



CIL-NET Presents...

A Systems Approach to Expanding Housing Options

**Physical and Programmatic Accessibility
Compliance**

August 10, 2012

1:00 P.M. – 2:30 P.M.

Presenters:

City of Chicago Commissioner Karen Tamley

&

Amanda Motyka

Who We Are...

- Brief Introduction
- Karen Tamley
 - Commissioner for the Mayor's Office for People with Disabilities
 - Life-long advocate for people with disabilities
- Amanda Motyka
 - Manager of the ADA/Section 504 Compliance Department at the Chicago Housing Authority
 - Administers the Voluntary Compliance Agreement b/w HUD and CHA

Ensuring Accessibility in the City of Chicago

Mayor's Office for People with Disabilities (MOPD)– Key Programs & Services

- Direct Independent Living Services
- Disability Awareness
- Disability Policy
- Accessibility Compliance



MOPD: Housing Accessibility & Compliance



- Local Accessibility Code—Chapter 18-11
 - Requires Type A and Type B units in all new construction
 - Requires Visitability in planned developments
- Plan Review
- Accessibility Permitting
- Technical Assistance/Training
- Home Modification Grants



Challenges to Accessibility

- Construction according to permitted plans
- Code conflict—Federal, State, Local
- Building inspections to include accessibility



Key Disability/Housing Laws

- Section 504 of the Rehabilitation Act of 1973
- Fair Housing Amendments Act of 1989



EQUAL HOUSING
OPPORTUNITY

Section 504—What are the requirements?

- Prohibits discrimination under any program, service, or activity receiving Federal funding
 - Refusal to rent or sell
 - Impose special terms and conditions
 - Require residency on one floor or in separate sections
 - Deny benefits, programs, or privileges made to all residents
 - Charge additional/higher fees

SECTION 504



Section 504—What are the requirements for housing units?

- 5% must follow UFAS and be accessible for mobility impairments
- 2% accessible for people with sensory impairments
- Units are scattered geographically
- Available in range of bedrooms sizes



Section 504—Programmatic Requirements

- Right to Reasonable Accommodation—change in policy
- Right to Reasonable Modification—change to physical structure
- No undue financial, administrative burden or technical infeasibility



Fair Housing Amendments Act of 1988—What are the requirements?



- Protect people with disabilities and families with children against discrimination
 - Refusal to rent or sell housing
 - Imposing different terms and conditions
 - “Steering” to or away from neighborhoods



FHAA—What is required for housing units?



- Allows structural modifications (at tenant's expense)
 - Bathroom/kitchen modifications
- Allows reasonable accommodations to policies/procedures
 - Waiving "no pet" policy
 - Relocating parking spots closer to residence

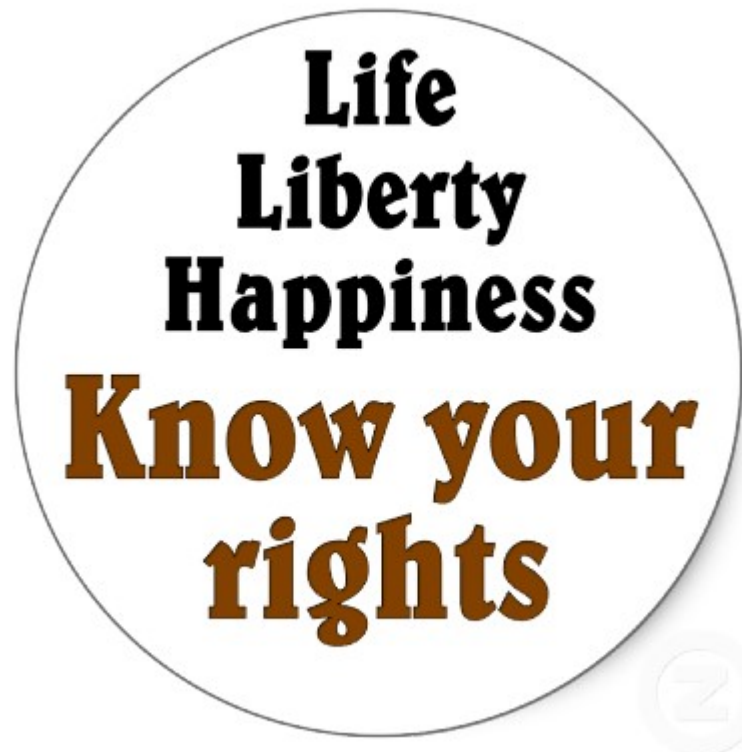


FHAA—Requirements for housing

- Buildings constructed for occupancy after March 13, 1991
 - One accessible entrance on an accessible route
 - Accessible common areas
 - Accessible route through the unit
 - Reinforcement of bathroom walls for grab bar installation
 - Light switches/controls at reachable heights
 - Kitchens and bathrooms with maneuvering space

What can you do?

