

	Fair Housing Act Design and Construction Requirements	Section 504 Uniform Federal Accessibility Standards (UFAS)
Statute	42 U.S.C. 3604(f)	29 U.S.C. 794
Regulations	24 CFR part 100	24 CFR part 8
Effective Date	“Covered multifamily dwellings” designed and constructed for first occupancy after <u>March 13, 1991</u>	New multifamily housing projects effective <u>July 11, 1988</u>
Who Must Comply?	Anyone involved with design or construction of multifamily housing	Recipients of Federal financial assistance
Application	Buildings with 4 or more units	Multifamily housing projects containing 5 or more units Program accessibility in all projects
	Privately and publically funded housing	Only if housing involves Federal financial assistance
	<u>All</u> ground floor units and all units in elevator buildings	<u>For new construction, a minimum of 5%</u> of units, or at least one unit, whichever is greater, must be made accessible for persons with mobility impairments and an additional <u>2%</u> of units, or at least one unit, whichever is greater, must be made accessible for persons with vision/hearing impairments HUD may prescribe a higher percentage or number upon demonstration of greater need
	All public or common use areas	All public or common use areas
Applicable Standards	10 HUD-approved safe harbors <i>e.g.</i> , HUD Guidelines, ANSI A117.1	UFAS Departures from technical and scoping requirements of UFAS are permitted <u>where substantially equivalent or greater access to and usability of the building is provided</u>

<p>Alterations of Existing Housing</p>	<p>Does not apply to renovations and substantial rehabs of pre-1991 buildings</p> <p>But <u>additions</u> of four or more units to an existing, pre-1991 building are covered dwelling units that must comply. New public or common use areas also must comply.</p>	<p>Projects built before July 11, 1988, must make units accessible when recipient undertakes alterations. These requirements also apply to projects that later receive Federal financial assistance regardless of original construction date.</p> <p>For multifamily housing projects with 15 or more units that undergo <u>substantial</u> alterations (the cost of alterations is 75% or more of the replacement cost of the completed facility), the new construction requirements apply (see above)</p> <p>Alterations that do not qualify as substantial alterations require that alterations to units be made accessible to the <u>maximum extent feasible</u></p> <p><u>If alterations of single elements or spaces in a unit, when considered together, amount to an alteration of the unit, the entire unit must be made accessible.</u></p> <p>Once 5% of the dwelling units in a multifamily housing project are readily accessible to and usable by individuals with mobility impairments, then no additional elements of dwelling units, or entire dwelling units, are required to be accessible under this provision. HUD may prescribe a higher percentage or number upon demonstration of greater need.</p>
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