priority rating for facilities to increase the number of fully accessible dwelling units in the shortest period. As a result, the Housing Authority of Prince George's County will plan to remove barriers to accessibility in the following order.

- Owned facilities with minimal site issues
- Project-Based Voucher Units
- Owned Facilities with major site issues
- Developer Partners – All new PBV partners will deliver a minimum of 5% mobility and 2% sensory dwelling units.

### 6.2 Barrier Priorities

The scope of the individual assessments were limited to exterior site features and amenities, specifically accessible parking and exterior accessible pedestrian paths of travel to and from all amenities and features provided at each site. Elements assessed included amenities such as parking, playgrounds, and restroom interiors. Bureau Veritas prioritized each of the captured barriers based on Department of Justice (DOJ) criteria focusing on the primary scope of work. Interior spaces such as common corridors, public restrooms, and other interior elements along the common path of travel, such as water fountains, that are the responsibility of the property owner, were included.

Per DOJ Guidelines, *people with disabilities should be able to arrive on the site, approach the building or facility and its amenities, and enter as freely as everyone else.*

The following priority levels have been used to assign priorities to barriers within each property and facility.

#### **Priority 1: Path of Travel-**

**Accessible Van Parking** – Access to a public facility begins with accessible parking. Van accessible parking is deemed the most important barrier. Those with the most severe disabilities tend to require a van accessible space to accommodate their vehicle and mobility device. In addition, when only the minimum number of accessible spaces is required, it must be a van accessible space. This priority includes all barriers associated with the compliance of a van accessible space including signage, restriping, constructing or reconfiguring the pavement to accommodate the required number of spaces.

**Accessible Car Parking** – Access to a public facility begins with accessible parking. Car accessible parking is deemed the second most important barrier. This priority includes all barriers associated with the compliance of a van accessible space including signage, restriping, constructing or reconfiguring the pavement to accommodate the required number of accessible spaces.

**Accessible Approach and Entrances** – A public agency is required to take measures to provide access to a place of public accommodation and employee areas from public sidewalks, parking, or public transportation. The DOJ dictates the minimum width, cross and running slope, signage, and handrail requirements associated with pedestrian accessible routes of travel. These measures include, for example, installing an entrance ramp, correcting tripping hazards or lessening the slope of a curb ramp. At least one route of travel to each amenity or feature should be safe and accessible for everyone, including people with disabilities.



**Priority 2: *Elements used for programs, services, and activities-*** Barriers may include play equipment, picnic tables, public counters, benches, and trash receptacles.

**Priority 3: *Restrooms, Signage*** - Barriers may include widening of toilet stalls, installation of grab bars, and lowering lavatories and mirrors.

**Priority 4: *Access to Auxiliary Features and Amenities*** – A public agency is required to take measures to provide access to auxiliary features and amenities along paths of travel, for instance, kiosks, water fountains, and kitchen appliances.

**Priority 5: *Employee-only Areas-*** Employee-only areas are required to have accessible entrances and exits, and accessible paths of travel within interior work areas and work stations. Corridors in employee-only areas, employee-only restrooms, employee-only kitchens and employee-only break rooms are considered public areas (rather than employee-only areas) under the ADA, and therefore, are required to fully comply with accessibility regulations governing those types of areas.

Employee areas have been set as the lowest priority, due to the fact that the total estimated cost for barrier removal in public areas is the more pressing need.

Some of the existing accessibility barriers require a minimal amount of effort or expense to remove and are found throughout the system. These types of barrier removals are called “Low Hanging Fruit,” or easy barrier removal. “Low hanging fruit” is defined as accessibility barrier removal which can be incorporated into recurring work being completed on a life cycle basis, and which is relatively low in cost.

## 7 HOUSING AUTHORITY OF PRINCE GEORGE'S COUNTY FUNDING LEVELS

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The total amount of revenue in the 2021 budget was approximately \$96,573,000. The majority of the funds are allocated to expenses not related to physical facility improvements, such as wages, insurance, equipment, and other program expenses. The existing revenue level is not anticipated to increase significantly in the future.

The Housing Authority of Prince George's County receive its funding from three funding categories under the General Fund. Each of the funds have certain restrictions limiting their use:

- Consolidated Capital Fund Grant (CFP)
- DHCD CDBG
- Housing Assistance Division - OPERATIONS

Based on the information above, the annual funding level for barrier removal can be no greater than the funds available for Capital Projects at a maximum, although some barriers may be removed through maintenance project funds, such as "low hanging fruit".

Further funding to compete barrier removal at the five owned properties is being generated through repositioning: HAPGC is requesting the restructuring of Community Development Block Grant for Program Year 45 to complete the barrier remediation at Marlborough Towne and Cottage City Towers. See Appendix F

HAPGC is currently looking at revenue sources to cover the expenditure of 1100 Owens Road and Rollingcrest Village. This restructuring and reposition of the properties is targeted to be completed by the end of 2021.

The Homes at Oxen Hill, multifamily affordable housing project is considered a Low-Income-Housing-Tax-Credit (LIHTC) development. As such, the equity investor(s) owns the controlling interest in the project (99.9%).

Prince George's County Government owns the HAPGC Headquarters. The County's Office of Central Services has committed to remediate the barriers with in HAPGC Headquarters, the funding and timing is yet to be determined.

For PBV units, HAPGC has spent \$104,704 dollars of \$200,000 set aside to remove barriers from the dwelling units. As of July 19, 2021, Twelve of the dwelling units have been completed, Four are under construction and two are waiting quotes from the contractor.

## 8 TRANSITION PLAN COMPONENTS

### 8.1 Overview

The 2021 Transition Plan is a snapshot in time to evaluate and prioritize accessibility barrier removal throughout the Housing Authority of Prince George's County system. The Transition Plan will be a living document and not a static view of the existing state of ADA compliance at the Housing Authority of Prince George's County. As such, it can be modified and updated on a periodic basis to reflect barrier removal efforts, changes in economic conditions, new and revised strategies, and reflect future public input.

The Transition Plan is a flexible document, as strategies, priorities, and funding opportunities change. The Housing Authority of Prince George's County demographics may vary over time as well as funding priorities.

The Transition Plan will require modification as conditions and priorities are changed, new ADA requirements are issued by HUD and the DOJ, and/or unanticipated policy, or fiscal needs shifts occur. To further complicate the difficulty of setting priorities, the Housing Authority of Prince George's County system is intertwined with other entities, such as the Department of Housing and Urban Development, so that funding for corrective actions on facilities extends beyond the immediate control of its own boundaries.

As the ADA Coordinator Nicole Garrett, for Housing Authority of Prince George's County, is responsible for updating, Housing Authority of Prince George's County's Transition Plan. At a minimum of at least once a year, the Transition Plan should be updated, noting the barriers removed and any changes to the funding noted Nicole Garrett DHCD-504@co.pg.md.us 301-883-5531..

### 8.2 System Barrier Summary

The removal of all identified physical accessibility barriers in the system is estimated to cost \$3,604,370. The existing barrier planning level cost estimate totals are summarized in Table 8.2 below:

Facility / Building	Priority 1		Priority 2		Priority 3		Priority 4		Priority 5		Total	
	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items
1100 Owens Road	\$193,666	21	\$1,228	2	\$330	4	\$55	1			\$195,279	28
Brinkley Hills	\$142,319	22	\$12,513	5	\$12,529	12	\$600	1			\$167,960	40
Central Gardens	\$1,227,645	71	\$705,584	17	\$621,005	13	\$8,960	2			\$2,563,194	108
Cottage City Towers	\$62,507	11	\$955	4	\$3,833	6			\$3,254	1	\$70,549	22
HAPGC Admin Offices	\$135,308	28	\$20,621	12	\$39,918	14	\$7,515	1			\$203,362	56
Marlborough Towne	\$84,766	19	\$24,405	4	\$11,352	8	\$1,559	2			\$122,082	33
Newton Green	\$16,610	15	\$5,448	9	\$10,280	17	\$6,240	3	\$1,250	1	\$39,828	45
Park Tanglewood	\$14,755	7	\$22,110	13	\$80,420	4					\$117,285	24
Rollingcrest Village	\$86,129	14	\$15,794	10	\$22,508	6	\$400	1			\$124,831	31
<b>Grand Total</b>	<b>\$1,963,706</b>	<b>208</b>	<b>\$808,657</b>	<b>76</b>	<b>\$802,174</b>	<b>84</b>	<b>\$25,329</b>	<b>11</b>	<b>\$4,504</b>	<b>2</b>	<b>\$3,604,370</b>	<b>387</b>

For the accessibility summaries of individual facilities, see Appendix C.

### 8.3 Barrier Removal Strategy

The Housing Authority of Prince George’s County has adopted a multi-phase strategy using the ranking criteria of facility usage levels to determine the phases for barrier removal. The long-term goal is to make all unique amenities and at least one of each type of recurring amenity accessible. In order to meet the programmatic requirement for accessibility of programs, facilities, and services to the disabled by local agencies, the HAPGC will make accommodations for the disabled when requested. For further explanation of the obligations of a public agency, see Appendix A, section 1.2.1.

The planned phases for barrier removal are:

- Owned facilities with minimal site issues
- Project-Based Voucher Units
- Owned Facilities with major site issues
- Developer Partners

Phases	Estimated Cost	Barriers	Estimated Completion
Cottage City Towers / Marlborough Town	\$192,632	55	December 2021
HAPGC Admin Offices	\$203,363	56	July 2022
PBV Units	\$2,888,269	217	December 2023
1100 Owens Road / Rollingcrest Village	\$320,111	59	December 2023
PBV Units Under Construction 59 Mobility & 2 Sensory	\$0	0	December 2022
New PBV Landlords	Varies	Varies	On Going
<b>Totals</b>	<b>\$ 3,604,375</b>	<b>530</b>	

[INSERT THE FOLLOWING TYPE OF NOTE IF A \$ DISCREPANCY IS PRESENT] NOTE: Due to rounding, the totals shown in this table and the individual tables in the Appendices differ from Table 8.2, System Barrier Summary, and the tables in the AssetCalc management database by approximately \$5.

See Appendix D for the full listing of barriers in each phase.

### 8.4 Conclusion

The establishment of planned phases for barrier removal is determined by the criteria adopted by the Housing Authority of Prince George’s County, the Americans with Disabilities Act’s regulations, and the necessity to schedule barrier removals within an established framework. The timing of the completion of each phase of barrier removal is subject to a number of factors. The framework timeline will be determined by the following factors, as well as potential unknown additional factors, which will determine any changes to and specificity of the Transition Plan, which may be required in future years:



- Funding sources and funding timelines
- Level of UFAS/ADA barrier removal, with the highest ranking given to the highest use areas
- Opportunity to combine UFAS/ADA barrier removal with scheduled capital improvements, such as playground replacements, parking lot renovations, restroom repairs or park reconstruction
- Development of a work program to eliminate “low hanging fruit” (easily removed barriers)
- Realistic time frame for accomplishment based on fiscal capability
- Demographic distributions
- Input from the community

Planning level estimated values for barrier removal will change over time due to inflation, changes in construction practices and materials, and unanticipated changes or additions to accessibility regulations. It is expected that the total cost of required accessibility barrier removal will change over time due to the completion of individual barrier removal efforts and due to funding of capital projects which incorporate barrier removal in the immediate and distant future.



## APPENDICES

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- Appendix A - ADA Title II Requirements
- Appendix B - DOJ/HUD Joint Letter
- Appendix C - Accessibility Summaries by Facility
- Appendix D - Barriers by Transition Plan Phase
- Appendix E – Units by Bedroom Type
- Appendix F – Block Grant Restructure
- Appendix G- Future PBV Units

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# APPENDIX A

## ADA TITLE II REQUIREMENTS

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## The Americans with Disabilities Act

With the passage of the Americans with Disabilities Act in 1990, people with disabilities were, for the first time, assured of access to all programs and services provided by state and local government agencies. Previously, under Section 504 of the Rehabilitation Act of 1973, as amended, only those public entities that receive federal funding were explicitly prohibited from discriminating on the basis of disability. Title II of the Americans with Disabilities Act applies Title I regulations to most public entities and became effective on January 26, 1992.

The Americans with Disabilities Act is divided into five areas, Titles I through V.

Title I- Employment: Title I of the Americans with Disabilities Act prohibits all employers, including government agencies, from discriminatory practices in the hiring, training, advancement, compensation, or discharge of any employee, or in any terms, conditions, and rights of employment.

Title II- Public Services: Title II of the American Disabilities Act, which governs state and local government entities, prohibits all public entities, even those completely independent from federal funding, from discriminating against people with disabilities. Generally, Title II of the Americans with Disabilities Act (ADA) prohibits discrimination by state and local government entities to access and use of “areas of public accommodations” and “public facilities” on the basis of disability.

Title III- Public Accommodations and Commercial Facilities: Title III requires places of public accommodation (privately funded and operated facilities) and commercial facilities that serve the public to be accessible to and usable by people with disabilities.

Title IV- Telecommunications: Title IV covers private telecommunication carriers offering services to the public to increase the availability of interstate and intrastate telecommunication relay services to individuals with hearing and speech impairments.

Title V- Miscellaneous Provisions: Title V contains miscellaneous provisions, including construction standards and practices, provisions for attorneys’ fees, and technical assistance provisions.

Terms such as “Public Entity” and “Governmental Agency” are applicable to Title II entities, which are defined as state and local governments.

The Department of Justice (DOJ) is tasked with enforcement of the ADA.

## Scope of Title II

Title II is divided into two subtitles. This discussion focuses only on Subtitle A, which is implemented by the Department of Justice’s Title II regulation at 28 CFR § Part 35. Subtitle B covers public transportation and is implemented by the Department of Transportation’s regulation. Subtitle B provisions are not applicable to this report, since parks are not a mode of public transportation. The use of the term “Title II” anywhere in the Transition Plan report refers only to Subtitle A.

## 28 CFR §35.102 Application

(a) Except as provided in paragraph (b) of this section, this part applies to all services, programs, and activities provided or made available by public entities.

(b) To the extent that public transportation services, programs, and activities of public entities are covered by Subtitle B of Title II (42 U.S.C.12141) of the ADA, they are not subject to the requirements of this part.

The obligation to comply with Title II extends to all public entities, including:

Any state or local government

Any department, agency, special purpose district, or other instrumentality of a state or local government

All local agencies, including municipalities, are required to comply with Title II because they are considered “instrumentalities” of the state government. All programs, activities, and services of local government, including municipalities, must be in compliance with Title II. Examples of activities covered include:

The operation of all services and programs offered by the entity;

All aspects of the employment relationship; and

Services carried out by contractors.

Title II covers any and all events the local government system offers, for example, any public meetings, entertainment or lecture series, all events offered by the school system including after-school activities and social events, festivals or other special events, and all services provided for the public or staff. Services provided by any private contractors on behalf of the municipal system must also comply fully with relevant provisions of Title II.

Under Title II, a public entity (i.e. governmental agency) shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. The local government may not deny the benefits of its programs, activities and services to individuals with disabilities because its facilities are inaccessible.

Public meeting rooms must be accessible to people with disabilities. Buildings where public meetings, services, programs or activities take place must provide access to telephones and restrooms, if provided, for people with disabilities as well as the general public. When a program, service or activity is scheduled in an inaccessible location and a person with a disability notifies the agency of their desire or need to participate, that program, service or activity must be moved to an accessible location.

The government must maintain equipment and features of facilities in working order, if those features and equipment are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited. For example, where the governmental agency must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route, however, would not be a violation if the object is promptly removed. Similarly, accessible doors must be unlocked when the governmental agency’s offices are open for business.

Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with disabilities would be violated if repairs are not made promptly or if improper or inadequate maintenance causes repeated failures.

However, this does not --

(1) Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities;

(2) Require a public entity to take any action that would threaten or destroy the historic significance of an historic property; or

(3) Require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance with 35.150(a) of this part would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of a public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity.

In summary, Title II requires state, county, and city governments to ensure that all of their programs, services, and activities, when viewed in their entirety, are accessible to people with disabilities. Program access is intended to remove physical barriers to state, county, and city services, programs, and activities, but it generally does not require that a government agency make each facility, or each part of a facility, accessible. For example, all restrooms in a facility may not be accessible. However, signage directing people with disabilities to the accessible features and spaces in a facility, including at least one accessible restroom, should be provided.

Program accessibility may be achieved in a variety of ways. State, county, and city governments may choose to make structural changes to existing facilities to achieve access, or can pursue alternatives to structural changes to achieve program accessibility. For example, governments can move public meetings to accessible buildings, or can relocate services for individuals with disabilities to accessible levels or sections of buildings. When choosing between possible methods of program accessibility, governments must give priority to the choices that offer services, programs, and activities in the most integrated setting appropriate. [28 C.F.R. § 35.149, 35.150, 35.151, 35.163]

## **Definition of Disability**

The ADA stipulates a three-pronged definition of disability. Disability is defined as an individual who:

Has a physical or mental impairment that substantially limits one or more major life activities; or

Has a record or history of such an impairment; or

Is perceived or regarded as having such an impairment;

Major life activities encompasses activities such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. [28 CFR § 35.104]

## **Human Resources**

The ADA requires equal opportunity for the disabled in all areas of employment practices, including the application process, interviewing, testing, hiring, job assignment, evaluation, discipline, medical examinations, compensation, promotion, on-the-job training, layoff/recall, termination, leave and benefits such as health insurance. The non-discrimination requirement applies to the hiring process, as well as employees.

The ADA requires that all employees be provided equal access to benefits, such as health insurance, regardless of disability. However, the regulations also indicate that certain restrictions, such as pre-existing condition waiting periods or caps on particular types of services, such as out-patient physical therapy, are permissible unless proven to be a subterfuge for discrimination.

The ADA requirements for the hiring protocol and all areas of responsibility of the human resources department extend to seasonal workers, workers covered by collective bargaining agreements and works who may be hired through outside agencies. Volunteers, interns or student teachers who may be placed at an agency program or recruiters are not necessarily defined as government employees.

An important factor in the Self-Evaluation process is the identification of unionized employees and the terms of union agreements. For example, the terms of a collective bargaining agreement may include job restructuring or reassignment requests, which may affect seniority provisions. If the granting of requests would create an undue hardship, the Equal Employment Opportunity Commission (EEOC) has the authority to determine on a case-by-case basis whether the claim of undue hardship is valid.

Employment regulations treat alcohol and drug use differently. Alcoholism is recognized as a disability under the ADA; however, employers do not have to tolerate poor work performance due to alcoholism. If a person with alcoholism is provided only one paid leave for treatment of the alcoholism, while persons with different diseases are provided multiple paid leave, then such a provision is a violation of the ADA.

The ADA does not protect an individual currently engaging in the illegal use of drugs. However, a person with a history of drug addiction who (1) has been successfully rehabilitated or is participating in a drug rehabilitation program and (2) is not engaging in the illegal use of drugs is protected if the person is a qualified individual with a disability. An individual who is erroneously regarded as being a drug addict is also protected. [28 CFR § 35.104, 131]

## **Communications**

People who have disabilities that affect hearing, seeing, speaking, reading, writing or understanding may use different ways to communicate than people who do not. Governmental agencies are required to take steps to ensure that the agency's communications with people with disabilities are as effective as communications with others. [28 CFR § 35.160(a)(1)]

This effective communication requirement applies to all members of the public with disabilities, including job applicants, program participants, and even people who simply contact state or local government agencies seeking information about programs, services, events or activities. The requirement applies to all agencies and to all modes of communication including written, spoken, telecommunications, television and video. Specifically, where the governmental agency communicates by telephone with applicants and any other person, text phones (TTY's) or equally effective telecommunications systems are required to be used for individuals who are deaf, hard of hearing, or have speech impairments. [28 CFR § 35.161]

When the government uses an automated-attendant system, including, but not limited to, voice mail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide for real-time communication with individuals using auxiliary aids and services, including TTY's and all forms of FCC-approved telecommunications relay system, including Internet-based relay systems. [28 CFR § 35.161]

Under 28 CFR § 35.161, the ADA requires that all Public Safety Answering Points (PSAPs) provide direct and equal access to their services for people with disabilities who use text phones (TTYs). All basic emergency services are included in this requirement. Both primary and secondary PSAPs have the same responsibilities under the ADA. To be in compliance, every call-taking position within the PSAP must have its own TTY or TTY-compatible equipment.

Additionally, telephone emergency services, including 911 services, shall provide direct access to individuals who use telecommunication devices for the deaf (TDD's) or computer modems. [28 CFR § 35.162]

The governmental agency must provide equal access to the programs, services and activities available on the agency's website(s). This can include making websites accessible to people with disabilities, or providing an alternative format for people to access the information, programs and services available through the web. In order to aid development of a government website which is accessible, the web administrator can consult the Web Content Accessibility Guidelines, developed by the Web Content Accessibility Working Group, which is part of the World Wide Web Consortium Web Accessibility Initiative, and available at <http://www.w3.org/TR/WCAG20>.

When an auxiliary aid or service is requested, the Department must provide an opportunity for the requester to specify aids or services of their choice, and that choice must be given primary consideration. There are many types of auxiliary aids and services that may be used to provide effective communication for people with disabilities, but not all ways work for all people or even for people with the same type of disability. The law does not require the agency to provide every one of these aids and services, but it does require that each person who interacts with the agency receives effective communication. [28 CFR § 35.160]

## **Requirements for an ADA Coordinator**

A Title II entity with more than 50 employees must designate an ADA Coordinator who coordinates agency efforts to comply with and carry out the responsibilities of the ADA. The coordinator provides a single point of contact for members of the public about ADA and the agency. In order to ensure that individuals can easily identify the ADA Coordinator, the governmental agency must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals [28 CFR § 35.107].

The ADA Coordinator facilitates compliance with the ADA and provides expertise regarding the American Disability Act and ADA Standards. The ADA coordinator receives and investigates complaints related to discrimination on the basis of disability.

Under 28 CFR § 35.107, a grievance procedure is required for public entities of 50 or more employees. Title II entities are required to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by 28 CFR § 35.

## **New Construction and Alterations**



A public Title II entity may not deny the benefits of its programs, activities, and services to persons with disabilities because its existing facilities are inaccessible. Thus, it is the general availability of a program to persons with disabilities that must be evaluated, not compliance with facility standards developed for new construction and alterations.

While state and local governments may wish to measure the accessibility of their existing buildings against the scoping and technical provisions in the 2010 Standards, program accessibility may be achieved without making every existing facility - or every part of an existing building - accessible. Alternatives to building retrofit can include the temporary relocation of an activity to an accessible facility or the delivery of the service or benefit by other means. In many cases, however, permanent construction that provides physical access may be the most efficient and economical approach to program access, particularly when life cycle costs are considered.

Although physical changes are required only when there is no other feasible way to make a program accessible, public entities are nevertheless required to give priority to methods that result in the most integrated setting appropriate. The program access obligation is limited: title II entities do not have to take actions that they can demonstrate would result in a fundamental alteration in the nature of a program or that would impose undue financial or administrative burdens.

In compliance with 28 CFR §35.151 (c), if new construction and alterations to a facility were begun prior to September 15, 2010, then the facility or portion of the facility that is affected by the alteration shall comply with the 1991 standards. If new construction and alterations to a facility were begun on or after September 15, 2010, and before March 15, 2012, then either the 1991 standards or the 2010 ADA Standards for Accessible Design are applicable. For all new construction or alterations begun on or after March 15, 2012, the 2010 ADA Standards for Accessible Design are applicable. New construction and alterations must fully comply with all applicable 2010 ADA Standards for Accessible Design if begun on or after March 15, 2012.

The DOJ definition of the commencement of construction is the establishment of a physical object, such as a foundation wall, rather than the groundbreaking first shovel and initial grading of the site.

Existing facilities (including all buildings, exterior facilities, and the on-site access to them) constructed prior to January 26, 1992, and not altered in any way since that date, are held to the lesser standard of complying, with the extent allowed by structural feasibility and the financial resources available, or when a reasonable accommodation can be made.

