NORTHWEST FAIR HOUSING ALLIANCE

WHAT HOUSING PROVIDERS NEED TO KNOW ABOUT

FAIR HOUSING LAWS

DESIGN AND CONSTRUCTION
Fair Housing Act Requirements

The FHA's seven accessibility requirements apply to covered buildings with four or more dwellings designed and constructed for first occupancy after March 13, 1991. Rental apartments and condominiums can both be covered.

COVERED HOUSING

Elevator buildings: All units in covered buildings.
Non-elevator buildings: Ground-floor units and public/common areas serving covered units. There may be more than one ground floor.
Four or more structurally connected dwellings may count as one building, including connections by breezeways or stairs. Firewalls do not necessarily separate buildings for FHA purposes.
Generally Excluded: multi-story townhouses without elevators, single-family houses, duplexes, and triplexes are generally excluded from these design requirements.

SEVEN REQUIREMENTS

1. Accessible entrance on an accessible route
2. Accessible public and common use areas
3. Doors usable by wheelchair users
4. Accessible route into and through the unit
5. Accessible switches, outlets, and controls
6. Bathroom wall reinforcement for future grab bars
7. Usable kitchens and bathrooms

LEARN MORE

42 U.S.C. § 3604(f)(3)(C), (f)(7)
24 CFR § 100.205
HUD/DOJ Design & Construction Joint Statement; FHA Design Manual

COMPLIANCE AND COSTS

- **The FHA is separate from the ADA** and state/local building codes. Meet every applicable requirement. ADA coverage differs. Section 504 may also apply to federally assisted housing.
- A permit or passed code inspection does not conclusively establish FHA compliance.
- Use a HUD-recognized safe harbor, such as the FHA Design Manual. Review plans and inspect construction.
- Complaints and litigation can mean legal and expert fees, damages, penalties where authorized, and costly retrofits.

Plan for compliance before building.

QUESTIONS ABOUT FAIR HOUSING?

SCAN TO VISIT

Northwest Fair Housing Alliance
509-325-2665 | 1-800-200-3247 (FAIR)
NWFAIRHOUSE.ORG • Our services are free