



## More Information

### Fair Housing Accessibility FIRST

[www.fairhousingfirst.com](http://www.fairhousingfirst.com)  
(888) 341-7781

HUD funded program offering free comprehensive instruction programs, online resources, technical guidance and support

### Fair Housing Council of Suburban Philadelphia

[www.fhcsp.com](http://www.fhcsp.com)  
866-540-FAIR (3247)

Private fair housing nonprofit providing fair housing education and advocacy since 1956

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## Fair Housing Council of Suburban Philadelphia

FHCSP is a nonprofit dedicated to the idea that all people have a right to live where they can afford to live. FHCSP works to eliminate housing barriers through education and enforcement services, including:

**Fair Housing counseling and investigations for victims of discrimination in Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton, and Philadelphia Counties**

**Training and education programs for housing professionals to promote compliance and prevent discrimination**

**Technical assistance for nonprofits, housing authorities and communities obligated to affirmatively further fair housing**

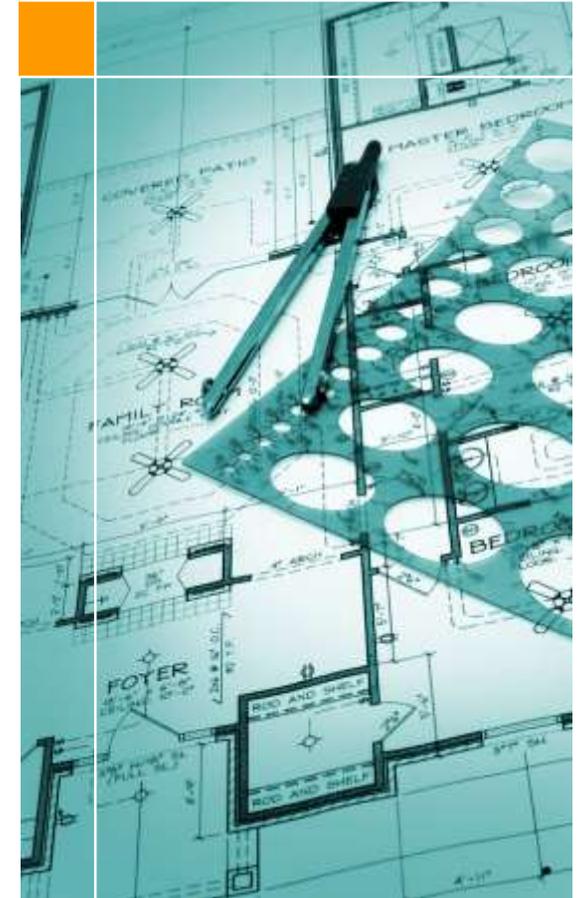
**Publications, fact sheets & resources on fair housing topics, cases and news items**

Contact FHCSP to request assistance:

455 Maryland Drive, Suite 190  
Fort Washington, PA 19034  
(267) 419-8918  
[www.fhcsp.com](http://www.fhcsp.com)  
[information@fhcsp.com](mailto:information@fhcsp.com)

## Fair Housing Act:

## New Construction Accessibility Requirements



The Fair Housing Act (FHA) shouldn't be confused with the Americans with Disabilities Act (ADA). The ADA covers public accommodations, while FHA covers housing. Many builders and developers believe that if they are ADA compliant then they have fulfilled their FHA responsibilities. This isn't necessarily true. Generally, the ADA does not apply to residential housing. However, ADA issues arise with the accessibility of common use areas in residential developments if the facilities are open to persons other than owners, residents, and their guests (e.g. – sales/rental office, pool, clubhouse and reception room). When determining what laws apply to a building, community or complex, it's important to remember that many codes, federal, state and local, may cover your project.



“Everyone who is involved in designing and building multifamily housing must ensure that the required accessible features are present so that people with disabilities can use and enjoy their homes”

Eric Halperin, Special Counsel for Fair Lending in the Civil Rights Division of the Justice Department

## Fair Housing Act (FHA)

FHA design and construction requirements apply to “covered multifamily dwellings” designed and constructed “for first occupancy” after March 13, 1991. This includes housing that is for rent or for sale and applies whether the housing is privately or publicly funded. The following multifamily dwellings must comply:

**All buildings containing four or more dwelling units if the buildings have one or more elevators**

**All ground floor units in buildings containing four or more units, without an elevator.**

Condominiums and apartment buildings are covered by the design and construction requirements and so are time-shares, dormitories, transitional housing, student housing, assisted living housing, homeless shelters that are used as a residence, etc. To comply with FHA, seven basic design and construction requirements must be met.

## Seven Design & Construction Requirements

1. Accessible building entrance on an accessible route. All covered multifamily dwellings must have at least one accessible building entrance on an accessible route unless it is impractical to do so because of the terrain or unusual characteristics of the site.

2. Accessible public and common use areas. Covered housing must have accessible and usable public and common-use areas. They include, for example, building-wide fire alarms, parking lots, storage areas, indoor and outdoor recreational areas, lobbies, mailrooms and mailboxes, and laundry areas.
3. Usable doors (usable by a person in a wheelchair). All doors that allow passage into and within all premises must be wide enough to allow passage by persons using wheelchairs.
4. Accessible route into and through the dwelling unit. There must be an accessible route into and through each covered unit.
5. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations.
6. Reinforcements in bathroom walls must be installed, so that grab bars can be added when needed. The law does not require installation of grab bars in bathrooms.
7. Kitchens and bathrooms must be designed and constructed so an individual in a wheelchair can maneuver in the space provided.