If the cost of providing a path of travel to an altered facility is more than 20% of the cost of the alteration to the primary function area, then the cost is disproportionate to the overall area and therefore not required. Costs that may be considered as part of the cost of providing an accessible path of travel may include: (1) the costs associated with providing an accessible entrance and an accessible route to the altered area, for example, the cost of widening doorways or installing ramps; (2) costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls, if the restroom is not the primary function of the area (e.g. the restroom is not in a highway rest area); (3) costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); and (4) costs associated with relocating an inaccessible drinking fountain. [28 C.F.R. § 35.151(b)(4)(iii)]

When the cost of alterations necessary to make the path of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the path shall be made accessible to the extent that it can without incurring disproportionate costs. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order: (1) an accessible entrance; (2) an accessible route to the altered area; (3) at least one accessible restroom for each sex or a single unisex restroom; (4) accessible telephones; (5) accessible drinking fountains; and (6) when possible, additional accessible elements such as parking storage and alarms. [28 CFR § 35.151(b)(4)(iv)] A series of smaller alterations cannot be used to evade the requirement if the alterations are served by a single path of travel. [28 C.F.R. § 35.151(b)(4)(v)]

## Safe Harbor

The 2010 ADA Standards for Accessible Design use the terms incremental change and supplemental change. Incremental changes are those elements which were requirements under the 1991 standards, but which were changed in some way under the 2010 standards. Supplemental changes are those regulations or regulatory areas which were not included in the 1991 standards, but are included in the 2010 standards.

“Safe harbor” is the term used in the 2010 ADA Standards to describe situations where the 2010 incremental changes to the ADA regulations are not required if alterations to the building or facility are not made. Specifically, “safe harbor” applies to a path of travel. “A ‘path of travel’ includes a continuous, unobstructed way of pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility and other parts of the facility. “[28 CFR § 35.151(b)(4)(ii)] “An accessible path of travel may consist of walks and sidewalks, curb ramps and other interior or exterior pedestrian ramps; clear floor paths through lobbies, corridors, rooms, and other improved areas; parking access aisles; elevators and lifts; or a combination of these elements. For the purposes of the section the term ‘path of travel’ also includes the restrooms, telephones and drinking fountains serving the altered area.” [28 C.F.R. § 35.151(b)(4)(ii)(B)]

Safe harbor applies only if a building or facility built after July 26, 1992 was compliant with the 1991 standards prior to the enforceable date of the 2010 regulations, which is March 15, 2012. “Safe harbor” is granted to facilities or buildings if and only if the facilities are fully in compliance with the 1991 standards prior to March 15, 2012. However, if alterations are made after March 15, 2012, the alteration of the building or facility must fully comply with the 2010 standards, and any other portions of the existing building or facility that are substantially affected by the alteration in terms of their use, must also comply with the 2010 standards. “Safe harbor” does not apply to areas of supplemental change. For instance, the 2010 standards include regulations for exercise equipment or exercise areas, play areas, recreational boating, mini-golf, swimming pools, bowling, and court sports, but those regulations are not governed by “safe harbor.” Other supplemental changes not enumerated here are also not covered by “safe harbor”. [28 C.F.R. § 35.151(b)(4)(ii)(c)]

For example, one of the regulated areas where “safe harbor” makes an impact is in a single occupant restroom. The 2010 ADA Standards for Accessible Design require a clear floor space next to the water closet, while the 1991 UFAS allows the lavatory to overlap the clear space. The intent of the new provisions is to allow space for a side transfer to the water closet. The 2010 ADA Standards allow the door to swing into the bathroom as long as there is a clear floor space past the swing of the door, so that a person can enter the room, shut the door and then maneuver. The 1991 UFAS does not allow the door swing and the clear floor space to overlap for any of the fixtures. While the 2010 standards do not allow clear space overlap in multi-stall bathrooms, overlap is allowed in single occupant bathrooms.

## Undue Burden

A public entity must operate each service, program, or activity so that when viewed in its entirety, the service, program, or activity is readily accessible to and usable by individuals with disabilities. This does not necessarily require the public entity to make each of its facilities accessible to and usable by individuals with disabilities. Additionally, a public entity is not required to take any action that would threaten or destroy the historical significance of an historic property.

If the state or local government agency can demonstrate that an action would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens, then the decision must be made in a written statement describing the reason for the conclusion, and the decision must be made by the head of the government agency, or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity. The public entity has the burden of proof that compliance with 28 CFR § 35.151 would result in such alterations or burdens.

If an action would result in a fundamental alteration of the service, program, or activity or in undue financial and administrative burdens, the Title II entity shall take any other action to ensure that individuals with disabilities receive the benefits or services provided by the state or local government agency.

## Self-Evaluation Requirements

A Self-Evaluation is a governmental organizations' evaluation of its current services, policies and practices, and all physical facilities. The Self Evaluation comprises three components: 1. Data gather/assessments/internal reviews, etc., 2. The Transition Plan, and 3. Action to make necessary modifications. A government entity is required to conduct a Self-Evaluation within one year of the effective date of 28 CFR § 35.105, the effective date being March 15, 2011. All governments were required to complete a Self-Evaluation of their facilities, programs, policies, and practices by January 26, 1993. The evaluation required by March 15, 2012 is required to cover any and all areas that were not covered under the previous Self-Evaluation, including any programs or facilities that were altered since the previous Self-Evaluation. If a previous self-evaluation was not conducted, then the Self-Evaluation required by March 15, 2012 must include all facilities, services, policies, and practices.

The Self-Evaluation identifies and corrects those policies and practices that are inconsistent with Title II's requirements. Self-Evaluations should consider all of a local government's programs, activities, and services, as well as the policies and practices that a governmental agency has put in place to implement its various programs and services. Remedial measures necessary to bring the programs, policies, and services into compliance with Title II should be specified -- including, but not limited to: (1) relocation of programs to accessible facilities; (2) offering programs in an alternative accessible manner; (3) structural changes to provide program access; (4) policy modifications to ensure nondiscrimination; and (5) auxiliary aids needed to provide effective communication. [28 CFR §§ 35.105, 35.150(d)] The Self-Evaluation process identifies those policies and practices that are inconsistent with the requirements of Title II of the ADA. As part of the Self-Evaluation, the governmental agency is required to:

Identify all of its programs, activities, and services.

Review all the policies and practices that govern the administration of the governmental agency's programs, activities, and services.

Examine each program to determine whether any physical barriers to access exist, including whether individuals

with mobility impairments are provided access to public meetings.

Review its policies and practices to determine whether any have the effect of excluding or limiting the participation of individuals with disabilities in the governmental agency's programs, activities, or services. The Self-Evaluation should provide justification for any agency policy that creates a barrier for people with disabilities that will not be modified.

Review its policies to assess whether communications with persons with disabilities are as effective as its communication with others.

Review its policies for responding to requests for accommodations to ensure such requests are responded to expeditiously.

Review its employment practices to assess whether they comply with other applicable nondiscrimination requirements, including Section 504 of the Rehabilitation Act and the ADA regulations issued by the Department of Justice.

Review its building and construction policies to assess whether construction of each new facility or part of a facility, or alteration of existing facilities, conforms to the standards designated under the Title II regulations.

Provide the opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the Self-Evaluation process by submitting comments.

In addition, a public entity that employs 50 or more persons shall for at least three years following completion of the Self-Evaluation maintain on file and make available for public inspection: (1) a list of the interested persons consulted; (2) a description of areas examined and any problems identified, and (3) a description of any modification made.

## **Transition Plan Requirements**

If a state or local government that employs 50 or more persons decides to make structural changes to achieve program access, it must develop a transition plan that identifies those changes and sets a schedule for implementing them. Transition plans must be available to the public.

28 CFR §35.150 (d) Transition plan: (1) In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six months of the effective date of this part, a transition plan setting forth the steps necessary to complete such changes. A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.

(2) If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

(3) The plan shall, at a minimum -

(i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;

(ii) Describe in detail the methods that will be used to make the facilities accessible;

(iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(iv) Indicate the official responsible for implementation of the plan.

28 CFR §35.151(b)(4) path of travel requirements apply only to alterations undertaken solely for purposes other than to meet program accessibility requirements of 28 CFR §35.150 provides additional guidance regarding the duty to provide accessible features in the event of disproportionality of the cost to make corrections to barriers with the overall project costs. In the event of disproportionality, 28 CFR §35.151 (b) (4) Path of Travel (iv) states that when the cost of alterations necessary to make the path of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the path of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs. Additional guidance supplied in relation to choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order—

**Priority 1:** An accessible entrance;

**Priority 2:** An accessible route to the altered area;

**Priority 3:** At least one accessible restroom for each sex or a single unisex restroom;

**Priority 4:** Accessible telephones

**Priority 5:** Accessible drinking fountains; and

**Priority 6:** When possible, additional accessible elements such as parking, storage, and alarms

These priorities are provided for guidance only. The individual Title II entity can develop its own priorities to provide reasonable accommodation.

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# APPENDIX B

## DOJ/HUD JOINT LETTER

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U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY



U.S. DEPARTMENT OF JUSTICE  
CIVIL RIGHTS DIVISION

Washington, D.C. April 30, 2013

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**JOINT STATEMENT OF  
THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE  
DEPARTMENT OF JUSTICE**

***ACCESSIBILITY (DESIGN AND CONSTRUCTION) REQUIREMENTS FOR  
COVERED MULTIFAMILY DWELLING UNDER THE  
FAIR HOUSING ACT***

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**Introduction**

The Department of Justice (“DOJ”) and the Department of Housing and Urban Development (“HUD”) are jointly responsible for enforcing the federal Fair Housing Act (the “Act”),<sup>1</sup> which prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and disability.<sup>2</sup> One of the types of disability discrimination prohibited by the Act is the failure to design and construct covered multifamily dwelling with certain features of accessible design. *See* 42 U.S.C. § 3604(f). This Joint Statement provides guidance regarding the persons, entities, and types of housing and related facilities that are subject to the accessible design and construction requirements of the Act (hereinafter, “design and construction requirements”). *See* 42 U.S.C. § 3604(f)(3).

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<sup>1</sup>The Fair Housing Act is codified at 42 U.S.C. §§ 3601-3619.

<sup>2</sup>The Act uses the term “handicap” instead of “disability.” Both terms have the same legal meaning. *See Bragdon v. Abbott*, 524 U.S. 624, 631 (1998) (noting that definition of “disability” in the Americans with Disabilities Act is drawn almost verbatim “from the definition of ‘handicap’ contained in the Fair Housing Amendments Act of 1988”). This document uses the term “disability,” which is more generally accepted.



This Joint Statement does not focus on the specific technical criteria that must be followed to comply with the design and construction requirements because HUD has already provided rulemaking and specific technical guidance to the public on those criteria. See HUD regulations implementing the design and construction provisions at 24 C.F.R. § 100.200 *et seq.*; *Final Fair Housing Accessibility Guidelines* (“Guidelines”), 56 Fed. Reg. 9,472 (Mar. 6, 1991); *Supplement to Notice of Fair Housing Accessibility Guidelines: Questions and Answers about the Guidelines* (“Questions and Answers”), 59 Fed. Reg. 33,362 (June 28, 1994); *Fair Housing Act Design Manual* (“Design Manual”) (August 1996, Revised April 1998)<sup>3</sup>. For additional technical assistance, see the Fair Housing Act Accessibility FIRST website, [www.fairhousingfirst.org](http://www.fairhousingfirst.org). This Joint Statement also does not focus on the accessibility requirements applicable to housing and related facilities under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (1990), the Architectural Barriers Act (1968), and state or local laws. Housing providers involved in designing and constructing covered multifamily dwelling are also subject to the other nondiscrimination provisions of the Fair Housing Act, including the obligations to provide reasonable accommodations and allow reasonable modifications. See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations under the Fair Housing Act (May 17, 2004) and Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Modifications under the Fair Housing Act (Mar. 5, 2008), at <http://www.hud.gov/offices/fheo/disabilities/index.cfm> or [http://www.justice.gov/crt/about/hce/about\\_guidance.php](http://www.justice.gov/crt/about/hce/about_guidance.php). Further information about all of the Fair Housing Act’s nondiscrimination requirements is available on HUD’s Fair Housing website, which may be accessed at <http://www.hud.gov/offices/fheo/index.cfm>, and DOJ’s Fair Housing website, which may be accessed at [http://www.justice.gov/crt/about/hce/housing\\_coverage.php](http://www.justice.gov/crt/about/hce/housing_coverage.php).

## **QUESTIONS AND ANSWERS**

### **Accessibility Requirements of the Fair Housing Act**

#### **1. What are the accessible features required by the Act?**

The Act requires that covered multifamily dwelling be designed and constructed with the following accessible features:

- The public and common use areas must be readily accessible to and usable by persons with disabilities;
- All doors designed to allow passage into and within all premises of covered dwelling must be sufficiently wide to allow passage by persons with disabilities, including persons who use wheelchairs;
- All premises within covered dwelling must contain the following features:
  - An accessible route into and through the dwelling unit;

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<sup>3</sup>All references to the Fair Housing Act Design Manual are to the August 1996 edition revised and republished April 1998.

- Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
- Reinforcements in bathroom walls to allow the later installation of grab bars;
- Usable kitchens and bathrooms such that an individual using a wheelchair can maneuver about and use the space.

*See* 42 U.S.C. § 3604(f)(3)(C).

To describe these requirements in more detail, HUD published the Fair Housing Act regulations (“Regulations”) at 24 C.F.R. Part 100 on January 23, 1989, the Guidelines on March 6, 1991, the Questions and Answers on June 28, 1994, and the Design Manual (issued in 1996 and revised and republished in 1998). In the Guidelines, the above statutory provisions appear as seven requirements, as follows:

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 covered dwelling unit.

Requirement 5. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations.

Requirement 6. Reinforced walls for grab bars.

Requirement 7. Usable kitchens and bathrooms.

### **Types of Dwelling Covered by the Act**

#### **2. What types of housing are covered by the Fair Housing Act’s design and construction requirements?**

The Fair Housing Act requires all “covered multifamily dwelling” designed and constructed for first occupancy after March 13, 1991, to be readily accessible to and usable by persons with disabilities. In buildings with four or more dwelling units and at least one elevator, all dwelling units and all public and common use areas are subject to the Act’s design and construction requirements. In buildings with four or more dwelling units and no elevator, all ground floor units and public and common use areas are subject to the Act’s design and construction requirements.

The term “covered multifamily dwelling” is defined by the Act and its implementing regulations and covers many different types of residential buildings and facilities.<sup>4</sup> Dwelling subject to the Act’s design and construction requirements include condominiums, cooperatives, apartment buildings, vacation and time share units, assisted living facilities, continuing care facilities, nursing homes, public housing developments, HOPE VI projects, projects funded with HOME or other federal funds, transitional housing, single room occupancy units (SROs), shelters designed as a residence for homeless persons, dormitories, hospices, extended stay or residential hotels, and more.

Housing or some portion of housing covered by the Act’s design and construction requirements may be subject to additional accessibility requirements under other laws. Those laws include Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, the Architectural Barriers Act, and state or local laws.

### **3. What standards are used to determine whether a housing facility that includes short-term residencies is covered by the Act’s design and construction requirements?**

Whether a housing facility that includes short-term residencies is a “dwelling” under the Act depends on whether the facility is intended to be used as a residence for more than a brief period of time. As a result, the operation of each housing facility needs to be examined carefully to determine whether it is intended to contain dwelling. Factors to be considered in determining whether a facility contains dwelling include, but are not limited to: (1) the length of time persons will stay in the project; (2) whether the rental rate for the unit will be calculated on a daily, weekly, monthly or yearly basis; (3) whether the terms and length of occupancy will be established through a lease or other written agreement; (4) how the property will be described to the public in marketing materials; (5) what amenities will be included inside the unit, including kitchen facilities; (6) whether the resident will possess the right to return to the property; and (7) whether the resident will have anywhere else to return. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. 15,740, 15,746-47 (Mar. 23, 2000). *See also* preamble to the final rule implementing the Fair Housing Amendments Act of 1988, stating that the definition of dwelling is “broad enough to cover each of the types of dwelling enumerated in the proposed rule: mobile home parks, trailer courts, condominiums, cooperatives, and time-sharing properties.” 54 Fed. Reg. 3,232, 3,238 (Jan. 23, 1989).

### **4. Do the Fair Housing Act’s design and construction requirements, or any other laws mandating accessible design, apply to detached single family homes?**

The Fair Housing Act’s design and construction requirements apply only to covered multifamily dwelling -- that is, buildings having four or more dwelling units built for first occupancy after March 13, 1991. This includes both rental and sale units and also attached single family homes when there are four or more dwelling in the building (*e.g.*,

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<sup>4</sup>The federal regulation specifying the types of residential buildings and facilities that are subject to the design and construction requirements of the Act appears at 24 C.F.R. § 100.201.

condominiums). Detached single family houses as well as duplexes and triplexes are not covered by the Act's design and construction requirements. *See* 42 U.S.C. §§ 3604(f)(3)(C), (f)(7). Condominiums that are not detached are, however, covered. Preamble to the Guidelines, 56 Fed. Reg. at 9,481.

However, any housing (including single family detached homes) constructed by federal, state, or local government entities or constructed using any federal, state, or local funds may be subject to accessibility requirements under laws other than the Fair Housing Act. These laws -- particularly Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Architectural Barriers Act -- have requirements for accessibility that exceed those contained in the Fair Housing Act. In addition, state and local building codes may contain accessibility requirements for detached single family homes and/or other housing. Housing subject to the requirements of more than one federal, state, or local law must comply with the requirements of each such law. Where federal, state, or local laws differ, the more stringent requirements apply. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,477. In other words, state or local laws may increase accessibility beyond what is required by federal law but may not decrease the accessibility required by federal law.

**5. Do the Act's design and construction requirements apply to a building with four or more sleeping rooms that are each occupied by a separate household who share toilet or kitchen facilities?**

Yes. A building with four or more sleeping rooms, each occupied by a separate household who share toilet or kitchen facilities, constitutes a covered multifamily dwelling for purposes of the Act's design and construction requirements. However, HUD has determined that a single family house that will be occupied by four or more persons functioning as one distinct household, such as a "group home" for persons with disabilities, is not considered to be a "covered multifamily dwelling" for purposes of the Act's design and construction requirements, even if it contains four or more sleeping areas with a shared kitchen and bathroom. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,746.

**6. Are carriage house units -- where a dwelling unit is constructed above a garage -- covered by the Act's design and construction requirements?**

If an individual stacked flat unit incorporates parking that serves only that unit, and the dwelling footprint is located directly above and within the footprint of the garage below, the unit is treated like a multistory unit without an elevator. It is, therefore, not covered unless the dwelling unit level is on an accessible route. However, for example, where several flat units are located over a common garage, the units are covered, and the units and common garage must comply with the Act's design and construction requirements whether or not the parking spaces are individually assigned or deeded to a specific unit. *See* memorandum from HUD General Counsel, Frank Keating, to Gordon Mansfield, Assistant Secretary for FHEO (Dec. 16, 1991), reprinted in the Design Manual at back of Appendix C. *See also* Design Manual at 1.29.

Example 1: A residential building consists of 4 dwelling units in which each dwelling unit has a 2-car garage and the garage footprint is used as the footprint for the floors of the dwelling unit above. These are carriage houses and are not covered.

Example 2: A residential building consists of 4 dwelling units situated over 4 individual 2-car garages, and the garage footprint serves as the footprint for the dwelling unit above. However, the front of the dwelling unit is accessed at grade from the street and access to the garages is from a lower level at the rear. The dwelling unit level of these units is on an accessible route. Therefore these units do not qualify as carriage houses and must comply with the Act's design and construction requirements.

### **Ground Floor Dwelling Units**

#### **7. Can a non-elevator building have more than one ground floor?**

Yes. The Regulations define "ground floor" as "a floor of a building with a building entrance on an accessible route." *See* 24 C.F.R. § 100.201. A building may have one or more ground floors. Where the first floor containing dwelling units in a building is above grade, all units on that floor must be served by a building entrance on an accessible route. This floor will be considered to be a ground floor. *See* Guidelines, 56 Fed. Reg. at 9,500; Questions and Answers, Q. 6 and 12, 59 Fed. Reg. at 33,364, 33,365.

Example 1: A covered building is located on a slope with the upper story at grade on one side and the lower story at grade on the opposite side. It has entrances on both sides. This building has two ground floors.

Example 2: A 3-story residential building has an adjacent 3-story parking garage, with walkways leading from each floor of the garage to each floor of the residential building. In this case, all three floors of the residential building are covered and must comply with the Act's design and construction requirements because there is a vehicular or pedestrian arrival point on each level of the garage that provides access to the dwelling units on the opposite side. For purposes of the Act, each floor of the residential building is treated as a ground floor. This is true irrespective of whether the residential building or the garage has an elevator.

### **Single-story and Multistory Dwelling Units**

#### **8. Does the Fair Housing Act require townhouses to be accessible?**

Yes, if the townhouses are single-story, or multistory with elevators internal to the unit, or multistory and located in a building with one or more elevators. *See* questions 22-27, below.

A discussion of the application of the Act's design and construction requirements to townhouses appears in the Preamble to the Regulations, 54 Fed. Reg. at 3,243-44, and in the Preamble to the Guidelines, 56 Fed. Reg. at 9,481. *See also* Questions and Answers, Q. 1, 59 Fed. Reg. at 33,363.

**9. May a unit include either a loft or a raised or sunken living room and still comply with the Act's design and construction requirements?**

Yes, but with certain restrictions. The Guidelines permit a single-story dwelling unit to have a special design feature such as a loft or an area on a different level within a room, but all portions of the single-story unit except the loft or the sunken or raised area must be on an accessible route. Note, however, that a covered dwelling unit may not have both a loft and a raised or sunken area. A single-story unit may have either a raised or sunken area, but this is limited to an area within a room and not the entire room. Further, the raised or sunken area must not interrupt the required accessible route throughout the rest of the unit. A unit with a loft is treated as a single-story unit. *See* Guidelines, Requirement 4(2), 56 Fed. Reg. at 9,507; *see also* Design Manual at 4.5. A loft (defined as an intermediate level between the floor and ceiling of any story, located within a room or rooms of a dwelling) may be provided without an accessible route to the loft. The Guidelines specify that kitchens and all bathrooms, including powder rooms, must be on an accessible route; therefore, a kitchen, bathroom, or powder room may not be located in a loft, or in a raised or sunken area, unless an accessible route is provided to the loft or the raised or sunken area. Because a unit with a loft is a single-story unit, all primary or functional living spaces must be on an accessible route. Secondary living spaces, such as a den, play area, or an additional bedroom, are the only spaces that may be in a loft unless an accessible route is provided to the loft. *See* Design Manual at 4.7.

**10. What constitutes finished living space that would permit a unit to be considered a multistory unit that is not covered under the Act's design and construction requirements?**

A multistory dwelling unit is one in which there is finished living space located on one floor and on the floor or floors immediately above or below it. Design Manual at 17, Guidelines, 56 Fed. Reg. at 9,500. An area is considered to have finished living space if it has interior partitions, wall finishes, electrical, heating and cooling systems or other building systems installed and if it complies with local building code requirements for habitable spaces. Habitable space is a space for living, sleeping, eating, or cooking. Habitable space does not include bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,762.

**11. Do the Act's design and construction requirements apply to multistory townhouses in non-elevator buildings containing four or more dwelling units?**

No. The Fair Housing Act applies to all ground floor dwelling units in non-elevator buildings consisting of four or more dwelling units. Multistory townhouses in non-elevator buildings are not considered ground floor dwelling units because the entire

dwelling unit is not on the floor that qualifies as a ground floor. Thus, if a building containing four or more dwelling units has only multistory townhouses and does not have an elevator, the Act's design and construction requirements do not apply. However, if the building has four or more dwelling units and includes one or more single story dwelling units, such as a townhouse, villa, or patio apartment, then the Act's requirements apply to the single story dwelling unit(s) and to the public and common use areas. *See* Preamble to the Regulations, 54 Fed. Reg. at 3,243-44, and Preamble to the Guidelines, 56 Fed. Reg. at 9,481. *See also* Questions and Answers, Q. 1, 59 Fed. Reg. at 33,363.

### **Additions**

#### **12. Do the Act's design and construction requirements apply to additions of four or more dwelling units or additions of new public and common use areas to existing buildings that were built for first occupancy on or before March 13, 1991?**

Yes. When four or more units are built as an addition to a building that was built before the effective date of the Act's design and construction requirements, then the added units must comply with the design and construction requirements of the Act. If any new public and common use spaces are added along with the units, then these spaces are also required to be accessible. However, if only public and common use spaces are added to an existing building not already covered by the Act's design and construction requirements, then those spaces do not need to be made accessible. *See* Design Manual at 11; Questions and Answers, Q. 4, 59 Fed. Reg. at 33,364.

Example 1: An existing 4-wing residential building with four or more units built in 1985 is partially destroyed by fire such that one complete wing of the building must be torn down and rebuilt. Since the fire destruction necessitates complete rebuilding of this wing, all ground floor units in the new wing or all units in the new wing if the building has an elevator, are covered as an addition and must meet the Act's design and construction requirements.

