

Massachusetts Department of Housing and Community Development

ADA/504 Self Evaluation and Transition Plan Guide



Prepared by:
Kessler McGuinness & Associates
October 2010

Introduction

There are approximately 253 local housing authorities in Massachusetts. All housing authorities have obligations under the Americans with Disabilities Act of 1990 (ADA) and/or Section 504 of the Rehabilitation Act of 1973 to insure that their programs and services are accessible to individuals with disabilities. This Guide was developed by DHCD to assist housing authorities enhance the accessibility of their programs and services and to meet their regulatory obligations.

Both the ADA and Section 504 require housing authorities to perform self-evaluations of their programs and services. HUD has indicated that it will “as a matter of routine, request copies of any self-evaluation, needs assessments or transition plans in every compliance review and complaint investigation conducted of a HUD recipient.” This Guide is intended to assist housing authorities understand their obligations under federal accessibility laws and regulations and to provide links to additional resources for their compliance efforts. The Guide has five sections:

1. Summary of Federal Regulations & Requirements
2. Steps a Housing Authority Must Take to Comply
3. Steps in the Self-Evaluation Process
4. Developing a Compliance Plan
5. Sample case

Much of the content of this Guide is taken (with minor edits) from public sources – federal and federally funded publications and websites and is presented in italics with sources attributed in endnotes. The main sources are:

- U.S. HUD's *Section 504 Frequently Asked Questions*
<http://www.hud.gov/offices/ftheo/disabilities/sect504faq.cfm#anchor263905>
- U.S. HUD Office of Public and Indian Housing Notice PIH 2010-26 (HA)
<http://www.hud.gov/offices/pih/publications/notices/10/pih2010-26.pdf>
- U.S. DoJ - *ADA Best Practices Tool Kit for State and Local Governments*
<http://www.ada.gov/pca toolkit/toolkitmain.htm>
- US DoJ Title II *Technical Assistance Manual*
<http://www.ada.gov/taman2.html>
- National Institute on Disability and Rehabilitation Research *ADA Title II Action Guide*

The requirements of Section 504 and Title II of the ADA are very similar – but not identical. It is the intent of this Guide to provide an overview of the combined requirements. Where referenced documents are not available on line, copies are provided in the Addendum.

1. Summary of Federal Accessibility Regulations

Section 504 of the Rehabilitation Act of 1973 covers all programs, services and activities of recipients of HUD financial assistance. *Recipient* is defined as, any State or its political subdivision, any instrumentality of a State or its political subdivision, any public or private agency, institution, organization, or other entity, or any person to which Federal financial assistance is extended for any program or activity directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance.¹ [24 CFR 8.3]. For more information:

<http://www.hud.gov/offices/fheo/disabilities/504keys.cfm#504>

Title II of the Americans with Disabilities Act covers programs, activities, and services of public entities whether or not they receive federal financial assistance. 28 CFR Part 35 - Nondiscrimination on the Basis of Disability in State and Local Government Services, is the US department of Justice regulation implementing Title II.

See: <http://www.ada.gov/reg3a.html>

Architectural Barriers Act (ABA) of 1968/24 CFR 40

Accessibility Standards for Design, Construction and Alteration of Publicly Owned Residential Structures (see 24 CFR § 40.4) - The Architectural Barriers Act applies to certain buildings financed with Federal funds to ensure that they are designed, constructed or altered so as to be accessible to persons with disabilities. The Act applies to buildings, other than a privately owned residential structure, which are (1) constructed or altered by or on behalf of the United States; (2) leased in whole or in part by the United States after August 12, 1968, if constructed or altered in accordance with plans and specifications of the United States; or (3) financed in whole or in part by a grant or loan made by United States after August 12, 1968, if the structure is subject to standards for design, construction, or alteration issued under authority of the law authorizing such grant or loan. See 24 CFR § 40.2.

The United States Access Board has issued updated Guides for the Architectural Barriers Act, as well as the Americans with Disabilities Act. These standards are the ADA/ABA Accessibility Guides. While other Federal agencies have adopted these updated Guides as their standards, at present HUD uses the Uniform Federal Accessibility Standards (UFAS).

<http://www.hud.gov/offices/pih/publications/notices/10/pih2010-26.pdf>

¹ An entity or person receiving housing assistance payments from a recipient on behalf of eligible families under a housing assistance payments program or a voucher program is not a recipient or sub-recipient merely by virtue of receipt of such payments.

