

# Fair Housing Accessibility Resources

## Federal Disability Rights Laws

This guide provides an overview of Federal civil rights laws that ensure equal opportunity for people with disabilities.

- ▶ <http://www.ada.gov/cguide.htm#anchor62335>

## Americans with Disabilities Act (ADA)

The Americans with Disabilities Act, Titles II and III, may apply to housing. Title II applies to the activities of state and local governments, including housing. Title III applies to places of public accommodation, such as rental and sales offices.

- ▶ <http://www.ada.gov/pubs/ada.htm>

## ADA Standards for Accessible Design

The ADA Standards for accessible design are the accessibility standards adopted by the Department of Justice for compliance with Title III of the ADA.

- ▶ [www.usdoj.gov/crt/ada/reg3a.html#Anchor-Appendix-52467](http://www.usdoj.gov/crt/ada/reg3a.html#Anchor-Appendix-52467)

## Architectural Barriers Act of 1968

The Architectural Barriers Act is a general accessibility law that requires buildings owned, leased, or operated by the federal government, and those financed by a grant or loan from the federal government, to be accessible. The accessibility standards used under the Architectural Barriers Act is UFAS.

- ▶ [www.access-board.gov/the-board/laws/architectural-barriers-act-aba](http://www.access-board.gov/the-board/laws/architectural-barriers-act-aba)

## Fair Housing Act as amended

Congress passed the Fair Housing Amendments Act on September 13, 1988 extending coverage of Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) to prohibit discriminatory housing practices based on disability and family status. The Fair Housing Act also prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex and national origin. The Fair Housing Act establishes seven design and construction requirements for all covered multifamily dwellings consisting of four or more units designed and constructed for first occupancy on or after March 13, 1991.

- ▶ [www.usdoj.gov/crt/housing/title8.htm](http://www.usdoj.gov/crt/housing/title8.htm) or
- ▶ [Fair Housing Act as amended \[PDF, 67K\]](#)

## Fair Housing Act Regulations

After Congress passed the Fair Housing Act, the Department of Housing and Urban Development adopted extensive regulations that describe in more detail the various forms of housing discrimination covered in the law. The sections of the regulations that address design and construction issues are 24 Code of Federal Regulations (CFR) 100.205 and some definitions are found in Section 24 CFR 100.201. Other portions of the regulations that deal with disability issues are in 24

CFR 100.201-.203. In general, HUD's regulations implementing the Fair Housing Act have the same effect as a law does.

▶ [www.fairhousing.com/index.cfm?method=page.display&pageid=605](http://www.fairhousing.com/index.cfm?method=page.display&pageid=605)

#### **Section 504 of the 1973 Rehabilitation Act**

Section 504 of the Rehabilitation Act bars recipients of federal funds from discriminating on the basis of disability. Specifically, Section 504, which is enforced by HUD, prohibits recipients of federal funds from discriminating based on disability. For recipients of funding from HUD, this includes the requirement that in new construction and substantial alterations at least 5% of the housing units are accessible to people with mobility impairments and at least 2% of the housing units are accessible to people with vision or hearing impairments. In addition, Section 504 requires recipients to make reasonable accommodations, including structural changes, so that people with disabilities can use and enjoy housing. Section 504 covers all of the programs and activities of a recipient of federal financial assistance, and has additional requirements beyond those described here.

▶ [www.hud.gov/offices/fheo/disabilities/sect504.cfm](http://www.hud.gov/offices/fheo/disabilities/sect504.cfm)

#### **Uniform Federal Accessibility Standards (UFAS)**

The Uniform Federal Accessibility Standards, or UFAS, are the accessibility standards that have been adopted by various federal agencies, including the Department of Housing and Urban Development (HUD), and are applicable to housing funded by HUD.

▶ [www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/ufas?highlight=WyJ1ZmFzIiwic3RhbmRhcmRzIIO=](http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/ufas?highlight=WyJ1ZmFzIiwic3RhbmRhcmRzIIO=) or

▶ [Uniform Federal Accessibility Standards \(UFAS\) \[PDF, 4324K\] \(Adobe Acrobat Reader Required\)](#)

Source: <http://www.fairhousingfirst.org/resources/laws.html>

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