Example 2: The new owner of a residential building built in 1975 decides to add a clubhouse with meeting rooms for residents. Since the original units were not built after the effective date of the Act, and no new units are being added, the new public and common use areas are not subject to the Act's design and construction requirements, but may be subject to other accessibility laws (*e.g.*, ADA, Section 504).

#### **13. Do additions of units or public and common use areas to buildings with four or more units that were built after March 13, 1991, have to meet the design and construction requirements of the Act?**

Yes. Any of the following additions to a building with four or more units designed and constructed after March 13, 1991, must comply with the design and construction requirements of the Act: ground floor units in non-elevator buildings; any units in



elevator buildings; and public and common use areas. *See* Questions and Answers, Q. 4, 59 Fed. Reg. at 33,364.

**14. If only dwelling units are added to housing that was designed and constructed for first occupancy on or before March 13, 1991, do the existing public or common use areas have to be retrofitted to comply with the Act's design and construction requirements?**

No. Although new covered multifamily dwelling designed and constructed for first occupancy after March 13, 1991 would have to comply with the Act's design and construction requirements, public and common use areas designed and constructed for first occupancy before the effective date do not have to be modified to comply with those requirements. The covered dwelling units must be on an accessible pedestrian route. For example, where an addition consisting of new covered multifamily dwelling shares an inaccessible entrance with an existing building, the inaccessible entrance and route thereto must be made accessible to ensure access to the new units. Furthermore, if any new public and common use spaces are constructed at the same or later time as the new covered dwelling units, then these new public and common use spaces would need to be made accessible. *See* Questions and Answers, Q. 4(c), 59 Fed. Reg. at 33,364.

**Alterations/Renovations**

**15. Do the Fair Housing Act's design and construction requirements apply to the alteration or renovation of residential properties designed and constructed for first occupancy on or before March 13, 1991?**

No. "First occupancy" as defined in the Regulations implementing the Act means a building that has never before been used for any purpose. Therefore, alterations, rehabilitation, or repair of pre-existing residential buildings are not covered because first occupancy occurred before the effective date of the Act's design and construction requirements. *See* 24 C.F.R. § 100.201; Questions and Answers, Q. 9, 59 Fed. Reg. at 33,365. However, in those cases where the façade on a pre-existing building is maintained, but the building is otherwise destroyed, the new units are subject to the design and construction requirements. *See* Design Manual at 11.

Example 1: A 2-story residential building built in 1964 containing 20 units is being renovated into 10 large luxury condominium units in 2010. The exterior walls and roof will remain in place, but the interior will be completely rebuilt. This building is not covered because the first occupancy of the building occurred before the effective date of the design and construction requirements of the Act, and the renovations do not constitute construction of a new building.

Example 2: An existing residential building in a historic district is being torn down so that a new 2-story non-elevator residential building with eight dwelling units, four on each floor, may be constructed. The façade of the existing building will be preserved, however, and the new building will be built behind the façade.

In this case, the building is a new building designed and constructed for first occupancy after the effective date of the Act's design and construction requirements, and the ground floor units must comply with the Act's design and construction requirements. The preservation of the façade does not change this fact.

**16. Do the Fair Housing Act's design and construction requirements apply to the alteration or renovation of nonresidential buildings into residential buildings?**

No. First occupancy means a "building that has never before been used for any purpose." The conversion of a nonresidential building into a residential building through alteration or renovation does not cause the building to become a covered multifamily dwelling. This is true even if the original nonresidential building was built after March 13, 1991. This situation needs to be distinguished, however, from additions of covered multifamily dwelling (*see* questions 12, 13 and 14, above). *See* 24 C.F.R. § 100.201; Questions and Answers, Q. 4, 8 and 9, 59 Fed. Reg. at 33,364-65.

Example: A warehouse built in 1994 is being rehabilitated into a small condominium residential building with two stories and a total of 12 dwelling units. This conversion of this building is not covered because at the time of its first occupancy it was not designed and constructed as a covered multifamily dwelling.

**Building Separations**

**17. Does the use of breezeways to separate dwelling units that would otherwise be covered by the Act's design and construction requirements make those units exempt from the Act's requirements?**

No. In situations where four or more dwelling units are connected by one or more covered walkways (breezeways), stairs, or other elements that are structurally tied to the main body of a building, the dwelling units are considered to be in a single building. If the building does not contain an elevator, the ground floor units are subject to the Act's design and construction requirements. *See* Design Manual at 10. If the building contains an elevator, all units are subject to the Act's design and construction requirements.

**18. Are dwelling units in one structure that are separated by firewalls treated as separate buildings under the Act?**

No. Under the Act, dwelling units built within a single structure, but separated by a firewall, are treated as part of a single building. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,480; Design Manual at 10; Questions and Answers, Q. 1(c), 59 Fed. Reg. at 33,363.

Example: Four condominiums were designed and constructed after March 13, 1991, as part of one structure. In accordance with the local building code, the

adjoining condominiums are separated by firewalls. Although these condominiums may be considered separate buildings under the local building code, they are considered part of one building for purposes of the Fair Housing Act's design and construction requirements. They must therefore comply with the Act's design and construction requirements.

### **Dwelling Units Custom-Designed or Pre-Sold Prior to Completion**

#### **19. Do the Act's design and construction requirements apply to dwelling units that are sold before construction and/or custom designed during construction for a particular purchaser?**

Yes. The mere fact that a covered dwelling unit is sold before the completion of design or construction or is custom designed for a purchaser does not exempt the unit from compliance with the Act's design and construction requirements. The Act's requirements are mandatory, regardless of the ownership status of the individual unit. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,481; Questions and Answers, Q. 3(b), 59 Fed. Reg. at 33,364.

#### **20. May the builder, at the purchaser's request, modify a covered dwelling unit that is sold before the completion of design and construction so that the unit will no longer comply with the design and construction requirements?**

No. All covered dwelling units are subject to the design and construction requirements of the Act and although a unit may be custom designed to meet a purchaser's wishes, a builder may not build a covered unit that has features that do not comply with the Act. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,481.

### **Subsequent Changes to Accessible Features**

#### **21. May owners of covered multifamily buildings designed and constructed in compliance with the Fair Housing Act make subsequent changes to the building so that it no longer meets the Act's requirements?**

Original and subsequent owners of covered multifamily buildings that were designed and constructed in compliance with the Fair Housing Act's design and construction requirements must maintain the building's accessible features so that the building continues to meet the Act's requirements.

## **Buildings with One or More Elevators**

### **22. Does the Fair Housing Act require a townhouse to be accessible if it is located in a building that has an elevator and also has at least four dwelling units?**

Yes. If the building containing four or more dwelling units has at least one elevator, then all the dwelling units in the building are covered. This requirement applies to single story and multistory townhouses as follows:

- For single story townhouses in such buildings, the accessible features required by the Act must be provided throughout the entire unit. *See* Guidelines, Requirement 4(2), 56 Fed. Reg. at 9,507.
- For multistory townhouses located in such buildings, elevator access must be provided to the primary entrance level of the townhouse, and that level must meet the Act's design and construction requirements including providing a usable kitchen and an accessible bathroom or powder room, or just an accessible bathroom if there is both a bathroom and a powder room. However, the powder room in such situations must still have certain accessible features, including a usable door, and an accessible route into the powder room.<sup>5</sup>

### **23. If a covered building has a building elevator that serves some, but not all, of the units in the building, is it covered by the design and construction requirements?**

The Act's design and construction requirements apply to all dwelling units in buildings with four or more units if such buildings have one or more elevators. Thus, elevator access must be provided to all units in the building. *See* 42 U.S.C. § 3604(f)(7). *See also* Guidelines, Requirement 1(3)(a)(ii), 56 Fed. Reg. at 9,504. The Design Manual at 1.21-1.22, provides a more detailed discussion of how the Act's design and construction requirements apply with respect to elevator buildings.

An exception to this general rule occurs when an elevator is provided only as a means of providing an accessible route to dwelling units on a ground floor that is above grade, below grade, or at grade, and does not provide access to floors that are not ground floors.<sup>6</sup> In this case, the elevator is not required to serve dwelling units on floors other

than ground floors, and the building is not considered to be an elevator building. Under that exception, only the ground floor units are required to meet the requirements of the Guidelines. The Guidelines, Requirement 1(3)(a)(i), 56 Fed. Reg. at 9,504, and the Design Manual at 1.31, illustrate this situation. However, if such an elevator is extended to reach floors other than the ground floor, then all of the units in the building must

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<sup>5</sup>The powder room must comply with all the provisions except those applying solely to accessible bathrooms set out in Requirements 6 and 7 of the Guidelines, 56 Fed. Reg. at 9,509-15.

<sup>6</sup>A second exception occurs when the elevator is located completely within one or more units and does not serve other areas of the building. That exception is discussed in more detail in questions 25-27, below.

comply with the design and construction requirements and an accessible route must be provided to all units.

Example: A 3-story building has below grade parking and provides an elevator only as a means of access from the below grade parking to the first level of dwelling units, which is located at grade. In this case, the elevator need not provide access to the second and third floors, and the building is not treated as a building with one or more elevators.

**24. If the only elevator provided in a covered building is a freight elevator, are all of the units in the building covered by the design and construction requirements of the Act?**

Yes. If a freight elevator is provided in a building with four or more dwelling units, even though no passenger elevator is provided, all units must comply with the Act's design and construction requirements.

Example: A 3-story building has a freight elevator from a side entrance where there is a large level pull-up area for moving vans. The freight elevator serves all 3 stories of the building. In this case, the building is treated as a building with one or more elevators, and all floors and all dwelling units on each floor of the building must comply with the Act's design and construction requirements.

**25. If one multistory townhouse, in a building with four or more units, contains an internal (*i.e.*, unit-specific) elevator for that occupant's use, and there are no elevators serving other units in the building, must the unit with an elevator meet the Act's design and construction requirements?**

Yes. Because the multistory townhouse has an elevator, the building with four or more units in which the townhouse is located is a building that "ha[s] one or more elevators" within the meaning of 42 U.S.C. § 3604(b)(7)(A). The Act's design and construction requirements therefore apply to any townhouse with an internal (*i.e.*, unit-specific) elevator if the townhouse is part of a building containing four or more units. Because the internal elevator serves only the individual unit, however, and there are no other elevators in the building that serve the other units, those multistory townhouses in the building that do not have internal elevators are not required to meet the Act's design and construction requirements. As the Preamble to the Proposed Guidelines, 55 Fed. Reg. 24,370, 24,377 (June 15, 1990), states:

"In both the proposed and final rulemaking, the Department stated that a dwelling unit with two or more floors in a non-elevator building is not a 'covered dwelling unit' even if it has a ground-floor entrance, because the entire dwelling unit is not on the ground floor. (Of course, if the unit had a[n] internal elevator, it would be subject to the Fair Housing Act requirements.)"

*See also* Preamble to the Regulations, which states, “townhouses consisting of more than one story are covered only if they have elevators and if there are four or more such townhouses.”<sup>7</sup>

**26. How do the Act’s design and construction requirements apply if the builder of multistory townhouses in a building with four or more units offers an elevator as an option, and one or more of the buyers elects the elevator option?**

If the developer of a building with four or more units that includes multistory townhouses offers internal (*i.e.*, unit-specific) elevators in the multistory townhouses as an option, and one or more of the buyers elects to have the elevator installed during construction, then those multistory townhouses with interior elevators are covered, and must comply with the Act’s design and construction requirements. In addition, if a multistory townhouse is designed and constructed for later installation of an internal elevator (for example, if it contains an elevator shaft or stacked closets so that the unit was designed for potential installation of an elevator after construction), the multistory townhouse is also covered and must comply with the design and construction requirements. In the case of stacked closets, the closets must have been designed in a manner that will accommodate later installation of an elevator, *e.g.*, inclusion of an elevator pit with a temporary flooring insert, and a raised ceiling to accommodate future elevator cab override. *See, e.g.*, Preamble to the Regulations, 54 Fed. Reg. at 3,244, 3,251; Preamble to the Proposed Guidelines, 55 Fed. Reg. at 24,377; Preamble to the Guidelines, 56 Fed. Reg. at 9,481; Questions and Answers, Q. 13, 59 Fed. Reg. at 33,365-66.

**27. If a building with four or more units contains multistory townhouses with internal elevators or the option for a buyer to add an elevator, must the public and common use areas of the development also comply with the design and construction requirements of the Act?**

Yes. Once a building is determined to have at least one covered dwelling unit, that is, either an elevator installed in at least one unit, or at least one unit designed for later installation of an elevator (*see* question 25, above), the design and construction requirements apply to the public and common use areas of the building and the development in which the building is located. *See* Questions and Answers, Q. 13, 59 Fed. Reg. at 33,365-66.

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<sup>7</sup>*See* Preamble to the Regulations, 54 Fed. Reg. at 3,244, 3,251; Preamble to the Proposed Guidelines, 55 Fed. Reg. at 24,377; Preamble to the Guidelines, 56 Fed. Reg. at 9,481; Questions and Answers, Q. 13, 59 Fed. Reg. at 33,365-66. This position also is recognized in other documents determined by HUD to be safe harbors for compliance (*see* Question 37); *e.g.*, the Appendix to the Code Requirements for Housing Accessibility 2000, states that “a multistory unit in a non-elevator building is not subject to Chapter 4 unless it has an internal elevator. Section 406.7.2 would thus apply to those multistory units with an internal elevator.” Appendix § 406.7.2. Likewise, *see* the Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,740 which noted HUD’s agreement with the model code creators that “multistory units with internal elevators” are covered under the FHA. 65 Fed. Reg. at 15,759, 15,767, 15,776, and 15,786.

Note: If a builder is designing a development with units that come with a buyer's option to have the builder install an elevator, then the builder must design the elevator optional unit(s) and public and common use areas so that they are compliant with the Act's requirements. Otherwise, the builder must modify the elevator optional unit(s) and public and common use areas to comply with the Act's design and construction requirements once a buyer selects an elevator as an option.

## **Accessible Routes**

### **28. What is an accessible route?**

The Regulations define an accessible route as a continuous 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. A route that complies with the appropriate requirements of ANSI A117.1-1986, a comparable standard, or Section 5, Requirement 1 of the Guidelines is an accessible route. *See* 24 C.F.R. § 100.201. Exterior accessible routes must be pedestrian routes that are separate from the road or driveway. For example, it is not acceptable to provide only a road or driveway as an accessible route. However, there is a vehicular route exception to the requirement to provide an accessible pedestrian route that, if met, may apply. *See* Guidelines, Requirement 1(5), Requirement 2, Chart, Element 1, 56 Fed. Reg. at 9,504, 9,505; Design Manual at 1.9. *See also* question 33, below.

### **29. Does the Act permit covered multifamily dwelling to be designed and constructed in a manner that requires persons with disabilities to use an indirect or circuitous route to enter a building or unit or to use locks or call buttons that are not required of other persons?**

No. Under the Fair Housing Act, persons with disabilities must be able to enter their dwelling through the same entrance that is used by other persons to enter their dwelling. *See* Preamble to the Proposed Regulations, 53 Fed. Reg. 44,992, 45,004 (Nov. 7, 1988) (“[h]andicapped persons should be able to enter a newly constructed building through an entrance used by persons who do not have handicaps.”). In addition, routes to the primary entrances of buildings and dwelling units are public and common use areas and must be readily accessible to and usable by people with disabilities.

Therefore, the accessible route cannot be hidden, remote, circuitous or require people with disabilities to travel long distances. Furthermore, the accessible route to the primary entrance must not place special conditions on persons with disabilities -- such as a special key, an attendant, or additional waiting periods that are not imposed on other persons, *i.e.*, including persons who use an inaccessible entrance. This does not preclude the use of special locks or security systems at entrances that are used by all persons to enter the building and/or the dwelling units, and which are used by all residents and members of

the public visiting the development; however, such locks and security systems must be accessible. *See* Design Manual at 1.35; *see also* 42 U.S.C. § 3604(f)(2).

**30. Must an accessible route between public and common use areas and dwelling units be an interior route if the general circulation path is interior?**

Yes. The Act permits accessible routes between public and common use areas and dwelling to be interior or exterior. However, if the general circulation path is provided via an interior route, then that path is a public and/or common use area that must be “readily accessible to and usable by” persons with disabilities. *See* Guidelines, Requirement 2, 56 Fed. Reg. at 9,504-05. Persons with disabilities cannot be required to go outside a building to access a public and common use area when persons without disabilities are not required to do the same. The Fair Housing Act prohibits discrimination in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such a dwelling, because of disability. *See* 42 U.S.C. § 3604(f)(2).

**31. Does the Act require accessible routes between buildings that contain only covered multifamily dwelling units?**

Walkways between separate buildings containing only covered dwelling units generally are not required to be accessible. However, if the walkways also serve as the accessible route to a public or common use area, the walkways must be accessible. For example, if a walkway connects separate buildings containing only covered dwelling units and is the only walkway from the buildings to the clubhouse, it must be accessible. *See* Guidelines, Requirement 2, Chart, Element 1(b), 56 Fed. Reg. at 9,505; Design Manual at 2.16.

**32. Must there be accessible pedestrian routes from site arrival points to building entrances serving covered dwelling units?**

Yes. Requirements 1 and 2 of the Guidelines require an accessible pedestrian route, within the boundary of the site, from vehicular and pedestrian arrival points to the entrances of covered buildings and dwelling units, except in very limited circumstances where a site is impractical due to steep terrain or unusual site characteristics. The Guidelines outline the tests that must be performed pre-construction during the site design process to determine site impracticality under Requirement 1. If the conditions of these tests are not met, then there must be an accessible entrance on an accessible route from all vehicular and pedestrian arrival points to the entrances of covered buildings and dwelling units. *See* Guidelines, Requirements 1 and 2, 56 Fed. Reg. at 9,503-05 and the discussions of site impracticality in the Design Manual at Part II, Chapter 1. *See also* HUD Final Report of HUD Review of the Fair Housing Accessibility Requirements in the 2003 International Building Code, 70 Fed. Reg. 9,738, 9,742 (Feb. 28, 2005).



### **33. May a builder use a vehicular route in lieu of an accessible pedestrian route to connect dwelling unit entrances with public and common use areas?**

The Act requires an accessible pedestrian route connecting entrances to covered dwelling units with public and common use areas, including the public street or sidewalk, except in rare circumstances that are outside the control of the owner where extreme terrain or impractical site characteristics result in a finished grade exceeding 8.33%, or where physical barriers or legal restrictions that are outside the control of the owner prevent installation of an accessible pedestrian route. In these rare cases, the Guidelines allow access by means of a vehicular route leading from the accessible parking serving the covered dwelling unit to the accessible parking serving the public or common use facility. *See* Guidelines, Requirements 1 and 2, 56 Fed. Reg. 9,503-05. *See also* HUD Final Report of HUD Review of the Fair Housing Accessibility Requirements in the 2003 International Building Code, 70 Fed. Reg. at 9,744.

Example 1: An undisturbed site has slopes of 8.33% or less between planned accessible entrances to covered dwelling units and public use or common use areas and has no legal restrictions or other unique characteristics preventing the construction of accessible routes. For aesthetic reasons, the developer would like to create some hills or decorative berms on the site. Because there are no extreme site conditions (severe terrain or unusual site characteristics such as floodplains), and no legal barriers that prevent installation of an accessible pedestrian route between the covered dwelling units and any planned public use or common use facilities, the developer is obligated to provide accessible pedestrian routes.

Example 2: A developer plans to build several buildings with covered dwelling units clustered in a level area of a site. The site has some undisturbed slopes of 10% and greater. A swimming pool and tennis court will be added on the two opposing sides of the site. The builder plans grading that will result in a finished grade exceeding a slope of 8.33% along the route between the covered dwelling units and the swimming pool and tennis court. There are no physical barriers or legal restrictions (*e.g.*, pipe easement, wildlife habitat, or protected wetlands) outside the control of the owner or builder that prevent the builder from reducing the existing grade to provide an accessible pedestrian route between the covered dwelling units and the pool and tennis court. Therefore, the developer's building plan would not meet the design and construction requirements of the Act because it is within the owner's control to assure that the final grading falls below 8.33% and meets the slope and other requirements for an accessible pedestrian route. Accessible pedestrian routes from the covered dwelling units to the pool and tennis court must be provided.

### **34. What is the site impracticality exception to the accessible route requirement of the Fair Housing Act design and construction requirements?**

The Regulations provide that all covered multifamily dwelling must be served by an accessible route "unless it is impractical to do so because of the terrain or unusual

characteristics of the site.” The Regulations place the burden of establishing site impracticality on the persons or entities that designed or constructed the housing. 24 C.F.R. § 100.205(a). *See also Memphis Ctr. for Indep. Living v. Richard & Milton Grant Co.*, No. 01-CV-2069, Fair Housing-Fair Lending Reporter ¶ 16,779, 16,779.4 (W.D. Tenn. Apr. 26, 2004) (order granting partial summary judgment to the United States). The Guidelines set forth two distinct tests which may be used to establish site impracticality: the site analysis test and the individual building test. To claim impracticality, the test must be fully followed and performed at the design stage before construction starts. *See* Guidelines, Requirement 1, 56 Fed. Reg. at 9,503-04; Questions and Answers, Q. 11, 59 Fed. Reg. at 33,365.

### **Accessible Entrances**

#### **35. How many entrances to a covered multifamily dwelling must be accessible?**

The Guidelines require at least one accessible entrance to each covered dwelling unit and to buildings containing covered dwelling units, unless it is impractical to do so as determined by applying one of the site impracticality tests provided in the Guidelines. Additional entrances to a building or to a dwelling also must be accessible if they are public and common use areas, *i.e.*, if they are designed for and used by the public or residents. *See* 24 C.F.R. § 100.201; Design Manual at 3.10 (“[t]he exterior of the primary entry door of covered dwelling units is part of public and common use spaces, therefore, it must be on an accessible route and be accessible . . .”). It is not acceptable to design and construct a covered multifamily building or dwelling unit in such a manner that persons with disabilities must use a different entrance than the entrance used by persons without disabilities. *See* Preamble to the Proposed Regulations, 53 Fed. Reg. at 45,004 (“[h]andicapped persons should be able to enter a newly constructed building through an entrance used by persons who do not have handicaps.”). *See also* Design Manual at 1.28 (illustration). Buildings containing covered dwelling units with more than one ground floor must have an accessible entrance on each ground floor connecting to each covered dwelling unit. *See* 24 C.F.R. § 100.205(a); Guidelines, Requirement 1, 56 Fed. Reg. at 9,503-04.

Example 1: If a secondary entrance at the back of a building containing covered units leads to the clubhouse or parking, both that entrance and the primary entrance at the front of the building must be accessible. *See* Guidelines, Requirement 2, 56 Fed. Reg. at 9,504-05.

Example 2: If a non-elevator building has more than one ground floor (*i.e.*, a building built into a hill with entrances to the first and second stories at grade on opposite sides), then it must have at least one accessible entrance to each floor that connects to the covered dwelling units. *See* 24 C.F.R. § 200.201 (definition of “ground floor”); Guidelines, Requirement 1(1)(a), 56 Fed. Reg. at 9,503.

Example 3: If a covered multifamily building has two entrances -- one entrance facing the public street that is inaccessible because it has steps, and a second

entrance which is accessible, but it is in the back of the building, the building does not comply with the Act. The entrance facing the street must also be made accessible because it is part of the route to the street and is a public and common use area. This is true even if the residential parking is located in the back of the building across from the back entrance and both entrances can be accessed from inside the building via interior hallways. *See* question 36, below.

**36. Which entrance to a covered dwelling unit or building containing covered dwelling units must be accessible?**

The primary entry to dwelling units that have individual exterior entrances or the primary entry to a building containing covered dwelling units must be accessible. This entrance is part of the public and common use areas because it is used by residents, guests and members of the public for the purpose of entering the dwelling or building. It must therefore be readily accessible to and usable by persons with disabilities. Service doors, back doors, and patio doors may serve as additional accessible entrances, but may not serve as the only accessible entrance to buildings or units. *See* Guidelines, 56 Fed. Reg. at 9,500. *See also United States v. Edward Rose & Sons*, 384 F.3d 258 (6th Cir. 2004), *aff'g*, 246 F. Supp. 2d 744 (E.D. Mich. 2003).