The Fair Housing Act (FHA)/24 CFR PART 100

Title VIII of the Civil Rights Act of 1968, commonly known as the Fair Housing Act, prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex, and national origin. In 1988, Congress passed the Fair Housing Amendments Act. The Amendments expand coverage of Title VIII to prohibit discriminatory housing practices based on disability and familial status....The law provides that a failure to design and construct certain multifamily dwellings to include certain features of accessible design will be regarded as unlawful discrimination. The design and construction requirements of the Fair Housing Act apply to all new multifamily housing consisting of four or more dwelling units. Such buildings must meet the following design requirements:

Requirement 1. An accessible building entrance on an accessible route.

Requirement 2. Accessible common and public use areas.

Requirement 3. Usable doors (usable by a person in a wheelchair).

Requirement 4. Accessible route into and through the dwelling unit.

Requirement 5. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations.

Requirement 6. Reinforced walls in bathrooms for later installation of grab bars.

Requirement 7. Usable kitchens and bathrooms

[FHA Design Manual]

To insure *program accessibility* both Section 504 and Title II of the ADA require housing authorities to perform a self-evaluation and develop a Self-Evaluation and Transition Plan. The focus of this Guide is the affirmative obligation to provide program access.

What is meant by "program accessibility"?

Program accessibility means that a program, when viewed in its entirety, is readily accessible to and usable by persons with disabilities. It applies to existing housing and non-housing programs. The concept recognizes that there may be some limits to the degree to which existing housing programs can be made accessible. Thus, under the concept of program accessibility, not every single building must be accessible, or every single dwelling unit, but there must be sufficient accessibility so that persons with disabilities have an equal opportunity to participate in and benefit from the program and the same range of choices and amenities as those offered to others. However, housing authorities must take steps to ensure that their programs and services are readily accessible to and usable by persons with disabilities to the maximum extent feasible, which means the recipient would be required to take all steps that provide the necessary access, but which would not constitute an undue financial and administrative burden, or require a fundamental alteration in the nature of the program. (See 35.150 <http://www.ada.gov/reg2.html#35.150>) Achievement of program accessibility does not exempt recipients from meeting other requirements of the Section 504 regulations, particularly the broad nondiscrimination provisions, and the requirements that dwelling units be dispersed throughout buildings and sites. Likewise, programs that involve new construction or alterations, must meet the ADA's and Section 504 regulations' requirements for those activities, as well as

meeting other applicable requirements in the regulations, such as for dispersion of accessible units throughout buildings and sites.

[US HUD Section 504 FAQs and 35.15.1]

Integration of individuals with disabilities into the mainstream of society is fundamental to the purposes of the Americans with Disabilities Act. Public entities may not provide services or benefits to individuals with disabilities through programs that are separate or different, unless the separate programs are necessary to ensure that the benefits and services are equally effective.

Even when separate programs are permitted, an individual with a disability still has the right to choose to participate in the regular program. For example, it would not be a violation for a city to offer recreational programs specially designed for children with mobility impairments, but it would be a violation if the city refused to allow children with disabilities to participate in its other recreational programs. State and local governments may not require an individual with a disability to accept a special accommodation or benefit if the individual chooses not to accept it.

[US DoJ Title II Highlights]

What Activities of a Housing Authority are Covered?

Programs, services and activities of Housing Authorities, including for example:

- Outreach and public contact, including contact with program applicants and participants
- Eligibility criteria
- Application process
- Admission to the program
- Tenancy, including eviction
- Service delivery
- Employment policies and practices

Who is protected under the ADA and Section 504?

The ADA and Section 504 afford protection to “qualified individuals with a disability” and have similar definitions - an individual with a disability is any person who has a physical or mental disability that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. Major life activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself.

[24 CFR 8.3, 28 CFR 35.104]

To be “qualified” means the individual is otherwise qualified for the program, service or activity including, for example, requirements for tenancy, if the program is a housing program.

2. Steps a Public Housing Authority Must Take to Comply

Housing authorities are required to take several steps to insure people with disabilities have equal access to their programs, services and activities. These include:

- **504 Coordinator.** Housing authorities employing fifteen² or more employees must designate a Section 504 Coordinator
- **Grievance procedure.** Housing authorities employing fifteen or more employees must establish grievance procedures that provide for the submission and resolution of complaints from employees and program beneficiaries³
- **Non-discrimination.** Housing authorities must take initial and continuing steps to notify beneficiaries, applicants, and employees that it does not discriminate on the basis of handicap. All such notifications must be effective for those with impaired vision or hearing.

