

MaineHousing's UFAS Clarifications (7/8/13)

Issue #1 (1/31/12): The 2% scoping requirement for visual/hearing features in relation to 5% scoping requirement for mobility issues.

MaineHousing question: Section 504 requires 5% of the units to have accessible features for persons with mobility impairments and 2% of the units to have accessible features for persons with visual/hearing impairments. Can a unit with accessible mobility and visual/hearing features satisfy both requirements, or is the 2% requirement in addition to the number of units required to satisfy the 5% requirement?

HUD answer: *"The 2% requirement is in addition to the number of units required to satisfy the 5% requirement."*

MaineHousing Commentary:

Project design shall clearly provide for, and identify which units meet which requirements, i.e., 504 Units for persons with mobility impairments (5%), 504 Units with visual/hearing impairments (2%), ADA Units (5%), ADA Units with visual/hearing impairments (2%), Pledged (ANSI Type A) units (if applicable).

Issue #2 (1/31/12): Specific visual/hearing features.

MaineHousing Question: What visual/hearing features are required under UFAS? It is not clear to MaineHousing. Sections 4.34 and 4.1.2 seem to require an alarm system that complies with Section 4.28.4. Is this correct? If so, are both audible alarms complying with Section 4.28.2 and visual alarms complying with Section 4.28.3 required? Anything else?

HUD answer: *"Based on 4.1.2(13), if there are other emergency warning systems, both audible and visual alarms (4.28.2 and 4.28.3) are required. UFAS does not have specific requirements for visual/hearing impaired units - it is up to the Recipient to determine what special features will be used (One example of a possible special feature would be door buzzers that light up or cause some sort of vibration)."*

MaineHousing Commentary:

Understanding that in most instances ADA also applies to our projects, ADDAG has specific requirements that provide for improvements that assist the visually and hearing impaired. Therefore it is logical to include and incorporate these requirements which are as follows:

(see: www.access-board.gov/ada-aba/ada-standards-doj.cfm)

809.5 Residential Dwelling Units with Communication Features. Residential dwelling units required to provide communication features shall comply with 809.5.

809.5.1 Building Fire Alarm System. Where a building fire alarm system is provided, the system wiring shall be extended to a point within the residential dwelling unit in the vicinity of the residential dwelling unit smoke detection system.

809.5.1.1 Alarm Appliances. Where alarm appliances are provided within a residential dwelling unit as part of the building fire alarm system, they shall comply with 702.

809.5.1.2 Activation. All visible alarm appliances provided within the residential dwelling unit for building fire alarm notification shall be activated upon activation of the building fire alarm in the portion of the building containing the residential dwelling unit.

809.5.2 Residential Dwelling Unit Smoke Detection System. Residential dwelling unit smoke detection systems shall comply with NFPA 72 (1999 or 2002 edition) (incorporated by reference, see "Referenced Standards" in Chapter 1).

809.5.2.1 Activation. All visible alarm appliances provided within the residential dwelling unit for smoke detection notification shall be activated upon smoke detection.

809.5.3 Interconnection. The same visible alarm appliances shall be permitted to provide notification of residential dwelling unit smoke detection and building fire alarm activation.

809.5.4 Prohibited Use. Visible alarm appliances used to indicate residential dwelling unit smoke detection or building fire alarm activation shall not be used for any other purpose within the residential dwelling unit.

809.5.5 Residential Dwelling Unit Primary Entrance. Communication features shall be provided at the residential dwelling unit primary entrance complying with 809.5.5.

809.5.5.1 Notification. A hard-wired electric doorbell shall be provided. A button or switch shall be provided outside the residential dwelling unit primary entrance. Activation of the button or switch shall initiate an audible tone and visible signal within the residential dwelling unit. Where visible doorbell signals are located in sleeping areas, they shall have controls to deactivate the signal.

809.5.5.2 Identification. A means for visually identifying a visitor without opening the residential dwelling unit entry door shall be provided and shall allow for a minimum 180 degree range of view.

Advisory 809.5.5.2 Identification. In doors, peepholes that include prisms clarify the image and should offer a wide-angle view of the hallway or exterior for both standing persons and wheelchair users. Such peepholes can be placed at a standard height and permit a view from several feet from the door.

809.5.6 Site, Building, or Floor Entrance. Where a system, including a closed-circuit system, permitting voice communication between a visitor and the occupant of the residential dwelling unit is provided, the system shall comply with 708.4.

...and, 708 says:

708.1 General. Two-way communication systems shall comply with 708.

Advisory 708.1 General. Devices that do not require handsets are easier to use by people who have a limited reach.

708.2 Audible and Visual Indicators. The system shall provide both audible and visual signals.

Advisory 708.2 Audible and Visual Indicators. A light can be used to indicate visually that assistance is on the way. Signs indicating the meaning of visual signals should be provided.

708.3 Handsets. Handset cords, if provided, shall be 29 inches (735 mm) long minimum.

708.4 Residential Dwelling Unit Communication Systems. Communications systems between a residential dwelling unit and a site, building, or floor entrance shall comply with 708.4.

708.4.1 Common Use or Public Use System Interface. The common use or public use system interface shall include the capability of supporting voice and TTY communication with the residential dwelling unit interface.

708.4.2 Residential Dwelling Unit Interface. The residential dwelling unit system interface shall include a telephone jack capable of supporting voice and TTY communication with the common use or public use system interface.

Therefore, based on the above response from HUD and the additional clarity provided by the ADAAG requirements, our visual/hearing units shall include both alarm and communication.