**Safe Harbors for Compliance with the Act**

**37. Are there any “safe harbors” for compliance with the Fair Housing Act?**

Yes. In the context of the Act, a safe harbor is an objective and recognized standard, guideline, or code that, if followed without deviation, ensures compliance with the Act’s design and construction requirements. The Act references the American National Standard Institute (“ANSI”) A117.1 standard as a means of complying with the technical provisions in the Act. In determining whether a standard, guideline or code qualifies as a safe harbor, HUD compares it with the Act, HUD’s regulations implementing the Act, the ANSI A117.1-1986 standard (the edition that was in place at the time the Act was passed) and the Guidelines to determine if, taken as a whole, it provides at least the same level of accessibility. HUD currently recognizes ten safe harbors for compliance with the Fair Housing Act’s design and construction requirements, listed below. If a state or locality has adopted one of these safe harbor documents without amendment or deviation, then covered residential buildings that are built to those specifications will be designed and constructed in accordance with the Act as long as the building code official does not waive or incorrectly interpret or apply one or more of those requirements. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,756; *see also* Final Report of HUD Review of the Fair Housing Accessibility Requirements in the 2003 International Building Code, 70 Fed. Reg. at 9,740; Report of HUD Review of the Fair Housing Accessibility Requirements in the 2006 International Building Code, 72 Fed. Reg. 39,432, 39,438 (July 18, 2007), and Design and Construction Requirements, Compliance with ANSI A117.1 Standards, 73 Fed. Reg. 63,610, 63,614 (Oct. 24, 2008).

Those involved in the design and construction of covered multifamily dwelling who claim the protection of a safe harbor must identify which one of the following HUD-recognized safe harbors they relied upon.

The ten HUD-recognized safe harbors for compliance with the Act's design and construction requirements are:

1. HUD's March 6, 1991 Fair Housing Accessibility Guidelines and the June 28, 1994 Supplemental Notice to Fair Housing Accessibility Guidelines: Questions and Answers About the Guidelines;
2. ANSI A117.1-1986 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations and the Guidelines;
3. CABO/ANSI A117.1-1992 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations, and the Guidelines;
4. ICC/ANSI A117.1-1998 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations, and the Guidelines;
5. HUD's Fair Housing Act Design Manual published in 1996 and revised in 1998;
6. Code Requirements for Housing Accessibility 2000 (CRHA), approved and published by the International Code Council (ICC), October 2000;
7. International Building Code (IBC) 2000, as amended by the IBC 2001 Supplement to the International Codes;
8. 2003 International Building Code (IBC), with one condition. Effective February 28, 2005, HUD determined that the IBC 2003 is a safe harbor, conditioned upon the International Code Council publishing and distributing the following statement to jurisdictions and past and future purchasers of the 2003 IBC;

ICC interprets Section 1104.1, and specifically, the exception to Section 1104.1, to be read together with Section 1107.4, and that the Code requires an accessible pedestrian route from site arrival points to accessible building entrances, unless site impracticality applies. Exception 1 to Section 1107.4 is not applicable to site arrival points for any Type B dwelling units because site impracticality is addressed under Section 1107.7;

9. ICC/ANSI A117.1-2003 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations, and the Guidelines; and

10. 2006 International Building Code, published by ICC, January 2006, with the 2007 erratum (to correct the text missing from Section 1107.7.5), and interpreted in accordance with relevant 2006 IBC Commentary.

HUD's purpose in recognizing a number of safe harbors for compliance with the Fair Housing Act's design and construction requirements is to provide a range of options that, if followed in their entirety without modification or waiver during design and construction, will result in residential buildings that comply with the design and construction requirements of the Fair Housing Act. In the future, HUD may decide to recognize additional safe harbors.

**38. May an architect or builder select aspects from among the HUD recognized safe harbors when designing and constructing a single project and retain "safe harbor" status?**

No. The ten documents listed above are safe harbors only when used in their entirety, that is, once a specific safe harbor document has been selected, the building in question must comply with all of the provisions in that document that address the Fair Housing Act design and construction requirements to ensure the full benefit of the safe harbor. The benefit of safe harbor status may be lost if, for example, a designer or builder chooses to select provisions from more than one of the above safe harbor documents, from a variety of sources, or if waivers of provisions are requested and received. If it is shown that the designers and builders departed from the provisions of a safe harbor document, they bear the burden of demonstrating that the dwelling units nonetheless comply with the Act's design and construction requirements.

**39. If a property is built to some recognized, comparable, and objective standard other than one of the safe harbors, can it still comply with the Act's design and construction requirements?**

Yes. The purpose of the Fair Housing Act Guidelines is "to describe the minimum standards of compliance with the specific accessibility requirements of the Act." Preamble to the Guidelines, 56 Fed. Reg. at 9,476. The Introduction to the Guidelines states, "builders and developers may choose to depart from these guidelines and seek alternate ways to demonstrate that they have met the requirements of the Fair Housing Act." Guidelines, 56 Fed. Reg. at 9,499. However, the standard chosen must meet or exceed all of the design and construction requirements specified in the Act and HUD's Regulations, and the builders and developers bear the burden of showing that their standard provides an equivalent or a higher degree of accessibility than every provision of one of the recognized safe harbors. *See* Design Manual at 13; Preamble to the Guidelines, 56 Fed. Reg. at 9,478-79. While there are some differences among the ten designated safe harbors, there is broad consensus about what is required for accessibility based on the ANSI standards and the safe harbors. These standards result from a process that includes input from a variety of stakeholders, including builders, designers, managers, and disability-rights advocates. Builders and designers should therefore exercise caution before following a standard that contains specifications for an element

that do not meet the parallel requirements of the other safe harbors. If the alternative standard is not a generally accepted accessibility standard, it may well not provide the minimum accessibility required by the Act.

**40. What constitutes evidence of noncompliance with the Fair Housing Act design and construction requirements?**

A case of discrimination may be established by showing that the housing does not meet HUD's Guidelines. This evidence may be rebutted by proof of compliance with a recognized, comparable, objective measure or standard of accessibility. The Ninth Circuit has affirmed this approach in *Nelson v. HUD*, Nos. 07-72803 and 07-73230, 2009 WL 784260, at \*2 (9th Cir. Mar. 26, 2009).

**41. If I follow my state or local building code, am I safe from liability if a building does not comply with the Fair Housing Act's design and construction requirements?**

No. The Fair Housing Act's design and construction requirements are separate from and independent of state and local code requirements. If a state or local code requires, or is interpreted or applied in a manner that requires, less accessibility than the Act's design and construction requirements, the Act's requirements must still be followed. However, state and local governments can assist those involved in building housing subject to the Act's design and construction requirements by incorporating one of the HUD-recognized safe harbors listed above into their building codes without deviation, amendment, or waiver. *See* 42 U.S.C. § 3604(f)(6)(B). For example, some jurisdictions have already adopted the revised editions of the IBC that are recognized by HUD as safe harbors. *See* question 39, above.

**42. Does the Fair Housing Act require fully accessible units?**

No. The Fair Housing Act does not require fully accessible units. For example, the Act's design and construction requirements do not require the installation of a roll-in shower in a dwelling unit in new construction. The Act's design and construction requirements are modest and result in units that look similar to traditional units and are easily adapted by people with disabilities who require features of accessibility not required by the Fair Housing Act.

**43. Can a builder meet the Fair Housing Act's design and construction requirements by building a specific number or percentage of fully accessible dwelling units?**

No. Congress specifically rejected the approach of requiring only a specific number or percentage of units to be fully accessible. Instead, Congress decided that all covered multifamily dwelling units must comply with the Act's design and construction requirements. *See* question 1, above, and 42 U.S.C. § 3604(f)(3)(C). Other laws may require developers to construct a specific number or percentage of units with a higher

degree of accessibility than the Act's modest requirements. *See* questions 46, 47 and 48, below. *See* H.R. Rep. 100-711, at 49 (1988).

### **Reviews for Compliance**

#### **44. Does HUD or DOJ review state and local building codes to determine whether they comply with the Act's accessibility requirements?**

No. Although HUD has reviewed several model building codes to determine whether they comply with the Act's design and construction requirements (*see* question 37, above), neither HUD nor DOJ reviews individual state and local building codes for consistency with the Act.

#### **45. Does HUD or DOJ review site or building plans for compliance with the Act's design and construction requirements?**

No. Neither HUD nor DOJ is required by the Act or has the capacity to review or approve builders' plans or issue certifications of compliance with the Act's design and construction requirements. *See* 42 U.S.C. § 3604(f)(5)(D). The burden of compliance rests with those who design or construct covered multifamily dwelling. *See* Design Manual at 2. To assist those involved in design or construction to comply with the Act's requirements, HUD provides rulemaking, training and technical assistance on the Act, the Regulations, and the Guidelines. HUD has also recognized ten safe harbors for compliance with the Act's design and construction requirements. *See* question 37, above. HUD also provides technical guidance through its Fair Housing Accessibility FIRST program, an initiative designed to promote compliance with the Fair Housing Act design and construction requirements. The program offers comprehensive and detailed instruction programs, useful online web resources, and a toll-free information line for technical guidance and support. The Fair Housing Accessibility FIRST website is found at <http://www.fairhousingfirst.org>. DOJ's fair housing website may be accessed at [http://www.justice.gov/crt/about/hce/housing\\_coverage.php](http://www.justice.gov/crt/about/hce/housing_coverage.php).

### **Buildings Covered by the Act and Other Accessibility Laws or Codes**

#### **46. When would both Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act apply to the same property, and which standard would apply in this situation?**

If housing was built for first occupancy after March 13, 1991, and federal financial assistance is involved, both Section 504 and the Fair Housing Act apply. The accessibility standards under both laws must be used. *See* Preamble to the Guidelines, 56 Fed. Reg. at 9,477-79.

HUD's Section 504 requirements are found in 24 C.F.R. Part 8 and these regulations reference the Uniform Federal Accessibility Standards (UFAS). Further information about the applicability of Section 504 can be found at

<http://www.hud.gov/offices/fheo/disabilities/sect504faq.cfm>. The Uniform Federal Accessibility Standards may be found at <http://www.access-board.gov/ufas/ufas-html/ufas.htm>.

**47. What if the Americans with Disabilities Act (ADA) and the Fair Housing Act requirements both apply to the same property?**

In those cases where a development is subject to the accessibility requirements of more than one federal law, the accessibility requirements of each law must be met.

There are certain residential properties, or portions of other residential properties, that are covered by both the Fair Housing Act and the ADA. These properties must be designed and built in accordance with the accessibility requirements of both the Fair Housing Act and the ADA. To the extent that the requirements of different federal laws apply to the same feature, the requirements of the law imposing greater accessibility requirements must be met, in terms of both scoping and technical requirements.

In the preamble to its regulation implementing Title III of the ADA, the Department of Justice discussed the relationship between the requirements of the Fair Housing Act and the ADA. The preamble noted that many facilities are mixed-use facilities. For example, a hotel may allow both residential and short term stays. In that case, both the ADA and the Fair Housing Act will apply to the facility. The preamble to the Title III regulation also stated that residential hotels, commonly known as “single room occupancies,” may be subject to Fair Housing Act requirements when operated or used as a residence but they are also considered “places of lodging” subject to the requirements of the ADA when guests are free to use them on a short-term basis. A similar analysis applies with respect to homeless shelters, nursing homes, residential care facilities, and other facilities where persons may reside for varying lengths of time. It is important for those involved in the design and construction of such facilities to comply with all applicable accessibility requirements. *See* 56 Fed. Reg. 35,544, 35,546-47 (July 26, 1991).

Covered multifamily dwelling that are funded or provided through programs operated by or on behalf of state and local entities (*e.g.*, public housing, homeless shelters) are also subject to the requirements of Title II of the ADA.

Under the Fair Housing Act, the common areas of covered multifamily dwelling that qualify as places of public accommodation under the ADA must be designed and constructed in accordance with the ADA Standards for Accessible Design, and the Act’s design and construction requirements. For example, a rental office in a multifamily residential development, a recreational area open to the public, or a convenience store located in that development would be covered by the Act and under Title III of the ADA. *See* 28 C.F.R. § 36.104. Common use areas for use only by residents and their guests are covered by the Act’s design and construction requirements, but would not be covered by the ADA.



**48. What if a state or local building code requires greater accessibility than the Fair Housing Act?**

The Fair Housing Act does not reduce the requirements of state or local codes that require greater accessibility than the Act. Thus, the state or local building code's greater accessibility must be provided. However, if a state or local code requires, or is interpreted or applied in a manner that requires, less accessibility than the Act, the Act's requirements must nonetheless be followed. *See* Final Report of HUD Review of Model Building Codes, 65 Fed. Reg. at 15,753-57. *See also* Preamble to the Final Rule, Design and Construction Requirements, Compliance with ANSI A117.1 Standards, 73 Fed. Reg. at 63,610.

**Accessible Public and Common Use Areas**

**49. Are rental offices and other public and common use areas required to be accessible under the Fair Housing Act?**

Rental offices and other public and common use areas must be accessible if they serve multifamily dwelling units that are subject to the design and construction requirements of the Act. If there are no covered dwelling units on the site, then the public and common use areas of the site are not required to be accessible under the Fair Housing Act. *See* Questions and Answers, Q. 13, 59 Fed. Reg. at 33,365-66.

It is important to note that Title III of the Americans with Disabilities Act contains accessibility requirements that apply to rental and sales offices and other places of public accommodation that may be associated with housing, even if the housing is not covered by the Fair Housing Act's design and construction requirements. Further, Title II of the ADA applies accessibility requirements to housing and related facilities owned or operated by state or local government entities. In addition, Section 504 of the Rehabilitation Act and the Architectural Barriers Act may also apply to public and common use areas of properties that are designed, constructed, or operated by entities receiving federal financial assistance. The question of whether the accessibility requirements of any of these three federal laws apply to the public or common use areas of a property needs to be considered in addition to whether the Fair Housing Act's design and construction requirements apply.

**50. When covered parking is provided as an amenity to covered multifamily housing, what are the accessibility requirements under the Fair Housing Act?**

When covered parking is provided, at least 2% of the covered parking serving the covered dwelling units must comply with the accessibility requirements for covered parking and be on an accessible pedestrian route to the covered dwelling units. *See* Guidelines, Requirement 2, Chart, Element 4, 56 Fed. Reg. at 9,505; Design Manual at 2.23 to 2.24.

**51. When a swimming pool is provided on a site with covered multifamily dwelling, what are the design and construction requirements for the pool?**

When provided, a swimming pool must be located on an accessible pedestrian route that extends to the pool edge, but the Guidelines do not require that the pool be equipped with special features to offer greater access into the pool than is provided for persons without disabilities. In addition, a door or gate accessing the pool must meet the Act's design and construction requirements and the deck around the pool must be on an accessible route. If toilet rooms, showers, lockers or other amenities are provided at the pool, these also must be accessible and meet the requirements for accessible public and common use areas. *See* Guidelines, Requirement 2, 56 Fed. Reg. at 9,504-05. It is important to note that the swimming pools and related facilities may be subject to the ADA if persons other than residents and their guests are allowed to use them.

**52. Are garbage dumpsters required to comply with the Act's design and construction requirements?**

Garbage dumpsters are public and common use spaces and must be located on accessible pedestrian routes. If an enclosure with a door is built around the dumpster, both the door to the enclosure and the route through this door to the dumpster must meet the provisions of ANSI A117.1-1986 or another safe harbor (when used in accordance with HUD's policy statement, *see* questions 37-38, above). If parking is provided at the dumpster, accessible parking must also be provided. *See* Guidelines, Requirement 2, 56 Fed. Reg. at 9,504-05; Design Manual at 2.16 (figure). However, there are no technical specifications for the actual garbage dumpster.

**53. When emergency warning systems are installed in the public and common use areas of covered multifamily buildings (for example, in corridors, or breezeways), do the Act's design and construction requirements require such warning systems to include visual alarms?**

Yes. The Act requires public and common use areas to be readily accessible to and usable by persons with disabilities. This includes accessibility of building emergency warning systems, when provided. Alarms placed in these areas must have audible and visual features and the Guidelines reference the provisions of ANSI A117.1-1986 Section 4.26 for such alarms. *See* Guidelines, Requirement 2, Chart, 56 Fed. Reg. at 9,505.

Example: A single user restroom in a rental office must have a visual alarm if the rental office is served by an audible alarm.

**54. If there is an emergency warning system installed in the public and common use areas of a covered multifamily building, must there be visual alarms in the interior of dwelling units?**

No. The Fair Housing Act's design and construction requirements do not require installation of visual alarms on the interior of dwelling units; however, if there is a

building alarm system provided in a public and common use area, then it must be accessible as specified in ANSI A117.1-1986. In addition, the system must have the capability of supporting an audible and visual alarm system in individual units. Note: The International Building Code (IBC) requires that certain multifamily residential buildings that must have a fire alarm also have the capability of supporting visible alarm notification appliances which meet the requirements of ICC/ANSI A117.1. *See, e.g.*, 2006 IBC §§ 907.2.9 and 907.9.1.4.

## **Enforcement**

### **55. What remedies are typically sought in Fair Housing Act design and construction cases?**

Lawsuits brought pursuant to the Fair Housing Act may seek injunctive relief including retrofitting of the property so that the covered dwelling units and public and common use areas meet the Act's requirements, training, education, reporting, future compliance with the Act's requirement, surveying and inspecting retrofits, monetary damages for aggrieved persons, and, in cases brought by the federal government, civil penalties.

### **56. Who can be sued for violations of the accessibility requirements of the Fair Housing Act?**

Any person or entity involved in the noncompliant design and construction of buildings or facilities subject to the Act's design and construction requirements may be held liable for violations of the Act. This includes a person or entity involved in only the design, only the construction, or both the design and construction of covered multifamily housing.

Note that a person or entity that has bought a building or property after it was designed and constructed may be sued when that person or entity is necessary to provide authority to remedy violations or allow access for other necessary reasons such as the identification of any aggrieved persons. This may include subsequent owners, homeowners associations, property management companies or later individual owners or occupants of inaccessible units when such persons must be involved to provide authority to remedy violations.

### **57. If someone is successfully sued for violating the Act's design and construction requirements, will a court order the building to be torn down and rebuilt?**

Courts make rulings in cases based on the facts of each specific situation. Thus, it is difficult to predict what a court might order in a case without knowing the facts. However, extensive modifications including complete retrofits of buildings, units, and public and/or common use areas have been routinely sought and obtained by federal law enforcement agencies and ordered by courts.

**58. What recourse is available to a person with a disability or a person associated with a person with a disability who believes that she cannot rent, purchase, or view housing at a particular multifamily property because it is in violation of the design and construction requirements of the Act?**

When a person with a disability or a person associated with a person with a disability believes that she has been harmed by a failure to design and construct a unit or property in accordance with the Act's requirements (or any other discriminatory housing practice), she may file a complaint with HUD within one year after the alleged discriminatory practice has occurred or terminated or may file a lawsuit in federal district court within two years after the alleged discriminatory practice has occurred or terminated. *See* 42 U.S.C. §§ 3610 and 3613. However, persons aggrieved by discriminatory housing practices are encouraged to file a complaint as soon as possible after the discriminatory housing practice occurs or terminates. If a complaint is filed with HUD, HUD will investigate the complaint at no cost to the complainant.

**59. At what point do the time frames for a person filing a complaint begin to run?**

A person should file a complaint as soon as possible after becoming aware that he or she has been or may be harmed because a property may not be constructed in compliance with the accessibility requirements of the Fair Housing Act. Under the Fair Housing Act, “[a]n aggrieved person may, not later than one year after an alleged discriminatory housing practice has occurred or terminated, file a complaint” with HUD (*see* 42 U.S.C. § 3610(a)) and “may commence a civil action [in Court]. . . not later than 2 years after the occurrence or the termination of an alleged discriminatory housing practice.” *See* 42 U.S.C. § 3613(a)(1)(A). While some courts have had differing views, HUD and DOJ believe that the Act is violated, and the one- or two-year statute of limitations begins to run, when an “aggrieved person” is injured as a result of the failure to design and construct housing to be accessible as required by the Act. *See* 42 U.S.C. § 3602(i). A failure to design and construct a multifamily property in accordance with the Act may cause an injury to a person at any time until the violation is corrected. A person may be injured before, during or after a sale, rental or occupancy of a dwelling.

In addition, HUD has interpreted the Act to hold that “with respect to the design and construction requirements, complaints can be filed at any time that the building continues to be in noncompliance, because the discriminatory housing practice -- failure to design and construct the building in compliance -- does not terminate” until the building is brought into compliance with the Act and the continuing violation terminates. *See* Design Manual at 22. Although not all courts have agreed with these interpretations, HUD uses them in determining whether to accept a complaint.

Readers should be aware that as of the date of this joint statement, at least one circuit court has ruled that the Act's statute of limitations for individual complaints begins to run

upon the completion of the covered dwelling, regardless of when the dwelling is actually sold, rented or occupied by a person with a disability.<sup>8</sup>

The time frames for the United States to bring an action under the Fair Housing Act are not addressed in this question and answer.

**60. If a designer or builder has built more than one multifamily property in violation of the Act's design and construction requirements, may he be held liable for violations at all of those properties?**

Where a builder, owner, architect or developer of covered multifamily does not comply with the design and construction requirements over a period of time at multiple properties, violations at all of the noncompliant properties may be part of a continuing violation or pattern or practice of illegal discrimination. HUD and DOJ may investigate and take legal action respecting all such properties. An entity involved in the design and construction of an earlier noncompliant property and involved in the design and construction of a later noncompliant property may therefore be subjected to a complaint for participating in a continuing violation or engaging in a pattern or practice of violating the Act.

**61. How is a complaint alleging a failure to design and construct multifamily housing filed?**

There are several ways that a person may file a complaint with HUD:

- By placing a toll-free call to 1-800-669-9777 or TTY 1-800-927-9275;
- By completing the "on-line" complaint form available on the HUD internet site: <http://www.hud.gov/offices/fheo/index.cfm>; or
- By mailing a completed complaint form or letter to:

Office of Fair Housing and Equal Opportunity  
Department of Housing & Urban Development  
451 7<sup>th</sup> Street, S.W., Room 5204  
Washington, DC 20410-2000

Upon request, HUD will provide printed materials in alternate formats (large print, audio tapes, or Braille) and provide complainants with assistance in reading and completing forms.

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<sup>8</sup>See *Garcia v. Brockway*, 526 F.3d 456 (9th Cir. 2008) (en banc). Complaints by persons in states and territories located in the Ninth Circuit -- Washington, Idaho, Montana, Oregon, California, Nevada, Arizona, Alaska, Northern Mariana Islands, Hawaii, and Guam -- may be subject to this ruling if other dwelling designed and/or constructed by the same respondent or defendant were not completed within the limitations period.

The Civil Rights Division of the Department of Justice brings lawsuits in federal courts across the country to end discriminatory practices and to seek monetary and other relief for individuals whose rights under the Fair Housing Act have been violated. The Civil Rights Division initiates lawsuits when it has reason to believe that a person or entity is involved in a “pattern or practice” of discrimination or when there has been a denial of rights to a group of persons that raises an issue of general public importance. The Division also participates as *amicus curiae* in federal court cases that raise legal questions involving the application and/or interpretation of the Act. To alert DOJ to matters involving a pattern or practice of discrimination, matters involving the denial of rights to groups of persons, or lawsuits raising issues that may be appropriate for *amicus* participation, contact:

U.S. Department of Justice  
Civil Rights Division  
Housing and Civil Enforcement Section - G St.  
950 Pennsylvania Avenue, N.W. Washington, DC  
20530

To report an incident of housing discrimination to the U.S. Department of Justice, call the Fair Housing Tip Line: 1-800-896-7743, or e-mail: [fairhousing@usdoj.gov](mailto:fairhousing@usdoj.gov).

For more information on the types of housing discrimination cases handled by DOJ, please refer to the DOJ’s Housing and Civil Enforcement Section’s website at [http://www.justice.gov/crt/about/hce/housing\\_coverage.php](http://www.justice.gov/crt/about/hce/housing_coverage.php).

A HUD or DOJ determination not to proceed with a Fair Housing Act matter does not foreclose private plaintiffs from pursuing a private lawsuit. However, litigation can be an expensive, time-consuming, and uncertain process for all parties. HUD and DOJ encourage parties to Fair Housing Act disputes to explore all reasonable alternatives to litigation, including alternative dispute resolution procedures, such as mediation. HUD attempts to conciliate all Fair Housing Act complaints. In addition, it is DOJ’s policy to offer prospective defendants the opportunity to engage in pre-suit settlement negotiations, except in unusual circumstances.

### **Reasonable Accommodations and Reasonable Modifications Under the Act**

#### **62. Is any information available concerning reasonable accommodations and reasonable modifications under the Fair Housing Act?**

Yes. HUD and DOJ have published joint statements concerning reasonable accommodations and reasonable modifications for persons with disabilities under the Fair Housing Act. See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations under the Fair Housing Act (May 17, 2004) and Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Modifications under the Fair

Housing Act (Mar. 5, 2008), at <http://www.hud.gov/offices/fheo/disabilities/index.cfm> or [http://www.justice.gov/crt/about/hce/about\\_guidance.php](http://www.justice.gov/crt/about/hce/about_guidance.php).