[See ADA Title II Action Guide pg 39]

- ***Take steps to ensure effective communication with applicants, beneficiaries, and members of the public.***

[24 CFR 8.6, 28 CFR 35.160]

Housing Authorities must ensure effective communication with individuals with disabilities. "Where necessary to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, the public entity must provide appropriate auxiliary aids. Auxiliary aids include such services or devices as qualified interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for deaf persons (TDD's), videotext displays, readers, taped texts, Brailled materials, and large print materials. A public entity may not charge an individual with a disability for the use of an auxiliary aid.

[US DoJ Title II Highlights]

Public entities are not required to provide auxiliary aids that would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. However, public entities must still furnish another auxiliary aid, if available, that does not result in a fundamental alteration or undue burdens.

- ***Take steps to ensure that employment activities, including job announcements, recruitment, interviews, hiring, work assignments, promotions and dismissals, do not discriminate on the basis of disability.***

[24 CFR 8.10 - 8.13, 28 CFR 140]

² 50 or more employees for housing authorities not covered by section 504 (28 CFR 35.107).

³ Id.

- **Provide reasonable accommodations** which may be necessary for a person with a disability to use or participate in the program, service or activity; unless the recipient can demonstrate that the accommodation will result in an undue financial and administrative burden or a fundamental alteration in the nature of the program, service or activity. A reasonable accommodation is an adaptation or modification to a policy, program, service, or workplace which will allow a qualified person with a disability to participate fully in a program, take advantage of a service, or perform a job. Reasonable accommodations may include, but are not limited to, adjustments or modifications to buildings, facilities, dwellings, and may also include provision of auxiliary aids, such as readers, interpreters, and materials in accessible formats.

[24 CFR 8.4, 8.11, 8.20, 8.21, 8.24, 8.25, 8.33; 28 CFR 35.130]

Pay for a reasonable accommodation needed by the individual (e.g., a ramp to a unit) unless providing that accommodation would be an undue financial and administrative burden or a fundamental alteration of the program.

[24 CFR 8.4, 8.11, 8.20, 8.21, 8.24, 8.25, 8.33; 28 CFR 35.130, 28 CFR 35.150]

- **New Construction.** Ensure that all new construction of housing facilities is readily accessible to and usable by persons with disabilities, and meets the requirements of applicable accessibility standards.

[24 CFR 8.22 and 8.32; 28 CFR 35.151]

ADA. Public entities may choose from two design standards for new construction and alterations. They can choose either the Uniform Federal Accessibility Standards (UFAS) <http://www.access-board.gov/ufas/ufas-html/ufas.htm> or the Americans with Disabilities Act Accessibility Guides for Buildings and Facilities (ADAAG) <http://www.access-board.gov/adaag/html/adaag.htm>, which is the standard that must be used for public accommodations and commercial facilities under title III of the ADA. If ADAAG is chosen, however, public entities are not entitled to the elevator exemption (which permits certain buildings under three stories or under 3,000 square feet per floor to be constructed without an elevator). In July 2010, the US DoJ announced adoption of the 2004 revised ADAAG <http://www.access-board.gov/ada-aba/final.cfm> as its new standard for both title II and III entities. The new standard will become effective some time in 2011 and will be mandatory one year after its effective date.

Section 504. UFAS is the currently referenced accessible design standard for entities that receive HUD assistance. It is likely that at some point in the future, HUD will adopt the ADAAG 2004 as its standard. It is important to note, that until the ADAAG 2004 becomes the standard for both the US DoJ and HUD, new construction and alteration projects may have to comply with both ADAAG and UFAS as well as state and local codes.

