

## Fair Housing & Accessibility Article 17

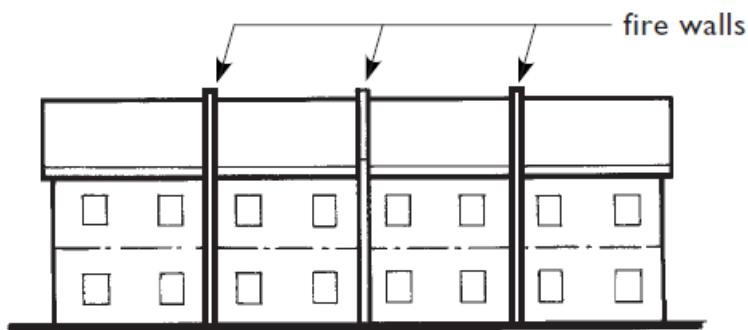
### The Design and Construction Requirements of the Fair Housing Act



We will continue our discussion about multifamily covered units as we look at different design structures. As noted in last month's issue, it is important to note that the ownership type of a property or project has no bearing on the Fair Housing Accessibility rules. All units are covered by the Fair Housing Act and must comply with the guidelines, including condominiums, single-story townhomes, vacation timeshares, college dormitories, apartments housing on private universities, sleeping accommodations intended for residency in a shelter, retirement communities, and continuing care facilities. These facilities are covered as long as they include at least one building with four or more dwelling units. Continuing care facilities are a special case as they must be examined on a "case-by-case basis" to determine whether it contains covered multifamily dwellings.

#### Buildings Separated by Firewalls or Covered Walkways

Under the Fair Housing Act, dwellings built within a single structure and separated by a firewall are treated as a single building.



**Building with Firewalls  
Is Treated as a Single Building**

Also, according to the guidelines, units that are connected by stairs or walkways that are "structurally tied to the main body of the building" is considered a single building. The ground floor units in these buildings are covered (if there isn't an elevator).



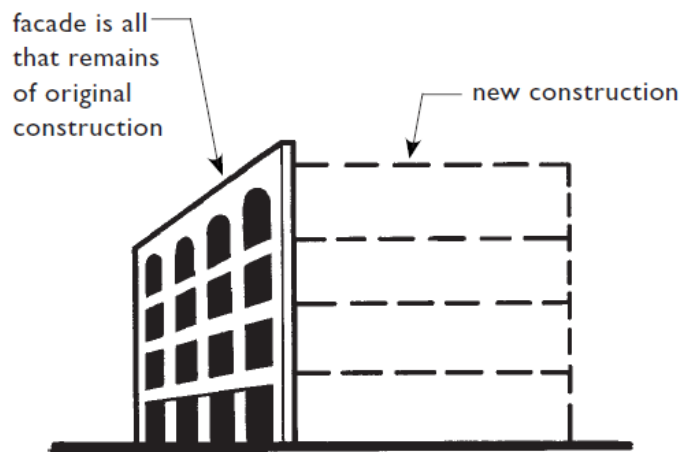
**For Purposes of the Guidelines, Two Structurally Joined Buildings Are Treated as a Single Building**

### **Building Conversions**

The Federal Fair Housing Act does not apply to converted buildings which were previously used for nonresidential purposes (previously a warehouse, office building, school). There may be state and local fair housing codes that must be met.

### **New Construction Behind Old Façade**

Where a building façade is kept a new building is constructed behind the old façade, the building is covered by the Fair Housing Act and considered a new building.



**New Construction Behind Old Façade Is Covered**

### **Additions to Existing Buildings**

In the case where an addition is built onto an existing building, the addition (if four or more units) is considered a new building. This addition must meet the FHA design requirements. Also, if new public or common use spaces are added, they must be accessible according to the Guidelines.