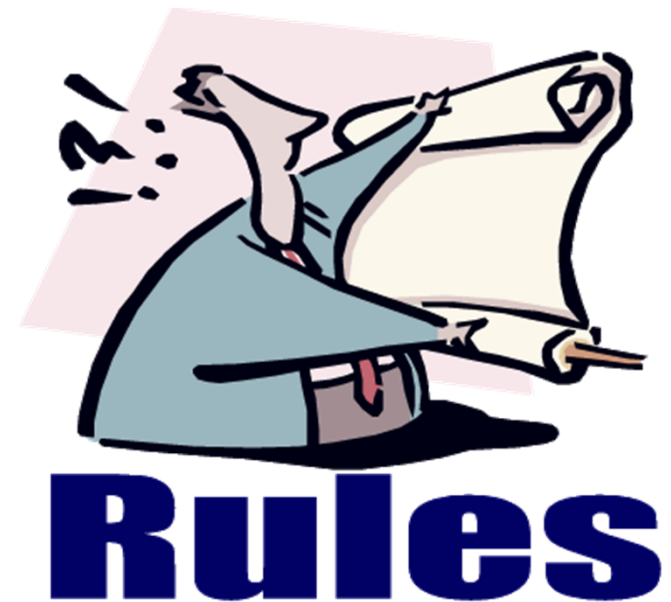
- Know your rights
- File complaints—HUD, local fair housing centers
- Inform Federal/City Officials



Ensuring Accessibility in the Chicago Housing Authority

What does it take to be “accessible?”

- Programmatic Accessibility
- Should be the goal of every organization
 - Is everything to the “letter of the law?”
 - Policies and procedures?
 - Physical housing stock?
 - Communication?



Voluntary Compliance...is it really voluntary?

- What happens when PHAs are not in compliance
- Not entirely “voluntary,” but can become a great tool
- Shifts focus to issues of accessibility
- Ensures communication between PHA and disability community
- Timeframe is established



Physical Accessibility

- How can you ensure it gets done correctly?
 - 3-step process
 - Developer responsibility
 - Stringency of City, State, and Federal codes



Accessibility Consultant...a must-have!

- Outside, third-party consultants:
 - Offer purely professional opinions (no bias)
 - Experts in code interpretation
 - Provide certification of compliance
 - Assist contractors and other relevant staff through the building process



The Process in Action



The Process in Action, cont'd.



CHA Accessible Housing Stock

- Higher level of 504 commitment
 - 5.3% mobility
 - 2.1% sensory
- 1,200+ units accessible for people with mobility impairments
- Nearly 400 units accessible for people with sensory impairments



CHA Compliance Department

- Role of Housing Rights and Nondiscrimination Department at CHA
 - Importance of group elevated after implementation of the VCA
 - Monitors ADA/504 compliance
 - Reviews all Authority-wide policies
 - Fair Housing Testing

TESTERS NEEDED

To Investigate Civil Rights Violations
in Ingham, Jackson, Lenawee, Livingston, Monroe and Washtenaw Counties

The Fair Housing Center of Southeastern Michigan is seeking women and men to assist in the investigation of housing discrimination complaints ("testing").

- Testers will be paid a per-test stipend or may choose to volunteer.
- Hours are flexible and attention to detail is a must.
- Access to personal transportation is helpful, but not required.

The FHC currently needs African, African American, Asian, Caucasian, and Latino/a women and men.

The Fair Housing Center of Southeastern Michigan (FHC-SE) is private, non-profit agency that provides investigative services (testing), advice, advocacy, conciliation, attorney referral, and community education. State and federal law prohibits housing discrimination based on race, color, religion, gender, national origin, family status, disability, marital status, and age. Local ordinances in some cities also include protections on sexual orientation, source of income, and student/non-student status.

If you would like more information on becoming a tester, or if you think you have been the victim of illegal housing discrimination, please call the Fair Housing Center using our toll free number: **1-877-979-FAIR**.

www.fhcmichigan.org
info@fhcmichigan.org
www.facebook.com/fhcsdm

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HOUSING
CENTER
OF SOUTHEASTERN MICHIGAN

We Can Fight Housing Discrimination and WIN!

“To-Dos” for Accessibility Compliance

- Make nice with advocates 😊
- Take housing complaints seriously, but also as learning tools
- Realize that attitude adjustments are just as important as structural modifications
- Know that you *never* know everything
- Listen to your consumers



Questions?



For more information

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