- **Non-housing programs.** *Ensure that all non-housing programs are operated in a manner that does not discriminate on the basis of disability and that new construction and alterations of non-housing facilities are made accessible in accordance with applicable standards.*
[24 CFR 8.21; 28 CFR 149]
- **Existing housing.** *Operate existing housing programs in a manner that does not discriminate on the basis of disability, and take steps, as needed, to ensure that existing housing programs are readily accessible to and usable by persons with disabilities. Develop and implement a transition plan to assure compliance.* [24 CFR 8.24; 28 CFR 149]
 - *Conduct any required needs assessments to determine the extent to which the housing needs of persons with disabilities are being met in the recipient's program and in the community.*
[24 CFR 8.25; 28 CFR 149]
 - *Distribute accessible dwelling units throughout projects and sites and make such units available in the same ranges of sizes and amenities to provide housing choices for persons with disabilities that are the same as those provided to others.*
[24 CFR 8.26; 28 CFR 149]
 - *Adopt suitable means to ensure persons with disabilities are made aware of the availability of accessible units and to maximize use of accessible units by individuals needing the features of these units.*
[24 CFR 8.27; 28 CFR 149]
- **Self-Evaluation.** *Conduct any required self-evaluations of programs, services, and activities to determine if they are programmatically and physically accessible to persons with disabilities, and involve persons with disabilities in these evaluations.*
[24 CFR 8.51; 28 CFR 35.105]
The self-evaluation is a comprehensive review of the housing authority's current policies and practices, including communications and employment. Through the self-evaluation, the housing authority must:
 - i. *Identify any policies or practices that do not comply with the Title II/Section 504 requirements, and*
 - ii. *Modify policies and practices to bring them into compliance.*
[See ADA Title II Action Guide pg 44]
- **Transition Plan. Public Housing Authorities**
A transition plan is required when structural changes to facilities are required, and it must include the following:
 1. *Identification of physical obstacles in facilities.*
 2. *Identification of methods used to achieve accessibility.*
 3. *Schedule for achieving accessibility.*

4. Identification of responsible official.

5. Identification of persons or groups who assisted in the preparation of the plan.

[24 CFR Part 8.24(d); 28 CFR 150(d)]

Housing authorities that have already completed a section 504 transition plan for federally funded programs, are required to include in its ADA transition plan on those facilities that were not previously evaluated.

[See ADA Title II Action Guide pg 46]

- *Maintain records and reports of efforts to meet the requirements of Section 504, and keep these records on file so that they are available if a complaint is filed, or if HUD conducts a compliance review.*

[24 CFR 8.55; 28 CFR 150(d)]

3. Steps in the Self-Evaluation Process

- **Identification of Programs and Services.** *One way to make sure that the self-evaluation is comprehensive is to have each department identify its programs, services and activities to be reviewed.*

[See ADA Title II Action Guide pg 58 and Worksheet #1 pg 96]

- **Policies and Practices.** *The self-evaluation must include a thorough review of both the formal written policies and the actual operating practices of each program, service or activity in relation to the general prohibitions against discrimination.*
[See 35.130 @ <http://www.ada.gov/reg2.html#Subpart B>]

The review maybe organized and conducted in a variety of ways. Written policies may be reviewed in at least three different ways:

- *by program staff under the guidance of the departmental liaison .*
- *by the liaison for all programs in the department .*
- *by the ADA coordinator and team*

However, in the review of operating procedures, involving members of the program staff is indispensable to a truly comprehensive effort. Only program staff members know how operations are actually carried on day to day.

[See US DoJ ADA Tool Kit for State and Local Governments

<http://www.ada.gov/pcatoolkit/noticetoolkit.htm>

See Worksheet #2, General Policies and Practices, ADA Title II Action Guide]

- **Review of Effective Communication**

Simply put, “effective communication” means that whatever is written or spoken must be as clear and understandable to people with disabilities as it is for people who do not have disabilities... The effective communication requirement applies to ALL members of the public with disabilities, including job applicants, program participants, and even people who simply contact state or local government agencies seeking information about programs, services, or activities. There are many ways that you can provide equal access to communications for people with disabilities. These different ways are provided through “auxiliary aids and services.” “Auxiliary aids and services” are devices or services that enable effective communication for people with disabilities.

[See: US DoJ ADA Tool Kit for State and Local Governments

<http://www.ada.gov/pcatoolkit/chap3toolkit.htm>

US DoJ ADA Tool Kit – General Communication Checklist

<http://www.ada.gov/pcatoolkit/chap3chclist.htm>

See; pg. 64 – 71; Worksheet #3, Communication Access Assessment, ADA Title II Action Guide]

Structural Obstacles to Effective Communication

Housing authorities must also review their facilities for structural communication features. Communication features that are structural in nature are those that are fixed or built into the facility. These are not considered auxiliary aids; rather, they are part of the

review of the facility for physical accessibility and should be included in the transition plan. Examples of structural communication features include:

- flashing signals to inform people with hearing disabilities of a fire alarm
- tactile signage with raised letters to enable people with visual disabilities to use an elevator panel or identify rest rooms, specific room locations, and exits.

