

RESOLUTION NUMBER 08-07

ADOPTION OF A POLICY SUPPORTING THE ACCESSIBLE DESIGN AND CONSTRUCTION
OF AFFORDABLE HOUSING IN FAIRFAX COUNTY
FOR PERSONS WITH DISABILITIES

WHEREAS, the Fair Housing Act Amendments of 1988, as amended, Title VIII of the Civil Rights Act of 1968, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, and Title II of the Americans with Disabilities Act of 1990 prohibit discrimination in housing and mandate specific accessibility features in new construction of multifamily housing covered under these laws, as well as certain rehabilitation or renovation of covered multifamily housing;

WHEREAS, the principle of Fair Housing has been declared a fundamental human right for all Americans; and the dearth of affordable, accessible housing options contributes to the isolation, segregation and, at times, institutionalization of individuals with disabilities;

WHEREAS, the Fairfax County Redevelopment and Housing Authority recognizes its compliance obligations under all applicable laws and standards related to accessibility, including Section 504, Uniform Federal Accessibility Standards (UFAS) and International Building Code (IBC), and seeks to move beyond basic legal requirements by using principles of universal design in construction owned or financed by the FCRHA;

WHEREAS, the FCRHA recognizes that non-“accessible” residential construction not only negatively impacts persons with disabilities, but also diminishes the quality of life for those without disabilities who benefit from the ease of use that universal design and/or accessibility features offer;

WHEREAS, incorporating universal design and/or accessibility features into the initial design and construction phase of multifamily residential housing is highly cost-effective;

NOW THEREFORE BE IT RESOLVED, that all new multifamily residential structures built by the Fairfax County Redevelopment and Housing Authority (FCRHA) will incorporate principles of universal design; and

BE IT FURTHER RESOLVED, that all multifamily residential structures which the FCRHA renovates will, to the maximum extent feasible, move beyond basic legal accessibility requirements and incorporate the principles of universal design; and

BE IT FURTHER RESOLVED that, in support of this policy, the FCRHA will recommend to the Board of Supervisors an amendment to its Affordable Housing Partnership Program as follows:

- (1) require applicants for funding through the Affordable Housing Partnership Program (AHPP) to meet the accessibility guidelines of Section 504 of the Rehabilitation Act Transition Plan (1988) (accessibility guidelines) for new construction and, wherever feasible, for substantial rehabilitation,
- (2) provide certifications from a licensed professional that (1) the accessibility guidelines are met in the plans and (2) that the accessibility guidelines have been carried out after construction is complete, and
- (3) award bonus points in its Threshold Analysis to applicants who provide accessibility using the concept of universal design principles exceeding those that are required in the accessibility guidelines.