



Understanding Accessibility Code in Living Spaces

Navigating accessibility code when designing living spaces can be daunting. Nobody wants a legal battle springing up somewhere down the road as a result of a minor oversight now. Beyond that, designers naturally want to offer an uplifting experience for those who've suffered with a physical disability from birth; or for others who, as a result of old age, have lost the mobility they once enjoyed.

In this article we will discuss three ideas related to accessibility standards that can help designers create living spaces that comply with accessibility standards, address potential facility uses, and provide an environment where individuals with limited mobility can prosper

We will begin with the history and purpose of several major accessibility standards. Understanding the where and why will be extremely important when it comes choosing which one to follow. Next, we will identify a few key differences between each of the standards and then finish with several questions that designers should ask themselves that will help guide accessible living space design decisions.

History and Purpose of the Major Accessibility Standards

American with Disabilities Act (ADA)

The American with Disabilities Act (ADA) was signed into law in 1990 and establishes minimum scoping and technical requirements for newly designed and built public facilities accessible to or used by individuals with physical disabilities. In simpler terms, the ADA design guidelines define what elements make a facility "accessible" and what percentage of total rooms or elements must meet those requirements. Scoping requirements are determined by the type of facility and its intended use.

Fair Housing Act (FHA)

The Civil Rights Act of 1968 included a provision known as the Fair Housing Act (FHA). This provision prohibits discrimination in the sale, rental, or financing of dwellings based on race, color, religion, sex, or national origin. In 1988 congress expanded the FHA to prohibit discrimination based on familial status or disability. Virtually all newly constructed buildings with four or more dwelling units must meet FHA accessibility standards.

ANSI A117.1 Standard for Accessible and Usable Buildings and Facilities

The American National Standards Institute (ANSI) is a private, not-for-profit organization that establishes "voluntary consensus" standards spanning many industries. ANSI A117.1 defines standards for both accessible and usable buildings and facilities. Private or public facilities can be designed to comply with ANSI A117.1 standards.

Key Differences between Accessibility Standards

Several significant differences exist between each of these accessibility standards. The primary difference between ADA and FHA standards lies in the distinction between "accessible" and "usable". The ADA requires a living space to be fully **accessible** from the day the facility opens. The FHA requires that the living space only be **usable**. The distinction between accessible and usable is subtle but important. The

FHA clarifies that a usable dwelling space is one that is “reasonably modifiable”, meaning the space could be modified without extensive effort at some point in the future so that an individual with disabilities could reside there. For example, an FHA compliant bathroom may not necessarily be equipped with grab bars and shower seats the day the facility opens, but the bathroom and shower walls are required to be reinforced so that grab bars and shower seats can be installed at a later date.

ANSI A117.1 is different from the ADA and FHA standards in several ways. Principally, it is not an enforceable accessibility code. ANSI A117.1 simply offers guidelines, that if followed, will make a facility accessible or usable.

ANSI A117.1 addresses accessible and usable environments by defining three types of living spaces with varying levels of accessibility: Type A, Type B, and Type C.

Type A: Fully *accessible* dwelling units. Type A dwelling units comply with and in some ways exceed the ADA requirements. For example, Type A bathtubs and showers must include a vertical grab bar along the control wall which is not required by the ADA standards.

Type B: Fully *usable* and *adaptable* dwelling units. Type B units comply with and in some ways exceed the FHA requirements. According to the FHA Design Manual, ANSI A117.1 Type B units are a “safe harbor” for FHA compliance.

Type C: Fully *Usable* and *adaptable* dwelling units with slightly different requirements intended primarily for residential applications.

Table 1. Summary of major accessibility codes

	ADA	FHA	ANSI A117.1
Purpose of Accessibility Code?	Protect Individuals with disabilities from discrimination in using public, commercial, or government facilities and places	Protect individuals from discrimination in the sale, rental, or financing of dwelling places based on race, sex, religion, familial status, and disability	Voluntary consensus standards which make a site, facility, building, or element accessible and usable to individuals with physical disabilities
Type of facility to which the standard applies?	Public, commercial, or government	Private or public facility with more than 4+ dwelling units per building	Type A – Private or public Type B – Private or public Type C – Private single-family residences
Who enforces the standard?	Justice Department	Justice Department or local jurisdictions	Non-enforceable except where adopted by federal, state, or local jurisdictions
“Accessible” or “Usable and Adaptable” dwelling spaces?	Accessible	Usable and Adaptable	Type A – Accessible Type B – Usable and Adaptable Type C – Usable and Adaptable

Questions to Ask When Deciding Which Standard to Follow

When selecting a standard to follow, it may be as simple as following the most lenient applicable accessibility code in order to reduce upfront design and construction costs. However, it may be wise to make a few additional considerations that could reduce costs, possible liability, and resident disruption in the future. The following questions can serve as starting point to selecting the most appropriate standard:

- What type of facility is being designed and constructed?
- Has the local jurisdiction adopted any accessibility codes beyond the ADA or FHA standards?

- Some cities, counties, and states such as California and Massachusetts have adopted accessibility standards different from those covered in this article.
- What is the intended use of the facility? Could it change over time?
 - Certain types of facilities require certain percentages of rooms to be accessible. Despite the percentage of accessible rooms the code requires, this may not be the ideal percentage to design for.
- Have marketing, design, or maintenance advantages that would make the facility more accessible been considered?
 - Buildings with greater accessibility are easier to manage and market to future residents.
- Will any of the fixtures or elements need to be adapted in the future?
 - Consider including fixtures such as showers or cupboards that can be adapted to meet accessibility standards. Making a living space more flexible rather than less flexible can save the facility owners and managers time and money in the long run.

If designers understand the purpose and history of the accessibility codes, recognize key differences between them, and ask themselves important questions from the start, they will be able to create living spaces that meet the needs of both owners and residents and avoid many of the headaches that might otherwise come along the way.