[See pg. 67, ADA Title II Action Guide]

Websites

Housing authorities must also review their websites for accessibility. An authority with an inaccessible website may also meet its legal obligations by providing an alternative accessible way for citizens to use the programs or services, such as a staffed telephone information line. These alternatives, however, are unlikely to provide an equal degree of access in terms of hours of operation and the range of options and programs available.

[See: US DoJ ADA Tool Kit for State and Local Governments:

<http://www.ada.gov/pcatoolkit/chap5toolkit.htm>

and Website Accessibility checklist

<http://www.ada.gov/pcatoolkit/chap5chklist.htm>]

- **Facility Access Review**

Title II prohibits public entities from excluding people with disabilities from programs, services, or activities because of inaccessible facilities. In order to ensure that its programs are accessible, when viewed in their entirety, the public entity should conduct a facility access review. A facility access review is a survey of facilities at which the public entity operates or administers programs, services, or activities. The review identifies physical obstacles or barriers to the participation of people with disabilities. While the regulations do not specifically require a facility access review, without such a review it is nearly impossible to comply with the self-evaluation and transition plan requirements. All facilities that contain programs operated by or for the entity must be reviewed. This includes buildings owned or leased by the public entity as well as parks, outdoor areas, and any other facilities used in the operation of programs. Facilities used by contractors who perform public functions on behalf of the entity must also be reviewed. Program accessibility extends to walkways. Curb cuts at existing crosswalks must also be reviewed...An entity's approach to conducting the facility access review will depend on its capacity, including expertise in architectural accessibility, staff capacity, and available time and funding.

All facilities that contain programs operated by or for the entity must be reviewed. This includes buildings owned or leased by the authority as well outdoor areas, and any other facilities used in the operation of programs. Facilities used by contractors who perform public functions on behalf of the entity must also be reviewed. Program accessibility extends to walkways. Curb cuts at existing crosswalks must also be reviewed.

[ADA Title II Action Guide pg 74]

The UFAS Accessibility Checklist can be used for performing facility audits. Proper use of the checklist requires training. Copies of the checklist can be obtained from the federal Access Board:

4. Developing a Compliance Plan.

Once the self-evaluation review is completed and areas identified in which the housing authority is not in compliance, modifications to policies, practices, procedures, and facilities must be implemented.

Modifying Policies and Procedures

Policies and practices identified as exclusionary or discriminatory should be modified as soon as possible. For example, if a community center at a housing development prohibits dogs, the policy must be modified to allow service animals. The public entity also needs to ensure that future policies and practices comply with the nondiscrimination requirements. New programs, services, or activities, for example, cannot be permanently sited at locations that would exclude people with disabilities. If a program or event is temporarily located in an inaccessible location policies should be instituted to relocate to an accessible location upon request. The housing authority's operating procedures should include "reminders" to staff of the ongoing requirements.

[See pg. 79, ADA Title II Action Guide]

Modifying Communications

The housing authority must develop the capacity to provide effective communication to people with disabilities through the provision of auxiliary aids and services. Effective communication must be provided on an individualized basis, i.e., what is effective will differ for each individual. The entity must therefore develop the capacity to provide a range of aids and services.

[See pg. 79, ADA Title II Action Guide]

Here are some examples of different auxiliary aids and services that may be used to provide effective communication for people with disabilities. But, remember, not all ways work for all people with disabilities or even for people with one type of disability. You must consult with the individual to determine what is effective for him or her.

- qualified interpreters
- screen readers
- computer-aided real-time transcription (CART)
- written materials
- telephone handset amplifiers
- assistive listening systems
- hearing aid-compatible telephones
- videotext displays
- description of visually presented materials
- exchange of written notes
- TTY or video relay service
- email
- text messaging
- instant messaging
- qualified readers

- computer terminals
- speech synthesizers
- communication boards
- text telephones (TTYs)
- open or closed captioning
- closed caption decoders
- video interpreting services
- assistance filling out forms
- taped texts
- audio recordings
- Brailled materials
- large print materials
- materials in electronic format

[See: US DoJ ADA Tool Kit for State and Local Governments :
<http://www.ada.gov/pcatoolkit/chap3toolkit.htm>]

Modifying Information Services

Housing Authorities should modify their websites and/or other information sources to insure that people with communication disabilities have equal access to information. All housing authorities should have a text telephone or other means for people who have speech or hearing disabilities.