### **Location of Documents**

#### **63. Where can one find the documents referred to in this Joint Statement?**

A copy of the Preamble to the Regulations is found at 54 Fed. Reg. 3,243 (Jan. 23, 1989). The Regulations are found at 24 C.F.R. Part 100. The Preamble to the Guidelines can be found at 56 Fed. Reg. 9,472 (Mar. 6, 1991), and both the Preamble to the Guidelines and the Guidelines are reprinted in the Fair Housing Act Design Manual in Appendix B. The Questions and Answers can be found at 59 Fed. Reg. 33,362 (June 28, 1994) and is reprinted at Appendix C of the Fair Housing Act Design Manual. The Fair Housing Act Design Manual can be obtained from <http://www.huduser.org/publications/destech/fairhousing.html>. *See also* HUD's Office of Fair Housing and Equal Opportunity website at <http://www.hud.gov/offices/fheo/disabilities/index.cfm>.

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**APPENDIX C**  
**ACCESSIBILITY SUMMARIES BY FACILITY**

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Facility / Building	Priority 1		Priority 2		Priority 3		Priority 4		Priority 5		Total	
	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items	Est. Cost	Items
<b>1100 Owens Road</b>												
EXTERIOR	\$193,300	20									\$193,300	20
INTERIOR COMMON AREAS	\$366	1	\$1,228	2	\$165	2	\$55	1			\$1,814	6
INTERIOR UNITS					\$165	2					\$165	2
<b>Subtotal</b>	<b>\$193,666</b>	<b>21</b>	<b>\$1,228</b>	<b>2</b>	<b>\$330</b>	<b>4</b>	<b>\$55</b>	<b>1</b>			<b>\$195,279</b>	<b>28</b>
<b>Brinkley Hills</b>												
EXTERIOR	\$133,201	18	\$238	1							\$133,438	19
INTERIOR COMMON AREAS	\$1,456	2	\$200	1	\$5,099	8					\$6,755	11
INTERIOR UNITS	\$7,662	2	\$12,075	3	\$7,430	4	\$600	1			\$27,767	10
<b>Subtotal</b>	<b>\$142,319</b>	<b>22</b>	<b>\$12,513</b>	<b>5</b>	<b>\$12,529</b>	<b>12</b>	<b>\$600</b>	<b>1</b>			<b>\$167,960</b>	<b>40</b>
<b>Central Gardens</b>												
EXTERIOR	\$532,553	63	\$320	1			\$560	1			\$533,433	69
INTERIOR COMMON AREAS	\$633,200	6	\$17,064	4							\$650,264	10
INTERIOR UNITS	\$61,892	2	\$688,200	12	\$621,005	13	\$8,400	1			\$1,379,497	29
<b>Subtotal</b>	<b>\$1,227,645</b>	<b>71</b>	<b>\$705,584</b>	<b>17</b>	<b>\$621,005</b>	<b>13</b>	<b>\$8,960</b>	<b>2</b>			<b>\$2,563,194</b>	<b>108</b>
<b>Cottage City Towers</b>												
EXTERIOR	\$48,313	8			\$238	1					\$48,551	9
INTERIOR COMMON AREAS	\$14,194	3	\$955	4	\$275	2		\$3,254	1		\$18,678	10
INTERIOR UNITS					\$3,320	3					\$3,320	3
<b>Subtotal</b>	<b>\$62,507</b>	<b>11</b>	<b>\$955</b>	<b>4</b>	<b>\$3,833</b>	<b>6</b>		<b>\$3,254</b>	<b>1</b>		<b>\$70,549</b>	<b>22</b>
<b>HAPGC Admin Offices</b>												
EXTERIOR	\$93,764	20									\$93,764	20
INTERIOR	\$41,544	8	\$20,621	12	\$550	1	\$7,515	1			\$70,230	23
RESTROOMS					\$39,368	13					\$39,368	13
<b>Subtotal</b>	<b>\$135,308</b>	<b>28</b>	<b>\$20,621</b>	<b>12</b>	<b>\$39,918</b>	<b>14</b>	<b>\$7,515</b>	<b>1</b>			<b>\$203,362</b>	<b>56</b>
<b>Marlborough Towne</b>												
EXTERIOR	\$78,382	16									\$78,382	16
INTERIOR COMMON AREAS	\$1,616	2	\$2,005	2	\$2,157	5	\$759	1			\$6,537	10
INTERIOR UNITS	\$4,768	1	\$22,400	2	\$9,195	3	\$800	1			\$37,163	7
<b>Subtotal</b>	<b>\$84,766</b>	<b>19</b>	<b>\$24,405</b>	<b>4</b>	<b>\$11,352</b>	<b>8</b>	<b>\$1,559</b>	<b>2</b>			<b>\$122,082</b>	<b>33</b>
<b>Newton Green</b>												
EXTERIOR	\$13,328	11	\$238	1				\$1,250	1		\$14,816	13
INTERIOR COMMON AREAS	\$3,282	4	\$4,360	7	\$5,675	12	\$5,440	1			\$18,757	24
INTERIOR UNITS			\$850	1	\$4,605	5	\$800	2			\$6,255	8
<b>Subtotal</b>	<b>\$16,610</b>	<b>15</b>	<b>\$5,448</b>	<b>9</b>	<b>\$10,280</b>	<b>17</b>	<b>\$6,240</b>	<b>3</b>	<b>\$1,250</b>	<b>1</b>	<b>\$39,828</b>	<b>45</b>
<b>Park Tanglewood</b>												
EXTERIOR	\$13,661	5	\$3,000	2							\$16,661	7
INTERIOR COMMON AREAS	\$1,094	2	\$1,794	6	\$80,220	3					\$83,108	11
INTERIOR UNITS			\$17,316	5	\$200	1					\$17,516	6
<b>Subtotal</b>	<b>\$14,755</b>	<b>7</b>	<b>\$22,110</b>	<b>13</b>	<b>\$80,420</b>	<b>4</b>					<b>\$117,285</b>	<b>24</b>
<b>Rollingcrest Village</b>												
EXTERIOR	\$85,397	12	\$200	1							\$85,597	13
INTERIOR COMMON AREAS	\$732	2	\$8,094	6	\$1,878	4					\$10,704	12
INTERIOR UNITS			\$7,500	3	\$20,630	2	\$400	1			\$28,530	6
<b>Subtotal</b>	<b>\$86,129</b>	<b>14</b>	<b>\$15,794</b>	<b>10</b>	<b>\$22,508</b>	<b>6</b>	<b>\$400</b>	<b>1</b>			<b>\$124,831</b>	<b>31</b>
<b>Grand Total</b>	<b>\$1,963,706</b>	<b>208</b>	<b>\$808,657</b>	<b>76</b>	<b>\$802,174</b>	<b>84</b>	<b>\$25,329</b>	<b>11</b>	<b>\$4,504</b>	<b>2</b>	<b>\$3,604,370</b>	<b>387</b>

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**APPENDIX D**  
**BARRIERS BY TRANSITION PLAN PHASE**

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Phase	Id	Facility	Building	Barrier Priority	Detail	Location Description	ADA	Ref. Number	Quantity	Cost	Unit	Total
				1								
1	240396	Cottage City Towers	EXTERIOR		An access aisle is not provided.	Parking Lot	ADA	502.3; 502.4; 502.5	2	\$420	EA	\$840
				1								
1	240398	Cottage City Towers	EXTERIOR		The maneuvering clearance at the accessible door is not level and clear.	Main Entrance	ADA	305.2; 404.2	1	\$1,250	EA	\$1,250
				1								
1	240399	Cottage City Towers	EXTERIOR		The accessible route has gaps in the surface greater than 1/2" wide.	Main Entrance	ADA	302.3	6	\$19.82	SF	\$119
				1								
1	240428	Cottage City Towers	EXTERIOR		The accessible route has cross slopes greater than 1:50 (2%).	Curb Ramp 1 to Curb Ramp 2	ADA	403.3	440	\$19.82	SF	\$8,721
				1								
1	240429	Cottage City Towers	EXTERIOR		The curb ramp does not meet the slope requirements.	Curb Ramp 2	ADA	405.2; Table 405.2; 406; 406.2	1	\$1,750	EA	\$1,750
				1								
1	240431	Cottage City Towers	EXTERIOR		The accessible route has cross slopes greater than 1:50 (2%).	Curb Ramp 3 to Curb Ramp 4	ADA	403.3	280	\$19.82	SF	\$5,550

1 240432	Cottage City Towers	EXTERIOR	1	The accessible route has cross slopes greater than 1:50 (2%).	Curb Ramp 4 to Street	ADA	403.3	1200	\$19.82 SF	\$23,784
1 241387	Cottage City Towers	EXTERIOR	1	The slope of the parking space is greater than 1:50 (2%).	Parking Lot	UFAS	UFAS 4.6.3	1	\$6,300 EA	\$6,300
1 240003	Marlborough Towne	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	From Marlboro Pike to Leasing Office	UFAS	UFAS 4.3.7	1650	\$19.82 SF	\$32,703
1 240004	Marlborough Towne	EXTERIOR	1	The curb ramp does not meet the slope requirements.	Curb Ramp CR1	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	1	\$1,750 EA	\$1,750
1 240005	Marlborough Towne	EXTERIOR	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the maximum allowable 1:48 (2.08%).	Curb Ramp CR2	ADA	304; 406.4	1	\$1,289 EA	\$1,289
1 240014	Marlborough Towne	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	Sidewalk To Unit 1925	UFAS	UFAS 4.3.7	240	\$19.82 SF	\$4,757
1 240041	Marlborough Towne	EXTERIOR	1	The exterior accessible route has vertical level changes in excess of ½" which are not ramped.	Sidewalk To Unit 1921	UFAS	UFAS 4.5.2	4	\$19.82 SF	\$79
1 240042	Marlborough Towne	EXTERIOR	1	The slope of the standard car parking space is greater than 1:50 (2%).	Accessible spaces at Unit 1925 and 1923	UFAS	UFAS 4.6.3	2	\$6,300 EA	\$12,600
1 240043	Marlborough Towne	EXTERIOR	1	The slope of the standard car access aisle is greater than 1:50 (2%).	Accessible Spaces at Unit 1925 and 1923	UFAS	UFAS 4.6.3	1	\$5,000 EA	\$5,000

1 240044	Marlborough Towne	EXTERIOR	1	The standard car parking stall signage is not compliant.	Accessible Spaces at Unit 1925 and 1923	UFAS	UFAS 4.6.4	2	\$280 EA	\$560
1 240045	Marlborough Towne	EXTERIOR	1	The curb ramp does not meet the slope requirements.	Curb Ramp CR4	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	1	\$1,750 EA	\$1,750
1 240046	Marlborough Towne	EXTERIOR	1	The curb ramp does not meet the slope requirements.	Curb Ramp CR3	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	2	\$1,750 EA	\$3,500
1 240047	Marlborough Towne	EXTERIOR	1	The standard car parking stall signage is not compliant.	Accessible Space at Unit 1921 and 1847	UFAS	UFAS 4.6.4	2	\$280 EA	\$560
1 240048	Marlborough Towne	EXTERIOR	1	The slope of the standard car parking space is greater than 1:50 (2%).	Accessible space for Unit 1921 and 1847	UFAS	UFAS 4.6.3	1	\$6,300 EA	\$6,300
1 240049	Marlborough Towne	EXTERIOR	1	The accessible route running slope is greater than 1:20 (5%) and the cross slope is greater than 1:50 (2%).	Sidewalk To Unit 1847	UFAS	UFAS 4.3.7	120	\$19.82 SF	\$2,378
1 240460	Marlborough Towne	EXTERIOR	1	The parallel curb ramp landing is not compliant.	Curb Ramp CR3	ADA	304, 406.4	2	\$1,289 EA	\$2,578
1 241389	Marlborough Towne	EXTERIOR	1	The parallel curb ramp landing is not compliant.	Curb Ramp CR4	ADA	304, 406.4	1	\$1,289 EA	\$1,289
1 241390	Marlborough Towne	EXTERIOR	1	The parallel curb ramp landing is not compliant.	Curb Ramp CR3	ADA	304, 406.4	1	\$1,289 EA	\$1,289

1 240389	Cottage City Towers	INTERIOR COMMON AREAS	1	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Laundry	ADA	404.2.8	1	\$366 EA	\$366
1 240391	Cottage City Towers	INTERIOR COMMON AREAS	1	Protruding objects in the 27" to 80" range above finished floor protrude more than 4" into the circulation path along the interior accessible route.	Lobby	ADA	307.2	1	\$728 EA	\$728
1 240394	Cottage City Towers	INTERIOR COMMON AREAS	1	The elevator does not have compliant two way emergency communication.	Elevators	ADA	ASME A17.1; ADA 407.4.9; 308; 703.2	2	\$6,550 EA	\$13,100
1 240006	Marlborough Towne	INTERIOR COMMON AREAS	1	The accessible door takes less than 3 seconds to close.	Office	UFAS	UFAS 4.13.10	1	\$366 EA	\$366
1 240008	Marlborough Towne	INTERIOR COMMON AREAS	1	The restroom door does not have a compliant maneuvering clearance area.	Leasing Office Men's Restroom	UFAS	UFAS 4.22.2; 4.13.6; Fig. 25	1	\$1,250 EA	\$1,250
1 240036	Marlborough Towne	INTERIOR UNITS	1	The door has less than 32" clear width.	Unit 1847, 1921, 1923 and 1925	UFAS	UFAS 4.13.5	4	\$1,192 EA	\$4,768
1 240387	Cottage City Towers	INTERIOR COMMON AREAS	2	Elements that require a side reach motion are not within the allowable reach range.	Hallways	UFAS	UFAS 4.2.6	1	\$200 EA	\$200
1 240392	Cottage City Towers	INTERIOR COMMON AREAS	2	Items that require a forward reach motion require more than 48" height reach.	Lobby	ADA	308	1	\$200 EA	\$200
1 240393	Cottage City Towers	INTERIOR COMMON AREAS	2	The existing signage is not mounted at the latch side of the door or at a compliant height.	Lobby Office	ADA	703.4	1	\$55 EA	\$55
1 240400	Cottage City Towers	INTERIOR COMMON AREAS	2	Operable parts or items requiring an unobstructed forward reach motion are higher than 48" maximum or lower than 15" minimum height above finish floor.	Main Entrance	ADA	308, 309	1	\$500 EA	\$500
1 240012	Marlborough Towne	INTERIOR COMMON AREAS	2	The dining surface or work surface is not compliant.	Community Room	UFAS	UFAS 4.3.8	3	\$601.50 LF	\$1,805

1 240456	Marlborough Towne	INTERIOR COMMON AREAS	2	The swinging door does not have a smooth surface within 10" of the ground measured vertically on the push side extending the full width of the door.	Leasing Office Women's Restroom	ADA	404.2.10	1	\$200 EA	\$200
1 240016	Marlborough Towne	INTERIOR UNITS	2	The space between two doors in a series is less than 48".	Unit 1847, 1921, 1923 and 1925	UFAS	UFAS 4.13.7	4	\$2,600 EA	\$10,400
1 240018	Marlborough Towne	INTERIOR UNITS	2	Clearance between opposing cabinets, counters, appliances and walls is not compliant.	Unit 1847	UFAS	UFAS 4.34.6.1	1	\$12,000 EA	\$12,000
1 240427	Cottage City Towers	EXTERIOR	3	Clear space is not provided at the operable part.	Main Entrance	ADA	305; 309.2	12	\$19.82 SF	\$238
1 240386	Cottage City Towers	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Lobby	ADA	216.4, 703.1, 703.4	3	\$55 EA	\$165
1 240395	Cottage City Towers	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Common Room	ADA	216.4, 703.1, 703.4	2	\$55 EA	\$110
1 240007	Marlborough Towne	INTERIOR COMMON AREAS	3	The hardware at the accessible door requires tight grasping, pinching or twisting of the wrist to operate.	Leasing Office Women's Restroom	UFAS	UFAS 4.13.9; 4.22.2; 4.29.3	1	\$293 EA	\$293
1 240009	Marlborough Towne	INTERIOR COMMON AREAS	3	The hardware at the accessible door requires tight grasping, pinching or twisting of the wrist to operate.	Leasing Office Men's Restroom	UFAS	UFAS 4.13.9; 4.22.2; 4.29.3	1	\$293 EA	\$293
1 240010	Marlborough Towne	INTERIOR COMMON AREAS	3	The water closet in a single user / unisex restroom does not have the required clearance.	Office Women's Restroom	ADA	604	1	\$1,368 EA	\$1,368
1 240458	Marlborough Towne	INTERIOR COMMON AREAS	3	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch.	Leasing Office Men's Restroom	ADA	404.2.8	1	\$93 EA	\$93

1 240459	Marlborough Towne	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Community Room	ADA	216.4, 703.1, 703.4	2	\$55 EA	\$110
1 240019	Marlborough Towne	INTERIOR UNITS	3	Lavatory hot water and drain pipes are not insulated.	Unit 1847, 1923 and 1925	UFAS	UFAS 4.19.4	3	\$65 EA	\$195
1 240022	Marlborough Towne	INTERIOR UNITS	3	The controls and operable parts are not within an allowable reach range.	Unit 1847, 1921, 1923 and 1925	UFAS	UFAS 4.2.5, 4.2.6, 4.27	8	\$500 EA	\$4,000
1 240024	Marlborough Towne	INTERIOR UNITS	3	The door does not have a compliant maneuvering clearance area.	Unit 1847, 1921, 1923 and 1925	UFAS	UFAS 4.13.6; Fig. 25	4	\$1,250 EA	\$5,000
1 240404	Cottage City Towers	INTERIOR UNITS	3	The toilet paper dispenser is not compliant.	Unit 102	UFAS	UFAS 4.34.5.2 (4)	1	\$200 EA	\$200
1 240414	Cottage City Towers	INTERIOR UNITS	3	The height of the bottom of the reflective surface of the mirror is greater than 40".	Unit 102, 107, 110, 511, 603 and 616	UFAS	UFAS 4.19.6	6	\$100 EA	\$600
1 240421	Cottage City Towers	INTERIOR UNITS	3	The centerline of the water closet is not exactly 18" from the side wall.	Unit 107,110, 511, 603	UFAS	UFAS 4.16.2, Fig. 28, 4.34.5.2(1); Fig. 47(a)	4	\$630 EA	\$2,520
1 240011	Marlborough Towne	INTERIOR COMMON AREAS	4	The location of the controls requires reaching across burners.	Community Kitchen	ADA	804.6.4; 804.6.5.3	1	\$759 EA	\$759
1 240021	Marlborough Towne	INTERIOR UNITS	4	The clothes rod is mounted higher than 54".	Unit 1847, 1921, 1923 and 1925	UFAS	UFAS 4.25.3	4	\$200 EA	\$800
1 240388	Cottage City Towers	INTERIOR COMMON AREAS	5	The vending machines have operable parts which are not within reach range.	Lobby	ADA	228.1; 305; 308; 309	1	\$3,254 EA	\$3,254



2 240536	HAPGC Admin Offices	INTERIOR	0	The amenity was not in working order and, therefore, cannot be evaluated.	1st Floor Lobby	ADA	None	2	\$0 EA	\$0
2 240479	HAPGC Admin Offices	EXTERIOR	1	The accessible route has cross slopes greater than 1:50 (2%).	Curb Ramp CR1	ADA	403.3	300	\$19.82 SF	\$5,946
2 240480	HAPGC Admin Offices	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Parking Lot 1 - Accessible Parking Spaces P1, P2, P3 and P4	State of Maryland	State of MD 05.07.D (2)(a) and (b),(3) & (6)	4	\$280 EA	\$1,120
2 240481	HAPGC Admin Offices	EXTERIOR	1	The access aisle slope is greater than 1:50 (2%).	Parking Lot 1 Access Aisles at Accessible Parking Spaces P1 & P2 and P3 & P4	ADA	502.4	2	\$5,000 EA	\$10,000
2 240482	HAPGC Admin Offices	EXTERIOR	1	The access aisle slope is greater than 1:50 (2%).	Parking Lot 1 Access Aisle at Accessible Parking Space P5	ADA	502.4	1	\$5,000 EA	\$5,000
2 240486	HAPGC Admin Offices	EXTERIOR	1	The accessible route has gaps in the surface greater than 1/2" wide.	Sidewalk from Curb Ramp CR1 to Main Entrance	ADA	302.3	4	\$19.82 SF	\$79
2 240487	HAPGC Admin Offices	EXTERIOR	1	The accessible route has cross slopes greater than 1:50 (2%).	Sidewalk from Curb Ramp CR1 to Main Entrance	ADA	403.3	250	\$19.82 SF	\$4,955

2	240537	HAPGC Admin Offices	EXTERIOR	1	The accessible route has cross slopes greater than 1:50 (2%).	From Accessible Parking Spaces P1-P5 to Suite 107	ADA	403.3	50	\$19.82 SF	\$991
2	240540	HAPGC Admin Offices	EXTERIOR	1	The curb ramp does not meet the slope requirements.	Curb Ramp CR2	ADA	405.2; Table 405.2; 406; 406.2	1	\$1,750 EA	\$1,750
2	240541	HAPGC Admin Offices	EXTERIOR	1	A curb ramp is not provided where the accessible route crosses a curb.	Parking Lot 1 Access Aisles at Accessible Parking Spaces P6 to P14	ADA	406.2	3	\$1,750 EA	\$5,250
2	240543	HAPGC Admin Offices	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Parking Lot 1 Accessible Parking Spaces P13 and 14	State of Maryland	State of MD 05.07.D (2)(a) and (b),(3) & (6)	2	\$280 EA	\$560
2	240544	HAPGC Admin Offices	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Parking Lot 1 Accessible Parking Spaces P6, P7, P8, P9, P10, P11 and P12	State of Maryland	State of MD 05.07.D (2)(a) and (b),(3) & (6)	7	\$280 EA	\$1,960
2	240545	HAPGC Admin Offices	EXTERIOR	1	The accessible route has gaps in the surface greater than 1/2" wide.	From Accessible Parking Spaces P6 through 14 to Entrance	ADA	302.3	10	\$0 SF	\$0
2	240546	HAPGC Admin Offices	EXTERIOR	1	The accessible route has cross slopes greater than 1:50 (2%).	From Accessible Parking Spaces P6 through 14 to Entrance	ADA	403.3	150	\$19.82 SF	\$2,973

2	240547	HAPGC Admin Offices	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Parking Lot 1 Accessible Parking Space P5	State of Maryland	State of MD 05.07.D (2)(a)and (b),(3) & (6)	4	\$280 EA	\$1,120
2	240548	HAPGC Admin Offices	EXTERIOR	1	MARYLAND: Signage indicating "No Parking in Access Aisle" at van access aisle is not provided.	Parking Lot 1 Access Aisle at Accessible Parking Space P5	State of Maryland	State of MD 05.07.D (5)	1	\$280 EA	\$280
2	240549	HAPGC Admin Offices	EXTERIOR	1	MARYLAND: Signage indicating "No Parking in Access Aisle" at van access aisle is not provided.	Parking Lot 1 Access aisle at Accessible Parking Spaces P13 and P14	State of Maryland	State of MD 05.07.D (5)	1	\$280 EA	\$280
2	241381	HAPGC Admin Offices	EXTERIOR	1	The slope of the parking space is greater than 1:50 (2%).	Parking Lot 1 Accessible Parking Spaces P1-5	ADA	502.4	4	\$6,300 EA	\$25,200
2	241382	HAPGC Admin Offices	EXTERIOR	1	The parking space slope is greater than 1:50 (2%).	Parking Lot 1 Accessible Parking Space P1-5	ADA	502.4	1	\$6,300 EA	\$6,300
2	241383	HAPGC Admin Offices	EXTERIOR	1	The access aisle slope is greater than 1:50 (2%).	Parking Lot 1 Accessible Parking Space P1-5	ADA	502.4	3	\$5,000 EA	\$15,000

