

**From:** [REDACTED] <noreply+bbe52f3d0d0915ef@formstack.com>  
**Sent:** Thursday, March 24, 2016 10:53 AM  
**To:** RegReform (ANF)  
**Subject:** A Clearer Code: Regulatory Reform

**Formstack Submission for form A Clearer Code: Regulatory Reform**

*Submitted at 03/24/16 10:53 AM*

**Name (optional)::** Josh Safdie

**Company/Organization (if applicable) (optional)::** Boston Society of Architects Access Committee

**Address (optional)::**

**Primary Phone (optional)::**

**Email (optional)::** [REDACTED]

**CMR Number (if known): :** 521 Rules and Regulations of the MAAB

**General Regulatory Themes::** Building Codes/Accessibility Standards

**Please list the Agency or Agencies affiliated with this regulation::** MA Architectural Access Board

**Describe the regulatory issue or observation::**

The existing 521 CMR nor the proposed "re-write" of 521 CMR that has been reviewed by the BCCC and is currently in front of ANF have significant problems regarding internal consistency within the document itself. In the 10-year process of re-writing this code, well-known inconsistencies have not been addressed. These inconsistencies place an undue regulatory burden on licensed architects who are charged with complying with these regulations.

In addition, both versions of 521 CMR are in conflict with parallel applicable federal standards and requirements, including those of the Americans with Disabilities Act, the Fair Housing Amendments Act, and Section 504 of the Rehabilitation Act. These inconsistencies also place an undue regulatory burden on licensed architects.

Lastly, the format and content of both versions of 521 CMR is unique - unlike the accessibility codes in every other state in the country, which are based on the International Building Code (IBC) with state amendments. This unnecessary deviation from a widely-accepted and universally-understood approach to the codification of accessibility requirements within the state building code also places an undue regulatory burden on licensed architects.

**Suggestions for improvements to the regulation::** It is CRITICAL that ANF consider the above comments and engage the MAAB in a conversation about the efficacy of promulgating a new regulations fraught with so many inconsistencies and undue burdens. As professionals, the

membership of the BSA take quite seriously the solemn responsibility for creation of accessible environments to people with disabilities. The problems with the current and proposed versions of 521 CMR significantly impede our ability to carry out this responsibility.

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**From:** noreply@formstack.com  
**Sent:** Thursday, March 24, 2016 2:05 PM  
**To:** RegReform (ANF)  
**Subject:** A Clearer Code: Regulatory Reform



## Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 03/24/16 2:04 PM

**Name (optional)::**

**Company/Organization (if applicable) (optional)::**

**Address (optional)::**

**Primary Phone (optional)::**

**Email (optional)::**

**CMR Number (If known): :** 521 CMR

**General Regulatory Themes::** Building Codes/Accessibility Standards

**Please list the Agency or Agencies affiliated with this regulation::** Architectural Access Board

**Describe the regulatory issue or observation::** Current regulations conflict with the federal ADA Standards. One example is if you build a hotel in Mass., you are required to have more accessible units than the federal law requires AND there are conflicts as to how to make an accessible bathtub. Mass. requires controls on one wall, ADA says a different wall. - this has resulted in a number of lawsuits whereby the hotel complied with state law and were sued under federal law.

**Suggestions for improvements to the regulation::** AAB should adopt federal standards with Mass. amendments where there is sufficient research to justify changing,.

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