[See US Access Board's *TECHNICAL BULLETIN: TEXT TELEPHONES (TTYs)*

<http://www.access-board.gov/adaag/about/bulletins/ttys.htm>

See The Trace Center's *Designing More Accessible Websites* <http://trace.wisc.edu/world/web/>]

Creating Program and Facility Access

Barriers to program accessibility can be removed in a variety of ways, some of which involve structural changes and some of which do not. Congress did not intend that public entities expend large sums of money to retrofit buildings and facilities where other effective means of achieving equal opportunity to participate are available. The Department of Justice, therefore, encourage innovation and creativity in eliminating barriers as long as the means used provide people with disabilities equal opportunity to participate in and benefit from a public entity's programs.

Where the facility access review identifies programs and facilities as inaccessible, the authority must take steps to make the programs accessible. As described above, the regulations do not require structural modifications to facilities in order to create access to programs/services, or activities. If they create program accessibility, nonstructural methods are equally acceptable and should be considered before structural changes. The standard is that the program, when viewed in its entirety, must be readily accessible to and usable by people with disabilities. For each program or service identified as inaccessible, the authority must identify a solution. The solutions may include:

- *relocating within the facility*
- *moving to another facility*
- *bringing the program to the participant*
- *adapting equipment*
- *assigning additional staff*
- *altering facilities*
- *constructing new facilities*

Factors to be considered in choosing a solution should include cost, effective integration and preferences of people with disabilities.

[See ADA Title II Action Guide pg. 81-82]

Limits on a Housing Authority's Barrier removal Obligation

The ADA and Section 504 do not require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens a public entity has the burden of proving that compliance with {35.150(a) of this part would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of a public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity.

[35.150(3)]

5. Sample Case

Graniteburgh Housing Authority

The Graniteburgh Housing Authority (GHA) is a Public Housing Authority operating in the Town of Graniteburgh. GHA provides affordable housing in a safe and secure living environment for low and moderate-income residents. GHA was created in 1952. The Housing Authority opened its first public housing development in 1961. This development funded by MA DHCD was located in the Fairview section of town. In 1973, a second public housing development funded by the U.S. Department of Housing and Urban Development (HUD) was undertaken in six separate locations. There were three sites located in the incorporated areas (villages) of the town (Elmlake, Ardsley, Barrytown) and three sites located in the unincorporated areas (Martsdale, Goodview).

The GHA also administers a Section 8 Housing Choice Voucher Program serving up to 303 families. The GHA is a small housing authority. GHA's conventional public housing program has 246 apartments in seven (7) developments throughout the town. One hundred and thirty (130) units are on the ground floor. The GHA has 16 employees serving about 2000 people.

When constructed, none of the GHA projects contained accessible residential units or common use spaces. The GHA must perform a self-evaluation and develop a Self-Evaluation and Transition Plan. Following, are examples of the type of barrier removal the GHA would likely have to perform to insure its programs and services were accessible to people with disabilities:

General Requirements

- Designate a person to oversee its Section 504 Compliance efforts.
- Keep on file for at least three years: - a list of interested persons consulted; - a description of area examined and any problems identified; and - a description of modifications made and remedial steps taken.
- Adopt and implement a grievance procedure for timely resolution of discrimination complaints.
- Make initial and continuing efforts to notify applicants, tenants, and employees that it does not discriminate on the basis of handicap. The notifications must be effective for those with impaired vision or hearing

Outreach and public contact, including contact with program applicants and participants

- Insure information on the GHA website is available in alternative formats for people with limited vision or who are blind.
- Install a text telephone in the GHA office and train appropriate personnel in its use.
- Provide print materials available to the public in alternative formats.
- Identify appropriate auxiliary aids and services and establish necessary vendor relationships/contracts to insure timely delivery.

Reasonable Accommodations

- Establish and publicize procedures for requesting reasonable accommodations. The procedures must be effective for those with impaired vision or hearing

New Construction

- Establish procedures for insuring all new construction and alterations comply with state and federal accessibility requirements.

Existing Facilities

- Perform an accessibility audit of all facilities to identify existing barriers.
- Initiate a dedicated project to make 1 one bedroom, 3 two bedroom and 3 three bedroom units fully compliant with UFAS. The units will be located at two sites. Residents/applicants seeking accessible units at other site will be referred to these three sites.
- If necessary, the decision that providing accessible units will constitute a "fundamental alteration in the nature of its service, program, or activity or in undue financial and administrative burdens" will be made by "a high level official, no lower than a Department head, having budgetary authority and responsibility for making spending decisions."
- In all future alteration projects, GHA will provide additional accessible units.