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2	241385	HAPGC Admin Offices	EXTERIOR	The access aisle slope is greater than 1:50 (2%).	Parking Lot 1 Accessible Parking Space P1-5	ADA	502.4	1	\$5,000 EA	\$5,000
2	240498	HAPGC Admin Offices	INTERIOR	Handrails are not compliant. Protruding objects in the 27" to 80" range above finished floor protrude more than 4" into the circulation path along the interior accessible route.	Stairwell 2	ADA	505	216	\$163 LF	\$35,208
2	240499	HAPGC Admin Offices	INTERIOR	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Stairwell 2	ADA	307.2	5	\$728 EA	\$3,640
2	240503	HAPGC Admin Offices	INTERIOR	The height of controls throughout the common area are not compliant. The opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	5th Floor Office	ADA	404.2.8	2	\$366 EA	\$732
2	240505	HAPGC Admin Offices	INTERIOR	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	3rd Floor Breakroom	ADA	308	1	\$500 EA	\$500
2	240518	HAPGC Admin Offices	INTERIOR	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	2nd Floor Breakroom	ADA	404.2.9	1	\$366 EA	\$366
2	240528	HAPGC Admin Offices	INTERIOR	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	1st Floor Conference Room Hallway Entrance	ADA	404.2.8	1	\$366 EA	\$366
2	240534	HAPGC Admin Offices	INTERIOR	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	1st Floor Lobby	ADA	404.2.8	1	\$366 EA	\$366

2	240535	HAPGC Admin Offices	INTERIOR	1	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Main Entrance	ADA	404.2.8	1	\$366 EA	\$366
2	240497	HAPGC Admin Offices	INTERIOR	2	The bottom of the door vision light is higher than 43" and less than 66".	Stairwell 2	ADA	404.2.11	5	\$2,600 EA	\$13,000
2	240500	HAPGC Admin Offices	INTERIOR	2	The service counter does not have 36" wide section that is 36" maximum above finished floor that is oriented for a parallel approach, or the service counter does not have a 30" wide section that is 36" maximum, with knee and toe clearance, that is oriented for a forward approach.	5th Floor Office	ADA	904.4	3	\$601.50 LF	\$1,805
2	240506	HAPGC Admin Offices	INTERIOR	2	The existing signage is not mounted at the latch side of the door or at a compliant height.	3rd Floor Breakroom	ADA	703.4	1	\$55 EA	\$55
2	240517	HAPGC Admin Offices	INTERIOR	2	The height of the counter is greater than 34".	2nd Floor Breakroom	ADA	804.3	1	\$1,986 EA	\$1,986
2	240519	HAPGC Admin Offices	INTERIOR	2	The existing signage is not mounted at the latch side of the door or at a compliant height.	2nd Floor Conference	ADA	703.4	2	\$55 EA	\$110
2	240520	HAPGC Admin Offices	INTERIOR	2	The service counter does not have 36" wide section that is 36" maximum above finished floor that is oriented for a parallel approach, or the service counter does not have a 30" wide section that is 36" maximum, with knee and toe clearance, that is oriented for a forward approach.	Room 208 - Housing Assistance	ADA	904.4	3	\$601.50 LF	\$1,805
2	240524	HAPGC Admin Offices	INTERIOR	2	Items requiring an unobstructed side reach motion are higher than 48" maximum and/or lower than 15" minimum height above finish floor.	1st Floor Lobby	ADA	308, 309	1	\$200 EA	\$200

2 240527	HAPGC Admin Offices	INTERIOR	2	The counter oriented for a forward approach does not have clear floor space for a forward approach with toe and knee clearance.	1st Floor Conference Rooms	ADA	904.4.2	2	\$93 EA	\$186
2 240529	HAPGC Admin Offices	INTERIOR	2	The existing signage is not mounted at the latch side of the door or at a compliant height.	1st Floor Conference Room Hallway Entrance	ADA	703.4	1	\$55 EA	\$55
2 240532	HAPGC Admin Offices	INTERIOR	2	Items that require a forward reach motion require more than 48" height reach.	1st Floor Lobby	ADA	308	1	\$200 EA	\$200
2 241134	HAPGC Admin Offices	INTERIOR	2	Items that require a forward reach motion require more than 48" height reach.	1st Floor Lobby	ADA	308	1	\$500 EA	\$500
2 241380	HAPGC Admin Offices	INTERIOR	2	The sink rim is higher than 34", and does not have knee and toe clearance (does not apply to mop basins, utility sinks, or bar sinks).	2nd Floor Breakroom	ADA	306.2 and 606.3	1	\$720 EA	\$720
2 240502	HAPGC Admin Offices	INTERIOR	3	Means of egress signage is not provided.	Throughout the Building	ADA	216.4, 703.1, 703.4	10	\$55 EA	\$550
2 240489	HAPGC Admin Offices	RESTROOMS	3	The provided signage is not mounted at the latch side of the door or at a compliant height.	1st, 2nd, 3rd and 5th Floor Men's and Women's Restroom	ADA	216.2, 703.1, 703.2, 703.5	8	\$55 EA	\$440
2 240490	HAPGC Admin Offices	RESTROOMS	3	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	1st, 2nd, 3rd and 5th Floor Men's and Women's Restroom	ADA	404.2.8	8	\$366 EA	\$2,928
2 240491	HAPGC Admin Offices	RESTROOMS	3	The lavatory is mounted higher than 34" to the higher of the rim or counter.	1st, 2nd, 3rd and 5th Floor Men's and Women's Restroom	ADA	606.2 and 606.3	8	\$720 EA	\$5,760
2 240493	HAPGC Admin Offices	RESTROOMS	3	The height of controls are not compliant.	3rd and 5th Floor Men's and Women's Restroom	ADA	606.1; 309.3	4	\$200 EA	\$800

2 240494	HAPGC Admin Offices	RESTROOMS	3	A wheelchair stall is not provided in a multi-user restroom.	2nd and 5th Floor Men's and Women's Restroom	ADA	309, 404.2.7, 604.5.1, 604.6, 604.7, 604.8.1.1, 604.8.1.2, 604.8.1.5, 604.9, 609.3	4	\$2,750 EA	\$11,000
2 240507	HAPGC Admin Offices	RESTROOMS	3	The grab bars at the water closet are not compliant.	1st and 3rd Floor Men's and Women's Restroom	ADA	604.5.2	4	\$710 EA	\$2,840
2 240509	HAPGC Admin Offices	RESTROOMS	3	The centerline of the toilet in the wheelchair stall is not 16" minimum to 18" maximum from the sidewall.	1st, 3rd and 5th Floor Men's and Women's Restroom	ADA	604.2	6	\$630 EA	\$3,780
2 240510	HAPGC Admin Offices	RESTROOMS	3	The height of the water closet is not 17" minimum to 19" maximum above finished floor.	1st, 2nd, 3rd ad 5th Floor Men's and Women's Restroom	ADA	604.4	8	\$630 EA	\$5,040
2 240511	HAPGC Admin Offices	RESTROOMS	3	The toilet paper dispenser is not at a compliant location.	3rd Floor Men's and Women's Restroom	ADA	604.7, 604.9, 609.3	2	\$280 EA	\$560
2 240512	HAPGC Admin Offices	RESTROOMS	3	The coat hook is not within an allowable reach range.	1st and 3rd Floor Men's and Women's Restroom	ADA	308	4	\$115 EA	\$460
2 240513	HAPGC Admin Offices	RESTROOMS	3	The wheelchair stall door is not compliant.	1st and 3rd Floor Men's and Women's Restroom	ADA	309, 404.2.7, 604.8.1.2	4	\$500 EA	\$2,000
2 240522	HAPGC Admin Offices	RESTROOMS	3	The centerline of the toilet in the wheelchair stall is not 16" minimum to 18" maximum from the sidewall.	2nd Floor Men's and Women's Restroom	ADA	604.2	2	\$630 EA	\$1,260

2	240531	HAPGC Admin Offices	RESTROOMS	3	The pull side of the accessible door does not have the required maneuvering clearances.	1st Floor Men's and Women's Restroom	ADA	404.2; Table 404.2.4.1	2	\$1,250 EA	\$2,500
2	240488	HAPGC Admin Offices	INTERIOR	4	The location of the spout of the wheelchair height drinking fountain is not compliant.	2nd, 3rd and 5th Floor	ADA	602.4 and 602.5	3	\$2,505 EA	\$7,515
3	239664	Central Gardens	EXTERIOR	0	The amenity cannot be accessed and, therefore, cannot be evaluated.	Adult Pool	ADA	None	1	\$0 EA	\$0
3	239665	Central Gardens	EXTERIOR	0	The amenity cannot be accessed and, therefore, cannot be evaluated.	Children's Pool	ADA	None	1	\$0 EA	\$0
3	240214	Central Gardens	EXTERIOR	0	The amenity is not a part of the accessible route and was not evaluated.	Building 6800	ADA	None	1	\$0 EA	\$0
3	240309	Central Gardens	EXTERIOR	0	The amenity cannot be accessed and, therefore, cannot be evaluated.	Pool House	ADA	None	1	\$0 EA	\$0
3	239657	Central Gardens	INTERIOR UNITS	0	The amenity cannot be accessed and, therefore, cannot be evaluated.	Units 6810-102, 6810-201, 6810-204, 6812-304, 6812-403, 6814-202, 6814-304	ADA	None	7	\$0 EA	\$0
3	239832	Newton Green	EXTERIOR	1	The accessible route running slope is greater than 1:20 (5%).	Main Entrance	UFAS	UFAS 4.3.3, 4.3.7, 4.8	50	\$19.82 SF	\$991
3	239882	Newton Green	EXTERIOR	1	The curb ramp does not meet the slope requirements.	Curb Ramp 5	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	1	\$1,750 EA	\$1,750



3 239886	Newton Green	EXTERIOR	1 The accessible route has gaps in the surface greater than 1/2" wide.	Sidewalk from CR3	ADA	302.3	10	\$19.82 SF	\$198
3 239888	Newton Green	EXTERIOR	1 The curb ramp does not meet the slope requirements.	Curb Ramp 4	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	1	\$1,750 EA	\$1,750
3 239889	Newton Green	EXTERIOR	1 The accessible route has gaps in the surface greater than 1/2" wide.	Curb Ramp 4	ADA	302.3	5	\$19.82 SF	\$99
3 239891	Newton Green	EXTERIOR	1 The curb ramp does not meet the slope requirements.	Curb Ramp 2b	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	1	\$1,750 EA	\$1,750
3 239892	Newton Green	EXTERIOR	1 The curb ramp does not meet the slope requirements.	Curb Ramp 2a	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	1	\$1,750 EA	\$1,750
3 239893	Newton Green	EXTERIOR	1 The curb ramp landing is not level. The slope of the curb ramp landing exceeds the maximum allowable 1:48 (2.08%).	Curb Ramp 1	ADA	304; 406.4	1	\$1,289 EA	\$1,289

3 239894	Newton Green	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	Near Curb Ramp 1	UFAS	UFAS 4.3.7	100	\$19.82 SF	\$1,982
3 240466	Newton Green	EXTERIOR	1	The curb ramp landing is not level. The slope of the curb ramp landing exceeds the maximum allowable 1:48 (2.08%).	Curb Ramp 4	ADA	304; 406.4	1	\$1,289 EA	\$1,289
3 240467	Newton Green	EXTERIOR	1	The standard car access aisle is less than 60" wide.	Accessible Parking Space P1	UFAS	UFAS 4.6.3	1	\$480 EA	\$480
3 239807	Park Tanglewood	EXTERIOR	1	A compliant accessible route is not provided within the boundary of the site from public transportation stops, accessible parking, and accessible passenger loading zones to the accessible building entrance they serve.	From City Sidewalk to Accessible Route in Front of Accessible Parking	UFAS	UFAS 4.3.2 (1), 4.3.3, 4.3.7	384	\$8.96 SF	\$3,441
3 239809	Park Tanglewood	EXTERIOR	1	The van access aisle is not on the passenger side of the van, where parking stalls are angled.	Accessible Parking Space P1-1	ADA	502.3.4	1	\$420 EA	\$420
3 239810	Park Tanglewood	EXTERIOR	1	The slope of the parking space is greater than 1:50 (2%).	Accessible Parking Space P1-1	UFAS	UFAS 4.6.3	1	\$6,300 EA	\$6,300
3 239811	Park Tanglewood	EXTERIOR	1	The curb ramp surface has vertical height changes greater than 1/4" that are not ramped.	Curb Ramp CR1	ADA	303, 403.4	1	\$1,750 EA	\$1,750

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3 239831	Park Tanglewood	EXTERIOR		A curb ramp is not provided where the accessible route crosses a curb.	Entrance	ADA	406.2	1	\$1,750 EA	\$1,750
			1							
3 239560	Central Gardens	EXTERIOR		A compliant accessible route is not provided from the property line to the site facilities.	From City Sidewalk to Building 6800	ADA	206; 206.2.1	160	\$8.96 SF	\$1,434
			1							
3 239566	Central Gardens	EXTERIOR		The ramp is required but not provided.	To Building 6802	ADA	405, 505	19	\$662 LF	\$12,578
			1							
3 239568	Central Gardens	EXTERIOR		MARYLAND: The access aisle slope is greater than 1:50 (2%).	Access Aisle at Accessible Parking Space P1-I	State of Maryland	502.4, State of MD 05.07.C (2)(d)	1	\$5,000 EA	\$5,000
			1							
3 239569	Central Gardens	EXTERIOR		The parking space slope is greater than 1:50 (2%).	Accessible Parking Space P1-I	ADA	502.4	1	\$6,300 EA	\$6,300
			1							
3 239570	Central Gardens	EXTERIOR		The accessible route has greater than 1:20 (5%) running slope and 1:50 (2%) cross slope.	From Accessible Parking to Patio at Unit 102 in Building 6812	ADA	403.3	120	\$19.82 SF	\$2,378
			1							
3 239589	Central Gardens	EXTERIOR		The accessible route has cross slopes greater than 1:50 (2%).	From Accessible Parking to Building 6812 Entrance	ADA	403.3	400	\$19.82 SF	\$7,928
			1							
3 239618	Central Gardens	EXTERIOR		The accessible route has running slopes greater than 1:20 (5%).	Near Building 6804	ADA	403.3	120	\$19.82 SF	\$2,378
			1							
3 239619	Central Gardens	EXTERIOR		The parking space slope is greater than 1:50 (2%).	Accessible Parking Space P1-A and P1-B	ADA	502.4	2	\$6,300 EA	\$12,600

3 239620	Central Gardens	EXTERIOR	1	A compliant parallel curb ramp is not provided.	Curb Ramp CR-3	ADA	304, 406	1	\$1,750 EA	\$1,750
3 239621	Central Gardens	EXTERIOR	1	The accessible route has greater than 1:20 (5%) running slope and 1:50 (2%) cross slope.	From Parking to Building 6804	ADA	403.3	100	\$19.82 SF	\$1,982
3 239622	Central Gardens	EXTERIOR	1	The accessible route has cross slopes greater than 1:50 (2%).	From Parking to Building 6806	ADA	403.3	120	\$19.82 SF	\$2,378
3 239624	Central Gardens	EXTERIOR	1	The accessible route has running slopes greater than 1:20 (5%).	From Accessible Parking to Buildings 6810 and 6812 Entrances	ADA	403.3	200	\$19.82 SF	\$3,964
3 239625	Central Gardens	EXTERIOR	1	The parking space slope is greater than 1:50 (2%).	Accessible Parking Space P1-E	ADA	502.4	1	\$6,300 EA	\$6,300
3 239626	Central Gardens	EXTERIOR	1	The slope of the parking space is greater than 1:50 (2%).	Accessible Parking Space P1-C	ADA	502.4	1	\$6,300 EA	\$6,300
3 239628	Central Gardens	EXTERIOR	1	The slope of the parking space is greater than 1:50 (2%).	Accessible Parking Space P1-G and P1-H	ADA	502.4	2	\$6,300 EA	\$12,600
3 239629	Central Gardens	EXTERIOR	1	The curb ramp does not meet the slope requirements.	Curb Ramp CR-5	ADA	405.2; Table 405.2; 406; 406.2	1	\$1,750 EA	\$1,750
3 239663	Central Gardens	EXTERIOR	1	The accessible route has greater than 1:20 (5%) running slope and 1:50 (2%) cross slope.	From Accessible Parking to Patio at Unit 102 in Building 6810	ADA	403.3	180	\$18.92 SF	\$3,406
3 239667	Central Gardens	EXTERIOR	1	The accessible route has areas of vertical level changes in excess of 1/4" that are not beveled or ramped.	Playground	ADA	303	300	\$8.96 SF	\$2,688

3 239669	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	6802-Building Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 239670	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	6804-Building Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 239671	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	6806-Building Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 239672	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	6800-Building Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 239673	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	Pool House Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 239674	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	6810-Building Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 239675	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	6814-Building Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 240066	Central Gardens	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Accessible Parking Spaces P1-C, P-1 F, P1-G and P1-H	State of Maryland	State of MD 05.07.D (2)(a)and (b),(3) & (6)	4	\$280 EA	\$1,120

3 240067	Central Gardens	EXTERIOR	1	Accessible car stall markings do not define the stall width.	Accessible Parking Space P1-C, P1-D, P1-F, P1-G and P1-H	ADA	502.1, 502.2	5	\$420 EA	\$2,100
3 240215	Central Gardens	EXTERIOR	1	The ramp is required but not provided.	To Building 6800 Entrance	ADA	405, 505	18	\$662 LF	\$11,916
3 240216	Central Gardens	EXTERIOR	1	The ramp is required but not provided.	From Parking to Building 6800	ADA	405, 505	23	\$662 LF	\$15,226
3 240217	Central Gardens	EXTERIOR	1	The ramp run has a rise greater than 6"; however, handrails are not provided.	To Building 6800 Entrance	ADA	405.8 and 505	30	\$163 LF	\$4,890
3 240218	Central Gardens	EXTERIOR	1	The ramp run has a rise greater than 6"; however, handrails are not provided.	From Parking to Building 6800	ADA	405.8 and 505	30	\$163 LF	\$4,890
3 240219	Central Gardens	EXTERIOR	1	The ramp run has a rise greater than 6"; however, handrails are not provided.	To Building 6802	ADA	405.8 and 505	32	\$163 LF	\$5,216
3 240220	Central Gardens	EXTERIOR	1	The ramp is required but not provided.	To Building 6804 Entrance	ADA	405, 505	52	\$662 LF	\$34,424
3 240221	Central Gardens	EXTERIOR	1	The ramp run has a rise greater than 6"; however, handrails are not provided.	To Building 6804 Entrance	ADA	405.8 and 505	98	\$163 LF	\$15,974
3 240222	Central Gardens	EXTERIOR	1	The ramp is required but not provided.	To Building 6806 Entrance	ADA	405, 505	54	\$662 LF	\$35,748

3 240223	Central Gardens	EXTERIOR	1	The ramp run has a rise greater than 6"; however, handrails are not provided.	To Building 6806 Entrance	ADA	405.8 and 505	54	\$102 LF	\$5,508
3 240224	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	6812-Building Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 240225	Central Gardens	EXTERIOR	1	The ramp is required but not provided.	To Building 6810 Entrance	ADA	405, 505	55	\$662 LF	\$36,410
3 240226	Central Gardens	EXTERIOR	1	The ramp is required but not provided.	To Building 6812 Entrance	ADA	405, 505	55	\$662 LF	\$36,410
3 240227	Central Gardens	EXTERIOR	1	The ramp run has a rise greater than 6"; however, handrails are not provided.	To Building 6810 Entrance	ADA	405.8 and 505	104	\$163 LF	\$16,952
3 240228	Central Gardens	EXTERIOR	1	The ramp run has a rise greater than 6"; however, handrails are not provided.	To Building 6812 Entrance	ADA	405.8 and 505	104	\$163 LF	\$16,952
3 240229	Central Gardens	EXTERIOR	1	The maneuvering clearance at the accessible door is not level and clear.	6816-Building Entrance Door	ADA	305.2; 404.2	1	\$1,250 EA	\$1,250
3 240230	Central Gardens	EXTERIOR	1	The ramp is required but not provided.	To Building 6814 Entrance	ADA	405, 505	54	\$662 LF	\$35,748

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3 240231	Central Gardens	EXTERIOR		The ramp is required but not provided.	To Building 6816 Entrance	ADA	405, 505	54	\$662 LF	\$35,748
			1							
3 240232	Central Gardens	EXTERIOR		The ramp run has a rise greater than 6"; however, handrails are not provided.	To Building 6816 Entrance	ADA	405.8 and 505	102	\$163 LF	\$16,626
			1							
3 240233	Central Gardens	EXTERIOR		The ramp run has a rise greater than 6"; however, handrails are not provided.	To Building 6814 Entrance	ADA	405.8 and 505	102	\$163 LF	\$16,626
			1							
3 240234	Central Gardens	EXTERIOR		The ramp is required but not provided.	To Pool House Entrance	ADA	405, 505	18	\$662 LF	\$11,916
			1							
3 240235	Central Gardens	EXTERIOR		The ramp run has a rise greater than 6"; however, handrails are not provided.	To Pool House Entrance	ADA	405.8 and 505	40	\$163 LF	\$6,520
			1							
3 240243	Central Gardens	EXTERIOR		The curb ramp landing is not level. The slope of the curb ramp landing exceeds the maximum allowable 1:48 (2.08%).	Curb Ramp CR-5	ADA	304; 406.4	1	\$1,289 EA	\$1,289
			1							
3 240244	Central Gardens	EXTERIOR		A curb ramp is not provided where the accessible route crosses a curb.	Curb Ramp CR-1 and CR-2	ADA	406.2	2	\$1,750 EA	\$3,500
			1							
3 240311	Central Gardens	EXTERIOR		A curb ramp is not provided where the accessible route crosses a curb.	Curb Ramp CR-6	ADA	406.2	2	\$1,750 EA	\$3,500
			1							
3 240312	Central Gardens	EXTERIOR		The slope of the parking space is greater than 1:50 (2%).	Accessible Parking Space P1-F	ADA	502.4	1	\$6,300 EA	\$6,300



3 240313	Central Gardens	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Accessible Parking Space P1-D	State of Maryland	State of MD 05.07.D (2)(a)and (b),(3) & (6)	1	\$280 EA	\$280
3 240314	Central Gardens	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Accessible Parking Spaces P1-A, P-1 B, P1-E and P1-I	State of Maryland	State of MD 05.07.D (2)(a)and (b),(3) & (6)	4	\$280 EA	\$1,120
3 240315	Central Gardens	EXTERIOR	1	The access aisle slope is greater than 1:50 (2%).	Access Aisle at Accessible Parking Space P1-G and P1-H	ADA	502.4	1	\$5,000 EA	\$5,000
3 240316	Central Gardens	EXTERIOR	1	MARYLAND: The access aisle slope is greater than 1:50 (2%).	Access Aisle at Accessible Parking Space P1-A and P1-B	State of Maryland	502.4, State of MD 05.07.C (2)(d)	1	\$5,000 EA	\$5,000
3 240317	Central Gardens	EXTERIOR	1	MARYLAND: The access aisle slope is greater than 1:50 (2%).	Access Aisle at Accessible Parking Space P1-E	State of Maryland	502.4, State of MD 05.07.C (2)(d)	1	\$5,000 EA	\$5,000
3 240318	Central Gardens	EXTERIOR	1	Accessible van stall markings do not define the stall width.	Accessible Parking Spaces P1-A, P-1 B, P1-E and P1-I	ADA	502.1, 502.3	4	\$420 EA	\$1,680
3 240319	Central Gardens	EXTERIOR	1	An access aisle is not provided.	Accessible Parking Space P1-C, P1-D, and P1-H	ADA	502.3; 502.4; 502.5	2	\$420 EA	\$840
3 240320	Central Gardens	EXTERIOR	1	Accessible van aisle markings do not define the aisle width.	Access Aisle at Accessible Parking Spaces P1-A, P-1 B, P1-E and P1-I	ADA	502.1, 502.3	3	\$420 -	\$1,260
3 240321	Central Gardens	EXTERIOR	1	MARYLAND: Signage indicating "No Parking in Access Aisle" at van access aisle is not provided.	Access Aisle at Accessible Parking Spaces P1-A, P-1 B, P1-E and P1-I	State of Maryland	State of MD 05.07.D (5)	3	\$280 EA	\$840
3 240322	Central Gardens	EXTERIOR	1	Accessible car aisle markings do not define the aisle width.	Access Aisle at Accessible Parking Space P1-G and P1-H	ADA	502.1, 502.2	1	\$420 -	\$420

3 240323	Central Gardens	EXTERIOR	1	The required minimum number of accessible parking spaces and access aisles is not provided.	Accessible Parking Spaces for Designated Accessible Units	UFAS	UFAS 4.1.1, 4.6.1	22	\$1,120 EA	\$24,640
3 240337	Brinkley Hills	EXTERIOR	1	The parallel curb ramp landing is not compliant.	Curb Ramp CR1	ADA	304, 406.4	1	\$1,289 EA	\$1,289
3 240339	Brinkley Hills	EXTERIOR	1	A compliant parallel curb ramp is not provided. ADVISORY: A marked crosswalk is not provided where the accessible route crosses a vehicular way between the accessible parking aisle and the building entrance.	Curb Ramp CR1	ADA	304, 406	1	\$1,750 EA	\$1,750
3 240352	Brinkley Hills	EXTERIOR	1		Curb Ramp 2 to Curb Ramp3	ADA	Advisory 502.3	1	\$0 EA	\$0
3 240353	Brinkley Hills	EXTERIOR	1	The ramp run has a rise greater than 6" and/or extends more than 72" horizontally and does not have compliant handrails.	Ramp R1	UFAS	UFAS 4.8; 4.26	104	\$163 LF	\$16,952
3 240354	Brinkley Hills	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	PROW From Street to Leasing Office	UFAS	UFAS 4.3.7	375	\$19.82 SF	\$7,433
3 240356	Brinkley Hills	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	PROW From Street to Leasing Office	UFAS	UFAS 4.3.7	100	\$19.82 SF	\$1,982
3 240357	Brinkley Hills	EXTERIOR	1	The ramp run has a rise greater than 6" and/or extends more than 72" horizontally and does not have compliant handrails.	Ramp R2	UFAS	UFAS 4.8; 4.26	80	\$163 LF	\$13,040
3 240358	Brinkley Hills	EXTERIOR	1	The curb ramp does not meet the slope requirements.	Curb Ramp CR3	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	1	\$1,750 EA	\$1,750
3 240359	Brinkley Hills	EXTERIOR	1	The curb ramp does not meet the slope requirements.	Curb Ramp CR2	UFAS	UFAS 4.7.2, 4.7.3, Table 2, Figures 11, 12(a)	1	\$1,750 EA	\$1,750

3 240360	Brinkley Hills	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	Curb Ramp CR2 to Office	UFAS	UFAS 4.3.7	75	\$19.82 SF	\$1,487
3 240361	Brinkley Hills	EXTERIOR	1	The ramp run has a rise greater than 6" and/or extends more than 72" horizontally and does not have compliant handrails.	From Curb Ramp CR2 to Office	UFAS	UFAS 4.8; 4.26	64	\$163 LF	\$10,432
3 240381	Brinkley Hills	EXTERIOR	1	The slope of the standard car access aisle is greater than 1:50 (2%).	Accessible Parking Space P2	UFAS	UFAS 4.6.3	1	\$5,000 EA	\$5,000
3 240382	Brinkley Hills	EXTERIOR	1	The slope of the van access aisle is greater than 1:50 (2%).	Accessible Parking Space P1	UFAS	UFAS 4.6.3	1	\$6,300 EA	\$6,300
3 240383	Brinkley Hills	EXTERIOR	1	The slope of the parking space is greater than 1:50 (2%).	Accessible Parking Space P1	UFAS	UFAS 4.6.3	1	\$6,300 EA	\$6,300
3 240384	Brinkley Hills	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	From Accessible Parking to Units	UFAS	UFAS 4.3.7	500	\$19.82 SF	\$9,910
3 240462	Brinkley Hills	EXTERIOR	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes greater than 1:50 (2%).	Ramp R2	UFAS	UFAS 4.8; 4.1.6, 4.26	40	\$662 LF	\$26,480
3 240463	Brinkley Hills	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	Curb Ramp CR3	UFAS	UFAS 4.3.7	75	\$19.82 SF	\$1,487
3 240464	Brinkley Hills	EXTERIOR	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes greater than 1:50 (2%).	Curb Ramp CR2 to Office	UFAS	UFAS 4.8; 4.1.6, 4.26	30	\$662 LF	\$19,860
3 239823	Park Tanglewood	INTERIOR COMMON AREAS	1	Protruding objects in the 27" to 80" range above finished floor protrude more than 4" into the circulation path along the interior accessible route.	Office	ADA	307.2	1	\$728 EA	\$728

3 240451	Park Tanglewood	INTERIOR COMMON AREAS	1	The accessible door takes less than 3 seconds to close.	Entrance	UFAS	UFAS 4.13.10	1	\$366 EA	\$366
3 239565	Central Gardens	INTERIOR COMMON AREAS	1	The building does not have elevator access between stories.	Building 6800, 6802, 6804, 6806, 6810, 6812 and 6814	ADA	206.2.3	7	\$80,000 EA	\$560,000
3 239640	Central Gardens	INTERIOR COMMON AREAS	1	The accessible route is less than 36" wide.	Laundry Room in Building 6800	UFAS	UFAS 4.2.1, 4.3.3	3	\$500 EA	\$1,500
3 239644	Central Gardens	INTERIOR COMMON AREAS	1	The accessible route is less than 36" wide.	Laundry Room in Building 6804	UFAS	UFAS 4.2.1, 4.3.3	2	\$500 EA	\$1,000
3 239645	Central Gardens	INTERIOR COMMON AREAS	1	The door does not have compliant maneuvering clearances.	Laundry Room in Building 6806 and 6810	UFAS	UFAS 4.13.6; Fig. 25	4	\$1,250 EA	\$5,000
3 239659	Central Gardens	INTERIOR COMMON AREAS	1	The accessible route is less than 36" wide.	Laundry Room in Building 6810	UFAS	UFAS 4.2.1, 4.3.3	1	\$500 EA	\$500
3 240324	Central Gardens	INTERIOR COMMON AREAS	1	Handrails are not compliant.	Building 6800, 6802, 6804, 6806, 6810, 6812 and 6814	UFAS	UFAS 4.9.4; 4.26	400	\$163 LF	\$65,200
3 240345	Brinkley Hills	INTERIOR COMMON AREAS	1	Protruding objects in the 27" to 80" range above finished floor protrude more than 4" into the circulation path along the interior accessible route.	Office	ADA	307.2	1	\$728 EA	\$728
3 240348	Brinkley Hills	INTERIOR COMMON AREAS	1	Protruding objects in the 27" to 80" range above finished floor protrude more than 4" into the circulation path along the interior accessible route.	Laundry	ADA	307.2	1	\$728 EA	\$728
3 239857	Newton Green	INTERIOR COMMON AREAS	1	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch.	Stairwell 1	ADA	404.2.8	2	\$366 EA	\$732
3 239858	Newton Green	INTERIOR COMMON AREAS	1	Protruding objects in the 27" to 80" range above finished floor protrude more than 4" into the circulation path along the interior accessible route.	Stairwell 1	ADA	307.2	2	\$728 EA	\$1,456
3 239869	Newton Green	INTERIOR COMMON AREAS	1	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Office	ADA	404.2.8	1	\$366 EA	\$366

3 240471	Newton Green	INTERIOR COMMON AREAS	1	Protruding objects in the 27" to 80" range above finished floor protrude more than 4" into the circulation path along the interior accessible route.	Lobby	ADA	307.2	1	\$728 EA	\$728
3 239606	Central Gardens	INTERIOR UNITS	1	The door has less than 32" clear width.	Bedroom Closet Doors in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.13.5	47	\$1,192 EA	\$56,024
3 239660	Central Gardens	INTERIOR UNITS	1	The threshold at the accessible door is greater than 1/2" in height.	Bathroom in Unit 6810-101	UFAS	UFAS 4.13.8	36	\$163 EA	\$5,868
3 240364	Brinkley Hills	INTERIOR UNITS	1	Handrails are not compliant.	Unit 6026	UFAS	UFAS 4.9.4; 4.26	24	\$163 LF	\$3,912
3 240372	Brinkley Hills	INTERIOR UNITS	1	The accessible door does not have the required maneuvering clearance.	Door Clearance - Unit 6026, 6028 and 6030	UFAS	UFAS 4.13.6; Fig. 25	3	\$1,250 EA	\$3,750
3 240469	Newton Green	EXTERIOR	2	Clear ground space is not provided at the operable part.	Main Entrance	ADA	305, 309	12	\$19.82 SF	\$238
3 239829	Park Tanglewood	EXTERIOR	2	Operable parts are not within the allowable reach ranges.	Entrance	UFAS	UFAS 4.2.5, 4.2.6; Figures 5 and 6	1	\$500 EA	\$500

			2							
3 239830	Park Tanglewood	EXTERIOR		Signage for exterior areas of refuge are not compliant or are not provided.	Side Exit	ADA	2003 IBC 1007.8.3, 1007.11; 703.5	1	\$2,500 EA	\$2,500
3 240310	Central Gardens	EXTERIOR	2	The gate does not have a smooth surface within 10" of the ground.	Gate at Adult's and Children's Pools	ADA	404.2.10	2	\$160 EA	\$320
3 240385	Brinkley Hills	EXTERIOR	2	Clear ground space is not provided at the operable part.	Mailboxes for Units	ADA	305, 309	12	\$19.82 SF	\$238
3 239813	Park Tanglewood	INTERIOR COMMON AREAS	2	The force required to pull or push open the door is more than 5#.s.	Office	UFAS	UFAS 4.13.11 (2)b, (2)c	1	\$366 EA	\$366
3 239822	Park Tanglewood	INTERIOR COMMON AREAS	2	The object protrudes more than 4" from the wall. ADVISORY: The stair treads and edge of top landing do not have visual contrast on the leading edge.	Hallway	UFAS	UFAS 4.4.1	2	\$150 EA	\$300
3 239825	Park Tanglewood	INTERIOR COMMON AREAS	2		Entrance	ADA	Advisory 505.4	1	\$0 EA	\$0
3 239826	Park Tanglewood	INTERIOR COMMON AREAS	2	The object protrudes more than 4" from the wall.	Entrance	UFAS	UFAS 4.4.1	1	\$728 EA	\$728
3 239827	Park Tanglewood	INTERIOR COMMON AREAS	2	Elements that require a forward reach motion are not within the allowable reach range.	Entrance	UFAS	UFAS 4.2.5	1	\$200 EA	\$200
3 240453	Park Tanglewood	INTERIOR COMMON AREAS	2	Elements that require a forward reach motion are not within the allowable reach range.	Entrance	UFAS	UFAS 4.2.5	1	\$200 EA	\$200
3 239585	Central Gardens	INTERIOR COMMON AREAS	2	The dining surface or work surface is not compliant.	Laundry Rooms in Building 6800, 6804, 6806, 6810, 6812 and 6814	UFAS	UFAS 4.3.8	6	\$794 EA	\$4,764
3 239586	Central Gardens	INTERIOR COMMON AREAS	2	The washers and dryers in the common use laundry serving accessible dwelling units are not front loading.	Laundry Rooms in Building 6800, 6804, 6806, 6810, 6812 and 6814	UFAS	UFAS 4.34.7, 4.27	12	\$800 EA	\$9,600

3 239587	Central Gardens	INTERIOR COMMON AREAS	2	Elements that require a forward reach motion are not within the allowable reach range.	Laundry Rooms in Building 6800, 6804, 6806, 6810, 6812 and 6814	UFAS	UFAS 4.2.5	6	\$200 EA	\$1,200
3 239588	Central Gardens	INTERIOR COMMON AREAS	2	Elements that require a forward reach motion are not within the allowable reach range.	Laundry Rooms in Building 6800, 6804, 6806, 6810, 6812 and 6814	UFAS	UFAS 4.2.5	6	\$250 EA	\$1,500
3 240349	Brinkley Hills	INTERIOR COMMON AREAS	2	Items requiring an unobstructed side reach motion are higher than 48" maximum and/or lower than 15" minimum height above finish floor.	Laundry	ADA	308, 309 228.1; 305; 308;	1	\$200 EA	\$200
3 239854	Newton Green	INTERIOR COMMON AREAS	2	The vending machines have operable parts which are not within reach range.	Vending machine	ADA	309	1	\$3,254 EA	\$3,254
3 239859	Newton Green	INTERIOR COMMON AREAS	2	The interior signage does not have compliant visual and tactile characters, with raised or indented characters or symbols.	Stairwell 1	ADA	703.2; 216.2; 703.3; 703.5	2	\$55 EA	\$110
3 239860	Newton Green	INTERIOR COMMON AREAS	2	Items requiring an unobstructed side reach motion are higher than 48" maximum and/or lower than 15" minimum height above finish floor.	Lobby	ADA	308, 309	1	\$500 EA	\$500
3 239863	Newton Green	INTERIOR COMMON AREAS	2	The interior signage does not have compliant visual and tactile characters, with raised or indented characters or symbols.	Lobby	ADA	703.2; 216.2; 703.3; 703.5	1	\$55 EA	\$55
3 239867	Newton Green	INTERIOR COMMON AREAS	2	Items requiring an unobstructed side reach motion are higher than 48" maximum and/or lower than 15" minimum height above finish floor.	2nd Floor Community Room	ADA	308, 309	1	\$200 EA	\$200
3 239868	Newton Green	INTERIOR COMMON AREAS	2	The interior signage does not have compliant visual and tactile characters, with raised or indented characters or symbols.	Room 111	ADA	703.2; 216.2; 703.3; 703.5	1	\$55 EA	\$55
3 241386	Newton Green	INTERIOR COMMON AREAS	2	The object protrudes more than 4" from the wall.	Lobby Men's and Women's Restroom	UFAS	UFAS 4.4.1	2	\$93 EA	\$186
3 239814	Park Tanglewood	INTERIOR UNITS	2	Elements that require a forward reach motion are not within the allowable reach range.	Unit 217	UFAS	UFAS 4.2.5	1	\$200 EA	\$200
3 239815	Park Tanglewood	INTERIOR UNITS	2	The kitchen requires renovation to meet minimum UFAS standards for accessibility.	Unit 217	UFAS	UFAS 4.34.6	1	\$15,000 EA	\$15,000
3 239819	Park Tanglewood	INTERIOR UNITS	2	The operable parts are mounted higher than 54" for a side approach or higher than 48" for a frontal only approach.	Unit 217	UFAS	UFAS 4.2.5: 4.2.6	1	\$500 EA	\$500

3 239821	Park Tanglewood	INTERIOR UNITS	2	The accessible door has a sweep period of less than 3 seconds from a 70° open position.	Unit 217	UFAS	UFAS 4.13.10	1	\$366 EA	\$366
3 240449	Park Tanglewood	INTERIOR UNITS	2	The accessible door does not have the required maneuvering clearances.	Unit 217	UFAS	UFAS 4.13.6; Fig. 25	1	\$1,250 EA	\$1,250
3 239562	Central Gardens	INTERIOR UNITS	2	The door has less than 32" clear width.	Bedroom Doors at Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.13.5	49	\$2,600 EA	\$127,400
3 239563	Central Gardens	INTERIOR UNITS	2	The kitchen requires renovation to meet minimum UFAS standards for accessibility.	Kitchen at Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6810-102, 6810-202, 6810-402, 6810-403, 6810-404, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.34.6	26	\$15,000 EA	\$390,000
3 239571	Central Gardens	INTERIOR UNITS	2	The maneuvering clearance area at the accessible door is not level and clear.	Patio Entrance Unit 6812-102	UFAS	UFAS 4.13.6; Fig. 25	1	\$1,250 EA	\$1,250
3 239573	Central Gardens	INTERIOR UNITS	2	The controls are not compliant.	Bedroom Windows in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.27.2	49	\$200 EA	\$9,800



3	239594	Central Gardens	INTERIOR UNITS	2	The maneuvering clearance area at the accessible door is not level and clear.	Patio and Deck Doors in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.13.6; Fig. 25	30	\$1,250 EA	\$37,500
3	239597	Central Gardens	INTERIOR UNITS	2	Elements that require a side reach motion are not within the allowable reach range.	Fire Extinguisher in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.2.6	30	\$200 EA	\$6,000
3	239610	Central Gardens	INTERIOR UNITS	2	The object protrudes more than 4" from the wall.	Sconces in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.4.1	30	\$500 EA	\$15,000
3	239651	Central Gardens	INTERIOR UNITS	2	The maneuvering clearance area at the accessible door is not level and clear.	Patio Entrance at Unit 6806-204	UFAS	UFAS 4.13.6; Fig. 25	1	\$1,250 EA	\$1,250
3	239656	Central Gardens	INTERIOR UNITS	2	The maneuvering clearance area at the accessible door is not level and clear.	Patio Entrance at Unit 6810-204	UFAS	UFAS 4.13.6; Fig. 25	1	\$1,250 EA	\$1,250

3 239658	Central Gardens	INTERIOR UNITS	2	The kitchen requires renovation to meet minimum UFAS standards for accessibility.	Kitchen in Unit 6806-204, 6810-101, 6810-204 and 6812-102	UFAS	UFAS 4.34.6	4	\$15,000 EA	\$60,000
3 239662	Central Gardens	INTERIOR UNITS	2	The maneuvering clearance area at the accessible door is not level and clear.	Patio Entrance at Unit 6810-102	UFAS	UFAS 4.13.6; Fig. 25	1	\$1,250 EA	\$1,250
3 240071	Central Gardens	INTERIOR UNITS	2	The accessible door does not have the required maneuvering clearances.	Entry Door at Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.13.6; Fig. 25	30	\$1,250 EA	\$37,500
3 239834	Newton Green	INTERIOR UNITS	2	The kitchen cabinet shelving, shelf areas, and drawers are not within reach range.	Unit 215 and 405	UFAS	UFAS 4.2.6, 4.34.6.10	2	\$425 EA	\$850
3 240366	Brinkley Hills	INTERIOR UNITS	2	In Type A and Type B dwelling units, operable parts are not within reach range.	Kitchen - Unit 6026, 6028 and 6030	IBC	2003 ANSI A117.1 - 1002.9	6	\$500 EA	\$3,000
3 240377	Brinkley Hills	INTERIOR UNITS	2	An accessible entrance is not provided to the facility.	Entrances - Unit 6026, 6028 and 6030	UFAS	UFAS 4.1 4.3.2; 4.14	3	\$2,600 EA	\$7,800
3 240474	Brinkley Hills	INTERIOR UNITS	2	The kitchen cabinet shelving, shelf areas, and drawers are not within reach range.	Unit 6026, 6028, 6030	UFAS	UFAS 4.2.6, 4.34.6.10	3	\$425 EA	\$1,275
3 236459	Park Tanglewood	INTERIOR COMMON AREAS	3	The elevator car dimensions are not compliant.	Elevator	ADA	407.4.1	1	\$80,000 EA	\$80,000
3 239824	Park Tanglewood	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Entrance	ADA	216.4, 703.1, 703.4	2	\$55 EA	\$110
3 240455	Park Tanglewood	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Hallway	ADA	216.4, 703.1, 703.4	2	\$55 EA	\$110

3 240340	Brinkley Hills	INTERIOR COMMON AREAS	3	The height of controls are not compliant.	Common Area Restroom	ADA	606.1; 309.3	1	\$200 EA	\$200
3 240341	Brinkley Hills	INTERIOR COMMON AREAS	3	The water closet in a single user / unisex restroom does not have the required clearance. The mirror is mounted higher than 40" above finish floor to the bottom of the reflective surface, where it is installed above a lavatory or counter.	Common Area Restroom	ADA	604	1	\$1,368 EA	\$1,368
3 240342	Brinkley Hills	INTERIOR COMMON AREAS	3	The hardware at the accessible door requires tight grasping, pinching or twisting of the wrist to operate.	Common Area Restroom	ADA	213.3.5; 603.3	1	\$200 EA	\$200
3 240343	Brinkley Hills	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Laundry Restroom	UFAS	UFAS 4.13.9; 4.22.2; 4.29.3	1	\$293 EA	\$293
3 240344	Brinkley Hills	INTERIOR COMMON AREAS	3	The push side of the door does not have the required maneuvering clearances.	Office	ADA	216.4, 703.1, 703.4	4	\$55 EA	\$220
3 240346	Brinkley Hills	INTERIOR COMMON AREAS	3	The water closet in a single user / unisex restroom does not have the required clearance. The mirror is mounted higher than 40" above finish floor to the bottom of the reflective surface, where it is installed above a lavatory or counter.	Office Restroom	ADA	404.2.4	1	\$1,250 EA	\$1,250
3 240350	Brinkley Hills	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Laundry Restroom	ADA	604	1	\$1,368 EA	\$1,368
3 240351	Brinkley Hills	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Laundry Restroom	ADA	213.3.5; 603.3	1	\$200 EA	\$200
3 239861	Newton Green	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Lobby	ADA	216.4, 703.1, 703.4	2	\$55 EA	\$110

3 239870	Newton Green	INTERIOR COMMON AREAS	3	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Lobby Women's Restroom	ADA	404.2.8	1	\$366 EA	\$366
3 239871	Newton Green	INTERIOR COMMON AREAS	3	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Lobby Men's Restroom	ADA	404.2.8	1	\$366 EA	\$366
3 239872	Newton Green	INTERIOR COMMON AREAS	3	The grab bars at the water closet are not compliant.	Lobby Men's and Women's	ADA	604.5.2	1	\$710 EA	\$710
3 239873	Newton Green	INTERIOR COMMON AREAS	3	The centerline of the wheelchair accessible toilet is not 16" minimum to 18" maximum from the side wall.	Lobby Men's Restroom	IBC	2009 ANSI A117.1-604.2	1	\$630 EA	\$630
3 239874	Newton Green	INTERIOR COMMON AREAS	3	The toilet paper dispenser is not at a compliant location.	Lobby Men's and Women's Restroom	ADA	604.7, 604.9, 609.3	2	\$280 EA	\$560
3 239875	Newton Green	INTERIOR COMMON AREAS	3	The coat hook is not within an allowable reach range.	Lobby Men's and Women's Restroom	ADA	308	2	\$115 EA	\$230
3 239876	Newton Green	INTERIOR COMMON AREAS	3	The wheelchair stall door is not compliant.	Lobby Men's and Women's Restroom	ADA	309, 404.2.7, 604.8.1.2	2	\$500 EA	\$1,000

3 239879	Newton Green	INTERIOR COMMON AREAS	3	The flush control is located on the closed side and/or is not within reach range.	Lobby Women's Restroom	ADA	604.6	1	\$313 EA	\$313
3 239880	Newton Green	INTERIOR COMMON AREAS	3	The grab bars at the water closet are not compliant.	Lobby Women's Restroom	ADA	604.5.2	1	\$710 EA	\$710
3 239881	Newton Green	INTERIOR COMMON AREAS	3	The height of controls and dispensers are not compliant.	Lobby Men's and Women's Restroom	UFAS	UFAS 4.23.7; 4.27.3	2	\$200 EA	\$400
3 240470	Newton Green	INTERIOR COMMON AREAS	3	The toilet paper dispenser is not at a compliant location.	Lobby Women's Restroom	ADA	604.7, 604.9, 609.3	1	\$280 EA	\$280
3 239817	Park Tanglewood	INTERIOR UNITS	3	The toilet paper dispenser is not compliant.	Unit 217	UFAS	UFAS 4.34.5.2 (4)	1	\$200 EA	\$200
3 239561	Central Gardens	INTERIOR UNITS	3	The bathroom is not compliant and requires a complete renovation.	Bathrooms in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.34.5	27	\$18,560 EA	\$501,120

3	239567	Central Gardens	INTERIOR UNITS	3	The accessible door does not have the required PUSH SIDE maneuvering clearances.	Entrance Doors at Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	ADA	404.2.4.1; Table 404.2.4.1	30	\$1,250 EA	\$37,500
3	239574	Central Gardens	INTERIOR UNITS	3	The controls and operable parts are not within an allowable reach range.	Bedroom Closet Light in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.2.5, 4.2.6, 4.27	49	\$500 EA	\$24,500
3	239577	Central Gardens	INTERIOR UNITS	3	Lavatory hot water and drain pipes are not insulated.	Bathroom in unit 6812-102	UFAS	UFAS 4.19.4	1	\$65 EA	\$65
3	239578	Central Gardens	INTERIOR UNITS	3	The height of the bottom of the reflective surface of the mirror is greater than 40".	Bathroom in unit 6812-102	UFAS	UFAS 4.19.6	1	\$100 EA	\$100
3	239579	Central Gardens	INTERIOR UNITS	3	The bathtub seat is not compliant or is not provided.	Bathroom in unit 6812-102	UFAS	UFAS 4.34.5.4(2)	1	\$604.50 EA	\$605

3	239604	Central Gardens	INTERIOR UNITS	3	The height of controls are not compliant.	HVAC Controls in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	ADA	606.1; 309.3	30	\$500 EA	\$15,000
3	239648	Central Gardens	INTERIOR UNITS	3	The bathroom is not compliant and requires a complete renovation.	Bathroom in Unit 6806-204	UFAS	UFAS 4.34.5	1	\$18,560 EA	\$18,560
3	240075	Central Gardens	INTERIOR UNITS	3	The hardware at the accessible door requires tight grasping, pinching or twisting of the wrist to operate	Entry Door Hardware in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	ADA	309, 404.2.7	30	\$293 EA	\$8,790
3	240080	Central Gardens	INTERIOR UNITS	3	The exterior entrance door does not have a compliant visual scope.	Entry Door Peep Site in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6806-204, 6810-101, 6810-102, 6810-202, 6810-204, 6810-402, 6810-403, 6810-404, 6812-102, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	ADA	809.5.5.2	30	\$350 EA	\$10,500
3	240334	Central Gardens	INTERIOR UNITS	3	The bathtub control fixtures are not compliant or are not in a compliant location.	Bathroom in unit 6812-102	UFAS	UFAS 4.34.5.4(4)	1	\$555 EA	\$555

3 240335	Central Gardens	INTERIOR UNITS	3	Bathtub grab bars are not compliant or reinforcement for grab bar placement is not provided.	Bathroom in unit 6812-102	UFAS	UFAS 4.34.5.4(3)	1	\$710 EA	\$710
3 240336	Central Gardens	INTERIOR UNITS	3	The bath tub does not have the required clear floor space.	Bathroom in unit 6812-102	UFAS	UFAS 4.34.5.4(1)	1	\$3,000 EA	\$3,000
3 239835	Newton Green	INTERIOR UNITS	3	The side grab bar is not compliant.	Unit 215 and 405	UFAS	UFAS 4.16.4, 4.34.5.2 (3)	2	\$355 EA	\$710
3 239837	Newton Green	INTERIOR UNITS	3	The lavatory does not have knee and toe clearance.	Unit 215 and 405	UFAS	UFAS 4.19.2, 4.34.5.3	2	\$720 EA	\$1,440
3 239838	Newton Green	INTERIOR UNITS	3	A shower spray unit with 60" long hose is not provided in the bathtub.	Unit 215 and 405	UFAS	UFAS 4.34.5.4(5)	2	\$650 EA	\$1,300
3 239849	Newton Green	INTERIOR UNITS	3	The rear grab bar is not compliant.	Unit 405	UFAS	UFAS 4.34.5.2 (3)	1	\$355 EA	\$355
3 239856	Newton Green	INTERIOR UNITS	3	The controls and operable parts are not within an allowable reach range.	Unit 215 and 405	UFAS	UFAS 4.2.5, 4.2.6, 4.27	4	\$200 EA	\$800
3 240365	Brinkley Hills	INTERIOR UNITS	3	A compliant work surface is not provided in the kitchen.	Unit 6026, 6028, 6030	UFAS	UFAS 4.34.6.4	9	\$168.88 LF Front	\$1,520
3 240371	Brinkley Hills	INTERIOR UNITS	3	A shower spray unit with 60" long hose is not provided in the bathtub.	Unit 6026, 6028 , 6030	UFAS	UFAS 4.34.5.4(5)	3	\$630 EA	\$1,890



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3 240379	Brinkley Hills	INTERIOR UNITS		Grab bars are not provided at the water closet.	Unit 6026, 6028, 6030	UFAS	UFAS 4.34.5.2 (3)	3	\$710 EA	\$2,130
3 240472	Brinkley Hills	INTERIOR UNITS	3	The centerline of the water closet is not exactly 18" from the side wall.	Unit 6026, 6028, 6030	UFAS	UFAS 4.16.2, Fig. 28, 4.34.5.2(1); Fig. 47(a)	3	\$630 EA	\$1,890
3 240213	Central Gardens	EXTERIOR	4	Directional signage indicating the accessible route from accessible parking to the facility is not provided, where existing routes are both accessible and non-accessible.	Building 6800	ADA	216.3	2	\$280 EA	\$560
3 239865	Newton Green	INTERIOR COMMON AREAS	4	The minimum number of drinking fountains is not provided. If the minimum number is provided, two levels or a hi-lo are not provided. If more than 2 are provided, less than 50% are high or less than 50% are low.	Mail room	ADA	211.1; 211.2; 602; 309	1	\$5,439.50 EA	\$5,440
3 239607	Central Gardens	INTERIOR UNITS	4	The clothes rod is mounted higher than 54".	Bedroom Closet Rod in Units 6800-103, 6800-202, 6800-204, 6800-301, 6802-303, 6804-201, 6804-202, 6804-303, 6810-102, 6810-202, 6810-402, 6810-403, 6810-404, 6812-201, 6812-204, 6812-301, 6812-303, 6812-304, 6812-403, 6814-101, 6814-202, 6814-204, 6814-301, 6814-304, 6814-402, 6814-404	UFAS	UFAS 4.25.3	42	\$200 EA	\$8,400
3 239840	Newton Green	INTERIOR UNITS	4	The clothes rod is mounted higher than 54".	Unit 215 and 405	UFAS	UFAS 4.25.3	2	\$200 EA	\$400
3 240477	Newton Green	INTERIOR UNITS	4	The shelving, drawers, cabinetry and operable parts are not within the allowable reach range in accessible storage spaces.	Unit 215 and 405	UFAS	UFAS 4.25	2	\$200 EA	\$400
3 240370	Brinkley Hills	INTERIOR UNITS	4	The clothes rod is mounted higher than 54".	Unit 6026, 6028, 6030	UFAS	UFAS 4.25.3	3	\$200 EA	\$600

3	239883	Newton Green	EXTERIOR	5	The maneuvering clearance area at the accessible door is not level and clear.	Main Entrance	UFAS	UFAS 4.13.6; Fig. 25	1	\$1,250 EA	\$1,250
4	239911	Rollingcrest Village	EXTERIOR	1	The exterior accessible route has vertical level changes in excess of ½" which are not ramped.	North sidewalk to Office	UFAS	UFAS 4.5.2	6	\$19.82 SF	\$119
4	239912	Rollingcrest Village	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	North Sidewalk from Office to Parking	UFAS	UFAS 4.3.7	680	\$19.82 SF	\$13,478
4	239913	Rollingcrest Village	EXTERIOR	1	The slope of the standard car access aisle is greater than 1:50 (2%).	Parking Lot - P1	UFAS	UFAS 4.6.3	1	\$10,000 EA	\$10,000
4	239914	Rollingcrest Village	EXTERIOR	1	The slope of the standard car parking space is greater than 1:50 (2%).	Parking Lot - P1	UFAS	UFAS 4.6.3	1	\$12,600 EA	\$12,600
4	241408	Rollingcrest Village	EXTERIOR	1	The slope of the standard car parking space is greater than 1:50 (2%).	Parking Lot A - Space P2-A	UFAS	UFAS 4.6.3	1	\$12,600 EA	\$12,600
4	241409	Rollingcrest Village	EXTERIOR	1	The slope of the standard car access aisle is greater than 1:50 (2%).	Parking Lot A - Space P2-A	UFAS	UFAS 4.6.3	1	\$10,000 EA	\$10,000
4	241410	Rollingcrest Village	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Parking Lot A - Spaces P1-A and P2-A	State of Maryland	State of MD 05.07.D (2)(a)and (b),(3) & (6)	2	\$280 EA	\$560

4 241411	Rollingcrest Village	EXTERIOR	1	The slope of the van access aisle is greater than 2%.	Parking Lot B - Space P1-B	UFAS	UFAS 4.6.3	1	\$12,600 EA	\$12,600
4 241412	Rollingcrest Village	EXTERIOR	1	The slope of the standard car parking space is greater than 1:50 (2%).	Parking Lot B - Space P2-B	UFAS	UFAS 4.6.3	1	\$12,600 EA	\$12,600
4 241413	Rollingcrest Village	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Parking Lot B - Spaces P1-B	State of Maryland	State of MD 05.07.D (2)(a)and (b),(3) & (6)	1	\$280 EA	\$280
4 241414	Rollingcrest Village	EXTERIOR	1	MARYLAND: Compliant signage is not provided at the space.	Parking Lot B - Space P2-B	State of Maryland	State of MD 05.07.D (2)(a)and (b),(3) & (6)	1	\$280 EA	\$280
4 241415	Rollingcrest Village	EXTERIOR	1	MARYLAND: Signage indicating "No Parking in Access Aisle" at van access aisle is not provided.	Parking Lot B	State of Maryland	State of MD 05.07.D (5)	1	\$280 EA	\$280
4 239949	1100 Owens Road	EXTERIOR	1	A compliant turning space is not provided at a change of direction.	Sidewalk to Street - top landing	ADA	304; 403.5.2	50	\$19.82 SF	\$991
4 239950	1100 Owens Road	EXTERIOR	1	The opening in the walking surface is more than ½" wide and/or is not oriented perpendicular to the dominant path of travel.	Sidewalk to Street top landing	UFAS	UFAS 4.5	20	\$19.82 SF	\$396

4 239952	1100 Owens Road	EXTERIOR	1	A compliant turning space is not provided at a change of direction.	Sidewalk to Street street landing	ADA	304; 403.5.2	60	\$19.82 SF	\$1,189
4 239953	1100 Owens Road	EXTERIOR	1	The ramp is required but not provided.	Sidewalk to Street street landing	ADA	405, 505	12	\$662 LF	\$7,944
4 239954	1100 Owens Road	EXTERIOR	1	The exterior accessible route has vertical level changes in excess of ½" which are not ramped. ADVISORY: A marked crosswalk is not provided where the accessible route crosses a vehicular way between the accessible parking aisle and the building entrance.	Sidewalk	UFAS	UFAS 4.5.2	5	\$19.82 SF	\$99
4 239955	1100 Owens Road	EXTERIOR	1		Sidewalk	ADA	Advisory 502.3	1	\$0 EA	\$0
4 239956	1100 Owens Road	EXTERIOR	1	The accessible route running slope is greater than 1:20 (5%).	Sidewalk at Stair 1	UFAS	UFAS 4.3.3, 4.3.7, 4.8	30	\$19.82 SF	\$595
4 239958	1100 Owens Road	EXTERIOR	1	The accessible route cross slope is greater than 1:50 (2%).	Sidewalk to Entrance on North Side from Stair 1	UFAS	UFAS 4.3.7	150	\$19.82 SF	\$2,973
4 239959	1100 Owens Road	EXTERIOR	1	The accessible route running slope is greater than 1:20 (5%).	Sidewalk to Entrance on North Side	UFAS	UFAS 4.3.3, 4.3.7, 4.8	100	\$19.82 SF	\$1,982
4 239960	1100 Owens Road	EXTERIOR	1	The ramp run has running slopes greater than 1:12 (8.33%) and/or cross slopes greater than 1:50 (2%).	Ramp 1	UFAS	UFAS 4.8; 4.1.6, 4.26	21	\$662 LF	\$13,902
4 239962	1100 Owens Road	EXTERIOR	1	Handrails are not compliant.	Stairs from Parking to Main Entrance	UFAS	UFAS 4.9.4; 4.26	6	\$163 LF	\$978
4 239963	1100 Owens Road	EXTERIOR	1	A van access aisle is not provided at a van accessible space.	Parking Lot	UFAS	UFAS 4.6.3	1	\$420 EA	\$420

4 239964	1100 Owens Road	EXTERIOR	1	The accessible van stall signage is not compliant.	Parking Lot	UFAS	UFAS 4.6.4	1	\$280 EA	\$280
4 239967	1100 Owens Road	EXTERIOR	1	A landing at the top of the curb ramp is not present.	Curb Ramp 1	ADA	406.4	1	\$1,289 EA	\$1,289
4 240478	1100 Owens Road	EXTERIOR	1	The ramp run has a rise greater than 6" and/or extends more than 72" horizontally and does not have compliant handrails.	Sidewalk to Street street landing	UFAS	UFAS 4.8; 4.26	28	\$163 LF	\$4,564
4 241391	1100 Owens Road	EXTERIOR	1	Handrails are not provided where the ramp rises more than 6" or are not compliant.	Ramp 1	ADA	505.6	246	\$163 LF	\$40,098
4 241393	1100 Owens Road	EXTERIOR	1	The access aisle slope is greater than 2%.	Parking Lot A - Space P2-A, P2-C	UFAS	UFAS 4.6.3	2	\$10,000 EA	\$20,000
4 241397	1100 Owens Road	EXTERIOR	1	The slope of the parking space is more than 2% running/cross slope.	Parking Lot A - Space P2-A, P2-D	UFAS	UFAS 4.6.3	2	\$12,600 EA	\$25,200
4 241401	1100 Owens Road	EXTERIOR	1	The slope of the parking space is more than 2% running/cross slope.	Parking Lot A - Space P1-A, P1-B, P1-C, P1-D	UFAS	UFAS 4.6.3	4	\$12,600 EA	\$50,400
4 241405	1100 Owens Road	EXTERIOR	1	An access aisle is not provided.	Parking Lot A - Space P1-A, P1-B, P1-C, P1-D	UFAS	UFAS 4.6.3	2	\$10,000 EA	\$20,000

4 239995	1100 Owens Road	INTERIOR COMMON AREAS	1	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Laundry	ADA	404.2.8	1	\$366 EA	\$366
4 239906	Rollingcrest Village	INTERIOR COMMON AREAS	1	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Laundry Room	ADA	404.2.8	1	\$366 EA	\$366
4 239910	Rollingcrest Village	INTERIOR COMMON AREAS	1	The accessible door with door closer has a sweep period of less than 5 seconds from 90 degrees to a position 12 degrees from latch and the opening force required to open the accessible, hinged, non-fire door is more than 5 pounds.	Office	ADA	404.2.8	1	\$366 EA	\$366
4 239895	Rollingcrest Village	EXTERIOR	2	Items that require a reach motion are less than 15" height for a frontal approach.	Office	ADA	308	1	\$200 EA	\$200
4 239969	1100 Owens Road	INTERIOR COMMON AREAS	2	Elements that require a forward reach motion are not within the allowable reach range.	Office	UFAS	UFAS 4.2.5	1	\$500 EA	\$500
4 239971	1100 Owens Road	INTERIOR COMMON AREAS	2	The object protrudes more than 4" from the wall.	Office	UFAS	UFAS 4.4.1	1	\$728 EA	\$728
4 239897	Rollingcrest Village	INTERIOR COMMON AREAS	2	The object protrudes more than 4" from the wall.	Office	UFAS	UFAS 4.4.1	1	\$728 EA	\$728
4 239898	Rollingcrest Village	INTERIOR COMMON AREAS	2	The existing signage is not mounted at the latch side of the door or at a compliant height.	Office	ADA	703.4	1	\$55 EA	\$55
4 239899	Rollingcrest Village	INTERIOR COMMON AREAS	2	The service counter does not have 36" wide section that is 36" maximum above finished floor that is oriented for a parallel approach, or the service counter does not have a 30" wide section that is 36" maximum, with knee and toe clearance, that is oriented for a forward approach.	Office	ADA	904.4	3	\$601.50 LF	\$1,805

4 239901	Rollingcrest Village	INTERIOR COMMON AREAS	2	Elements that require a side reach motion are not within the allowable reach range.	Office	UFAS	UFAS 4.2.6	9	\$500 EA	\$4,500
4 239908	Rollingcrest Village	INTERIOR COMMON AREAS	2	Elements that require a forward reach motion are not within the allowable reach range.	Laundry Room	UFAS	UFAS 4.2.5	1	\$500 EA	\$500
4 239909	Rollingcrest Village	INTERIOR COMMON AREAS	2	The top of the service counter is higher than 36".	Laundry Room	UFAS	UFAS 7.2	3	\$168.88 LF	\$507
4 239926	Rollingcrest Village	INTERIOR UNITS	2	Elements that require a side reach motion are not within the allowable reach range.	Unit 5631, 5641, 5655, 5657	UFAS	UFAS 4.2.6	4	\$200 EA	\$800
4 239943	Rollingcrest Village	INTERIOR UNITS	2	The kitchen cabinet shelving, shelf areas, and drawers are not within reach range.	Unit 5631, 5641, 5655, 5657	UFAS	UFAS 4.2.6, 4.34.6.10	4	\$425 EA	\$1,700
4 239948	Rollingcrest Village	INTERIOR UNITS	2	The maneuvering clearance area at the accessible door is not level and clear.	Unit 5631, 5641, 5655, 5657	UFAS	UFAS 4.13.6; Fig. 25	4	\$1,250 EA	\$5,000
4 239972	1100 Owens Road	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Lobby	ADA	216.4, 703.1, 703.4	1	\$55 EA	\$55
4 239977	1100 Owens Road	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Throughout Building	ADA	216.4, 703.1, 703.4	2	\$55 EA	\$110
4 239896	Rollingcrest Village	INTERIOR COMMON AREAS	3	Means of egress signage is not provided.	Office	ADA	216.4, 703.1, 703.4	2	\$55 EA	\$110
4 239902	Rollingcrest Village	INTERIOR COMMON AREAS	3	The water closet in a single user / unisex restroom does not have the required clearance.	Office Restroom	ADA	604	1	\$1,368 EA	\$1,368
4 239903	Rollingcrest Village	INTERIOR COMMON AREAS	3	The height of controls are not compliant.	Office Restroom	ADA	606.1; 309.3	1	\$200 EA	\$200
4 239904	Rollingcrest Village	INTERIOR COMMON AREAS	3	The height of controls are not compliant.	Office Restroom	ADA	606.1; 309.3	1	\$200 EA	\$200

4 239983	1100 Owens Road	INTERIOR UNITS	3	Lavatory hot water and drain pipes are not insulated.	Unit 601	UFAS	UFAS 4.19.4	1	\$65 EA	\$65
4 239985	1100 Owens Road	INTERIOR UNITS	3	The height of the bottom of the reflective surface of the mirror is greater than 40".	Unit 601	UFAS	UFAS 4.19.6	1	\$100 EA	\$100
4 239944	Rollingcrest Village	INTERIOR UNITS	3	The centerline of the water closet is not exactly 18" from the side wall.	Unit 5641	UFAS	UFAS 4.16.2, Fig. 28, 4.34.5.2(1); Fig. 47(a)	1	\$630 EA	\$630
4 239947	Rollingcrest Village	INTERIOR UNITS	3	The controls and operable parts are not within an allowable reach range.	Unit 5631, 5641, 5655, 5657	UFAS	UFAS 4.2.5, 4.2.6, 4.27	40	\$500 EA	\$20,000
4 239968	1100 Owens Road	INTERIOR COMMON AREAS	4	Compliant interior signage indicating a space or facility is not provided.	Office	UFAS	UFAS 4.30.5; Fig. 43	1	\$55 EA	\$55
4 239939	Rollingcrest Village	INTERIOR UNITS	4	The clothes rod is mounted higher than 54".	Unit 5641	UFAS	UFAS 4.25.3	2	\$200 EA	\$400



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**APPENDIX E**  
**UNITS BY BEDROOM TYPE**

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Current inventory of all units.									
Program Type	Total Units	Studio	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	7 Bed
Project Based Voucher	178		96	63	19				
Public Housing	376	124	170	41	31	10			
New PBV Units	59		16	32	11				
<b>Total Units</b>	<b>613</b>	<b>124</b>	<b>282</b>	<b>136</b>	<b>61</b>	<b>10</b>			

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# APPENDIX F

## BLOCK GRANT RESTRUCTURE

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**Prince George's County, Maryland  
 Department of Housing and Community Development  
 Community Development Block Grant  
 Program Year 45  
 Project Revision**

**Name of Submitting Organization:** Housing Authority of Prince George's County

**Project Title:** Marlborough Towne And Cottage City Towers Accessible Routes

**Revised Project Description (Scope of Services):**

The Housing Authority of Prince George's County will use CDBG funds to address internal and external ADA/UFAS accessible route remediation at the Marlborough Towne and Cottage City Towers public housing properties. The work includes improvements to the parking lots (e.g. repaving) and the remediation of internal and external accessible routes to and within the building's common areas. Approximately 163 households will benefit from this project.

**NOTE: If this project involves construction activity, the Operating Agency (O/A) will contact their CDBG Project Manager prior to beginning the bid process. The O/A may not begin project activity until a pre-construction conference is held with the appropriate CDBG staff person.**

**Revised Project Budget:**

Line Item	CDBG Cost \$	Other Non-federal Funds \$
ADA/UFAS accessible route and common area remediation at the Marlborough Towne	\$34,500.00	
ADA/UFAS accessible route and common area remediation at the Cottage City Towers	\$175,000.00	
<b>Total CDBG Costs:</b>	<b>\$209,500.00</b>	
<b>Total Other Non-federal Funds:</b>		
<b>Total Project Budget:</b>		

**Revised Estimated Activities Schedule:**

<b>ACTIVITY</b>	<b>START DATE</b>	<b>COMPLETION DATE</b>
Exterior - ADA/UFAS accessible route and common area remediation at the Marlborough Towne and Cottage City	July 1, 2021	September 30, 2021
Interior - ADA/UFAS accessible route and common area remediation at the Marlborough Towne and Cottage City	October 1, 2021	December 31, 2021
	January 1, 2022	March 30, 2022
	April 1, 2022	June 30, 2022
	July 1, 2022	September 30, 2022
	October 1, 2022	December 31, 2022

**Projected Quarterly Drawdown Schedule**

1 <sup>st</sup> Quarter Jul – Sept 2021	2 <sup>nd</sup> Quarter Oct – Dec 2021	3 <sup>rd</sup> Quarter Jan – Mar 2022	4 <sup>th</sup> Quarter Apr - Jun 2022	5 <sup>th</sup> Quarter Jul – Sept 2022	6 <sup>th</sup> Quarter Oct – Dec 2022
\$157,125.00	\$ 52,375.00	\$	\$	\$	\$

Signature of Executive Director, Chief Executive Officer or Municipal Official authorizing these revisions:



Name: Nathan F. Simms  
Title: HAPGC, Executive Director

July 8, 2021

Date

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# APPENDIX G

# FUTURE PBV UNITS

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Nathan F. Simms Jr., Executive Director

Yolanda L. Hawkins-Bautista, Chair – Board of Commissioners

July 15, 2021

Byron Scott, ADAC  
Lead Project Manager, ADA Coordinator  
Bureau Veritas  
10461 Mill Run Circle #1100  
Owings Mills, MD 21117

Dear Mr. Scott:

On behalf of the Housing Authority of Prince George's County (HAPGC), Rental Assistance Division, I am providing the following updated data on its Project-based Vouchers (PBVs) in cooperation with your fulfillment of the provisions and terms in the Voluntary Compliance Agreement.

There is a total of **178 existing project-based** under HAP contract, and an additional **59 units** under AHAP.

Please see the following list of all existing 178 PBV sites, their addresses, and total number of units under contract by site:

- Brinkley Hills (4) 6021 Thunder Hill Court Ft Washington MD 20744
- Central Gardens (104) 1 Cindy Lane Capitol Heights MD 20743
- Glenarden Hills, Phase 1 (45) 8441 Marvin Wilson Way Glenarden MD 20746
- Newton Green (12) 5300 Newton Street Bladensburg MD 20710
- Parkview Manor (5) 5040 38<sup>th</sup> Avenue Hyattsville MD 20782
- Park Tanglewood (8) 5309 Riverdale Road Riverdale MD 20737

Here is the list of units currently under AHAP to date. All 59 units under AHAP will be retrofitted as UFAS.

- Birchwood (8) – Delivery 2023 6905 Greenbelt Rd, Greenbelt MD
- Glenarden Hills (12) – Delivery 2023 8405 & 8406 Hamlin St, Lanham MD
- Townes at Peerless (8) – Delivery 2022 15507 Peerless Ave, Upper Marlboro MD
- Ashton Heights (21) – Delivery 2021 3901 Suitland Rd, Suitland MD
- Woodyard Station (10) – Delivery 2023 8999 Woodyard Rd, Clinton MD

*Please note that you can ask for a reasonable accommodation to use HAPGC housing or services. This can include auxiliary aids or services, materials in an alternative format, or help in completing paperwork or changes to your housing based on your disability. Contact the 504 Coordinator at (301)883-5576 or email [dhcd-504@co.pg.md.us](mailto:dhcd-504@co.pg.md.us) for assistance.*



HAPGC currently, and will continue, to solicit PBV units to meet and/or exceed its mandated total accessible units in its portfolio.

Sincerely,

Ronald McCoy

Ronald McCoy  
Division Manager  
Rental Assistance Division

CC: Nathan Simms, Jr., Executive Director  
James McGraw, Development and Modernization Manager  
Michael Jackson, Senior Project Manager

*Please note that you can ask for a reasonable accommodation to use HAPGC housing or services. This can include auxiliary aids or services, materials in an alternative format, or help in completing paperwork or changes to your housing based on your disability. Contact the 504 Coordinator at (301)883-5576 or email [dhcd-504@co.pg.md.us](mailto:dhcd-504@co.pg.md.us) for assistance.*



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