Issue #3 (1/31/12): Kitchen area clearances.

MaineHousing question: In reference to UFAS, 4.34.6.1, CLEARANCE: Clearances between all opposing base cabinets, counter tops, appliances, or walls shall be 40 in (1015 mm) minimum, except in U-shaped kitchens, where such clearance shall be 60 in (1525 mm) minimum.

MaineHousing asked for clarification of what HUD views as a kitchen that needs to meet the requirements of a "U-Shaped" kitchen? Specifically, is a "galley" layout (Cabinets/countertops on opposing walls with an aisle between them) considered a "U-Shaped" if one end of the "galley" is closed off with a wall with no cabinets?

HUD answer: *"A U-shaped kitchen refers to the sink, stove/oven, and refrigerator. If those appliances are in a U shape with cabinets in between them in some combination, then the kitchen is U-shaped. A wider turning radius is required to use an oven and refrigerator than if the kitchen is not U-shaped and the use of the oven door and refrigerator door would not be affected."*

MaineHousing Commentary:

The HUD interpretation is consistent with ANSI – 2003, Type "A" units, but not consistent with 2010 ADA Standards for Accessible Design (ADAAG) which requires 60" minimum floor clearance. For project construction starts on or before March 15, 2012 the UFAS standard will meet both ADA and 504 requirements with a galley kitchen design with a 40" clearance between the opposing countertops/cabinets/appliances. After March 15th, there will be a conflict between 504 and the ADA so galley kitchens will need the 60" clearance.

Issue #4 (1/31/12): Kitchen storage reach ranges.

MaineHousing question: In reference to UFAS, "4.34.6.10* KITCHEN STORAGE. Cabinets, drawers, and shelf areas shall comply with 4.25 and shall have the following features:

(1) Maximum height shall be 48 in (1220 mm) for at least one shelf of all cabinets and storage shelves mounted above work counters (see Fig. 50)."

Specifically, does a wall mounted shelf mounted at or below the 48" maximum requirement, but below wall cabinets that are mounted at more conventional heights, meet the standard's intent or must the cabinets themselves be set such that the bottom most shelf (inside base of the cabinet) meets the 48" requirement?

HUD answer: *"A housing provider cannot hang cabinets above a work counter with all shelves above 48" and then install a shelf below the cabinet to say one of the cabinet's shelves is 48inches."*

MaineHousing Commentary:

There is no alternative acceptable by HUD to the mounting of the upper cabinets to the required maximum height in 504 compliant unit kitchens. Mounting cabinets at or below the UFAS maximum will also meet ADA and Maine Human Rights requirements though MaineHousing understands that it is likely that this will continue to restrict in some ways the "usability" of countertop surfaces.

Issue #5 (1/21/12): Kitchen storage alternatives.

MaineHousing question: We frequently have a conflict with the accessibility standards when reviewing reach requirements to upper kitchen cabinets over counters. Specifically, UFAS requires a maximum of 48" to the bottom shelf (basically the bottom of the inside surface of the cabinet) which when coupled with the 34" maximum height of countertops leaves less than 14" for countertop storage of small appliances and the like. In many instances a countertop microwave will not fit under the upper cabinets with the arrangement described. (Reference 4.34.6.10)

In reference to the UFAS Appendix, A4.34.6.10 KITCHEN STORAGE states:

"Full height cabinets or tall cabinets can be provided rather than cabinets mounted over work counters. Additional storage space located conveniently adjacent to kitchens can be provided to make up for space lost when cabinets under counters are removed."

While we understand that the Appendix language is advisory and not a "standard," if we were to prove "pantry - type" storage by using full height cabinets or tall cabinets, could we then also mount upper cabinets over counters but at a standard height (54"), thereby rendering the countertop areas more user friendly for the storage of appliances? Put another way, is the reach requirement an "all or nothing" requirement?

HUD answer: *"The approach you describe here is fine. However, if a tenant needs a modification to this approach because of a disability, the owner may have to make modifications to a UFAS unit to accommodate the tenant's needs."*

MaineHousing Commentary:

While the HUD response is helpful it doesn't directly answer the "all or nothing" question. MaineHousing's approach will be that if pantry-type casework is provided and provides a fair share of easily reachable storage, adequate accommodation will have been made and not "ALL" cabinets will have to be readily accessible. We are providing dwelling units that are not always occupied by people who are wheelchair bound and providing useable countertop space with adequate clearance below upper cabinets is an important feature. To accomplish this we either need to eliminate upper cabinets in UFAS units and provide sufficient storage in base cabinets or pantry-type storage units or provide both adequate reachable storage and upper cabinets mounted at traditional clearance above counters. Of course, as HUD points out, if reasonable accommodations requests are made contrary to MaineHousing's approach, they will need to be provided.

Issue #6 (1/22/12): Shower controls

Summary of Standards:

HUD: UFAS (section 4.34.5.5) requires the controls in a 30" by 60" shower to be on an end wall (short dimension) (Figure 37, page 43) and there is no mention of alternatives if a seat is installed. We have been assuming that if a seat is installed then the same control/shower head location still applies.

ADA: 2010 ADA Standards for Accessible Design (2004 ADAAG) requirements provide for control locations in 30" by 60" wide roll-in showers that offer considerable flexibility in units without a seat and very specific requirements when a seat is installed. When a seat is not installed, ADAAG allows for the controls and shower head to be located on any of the three hard walls in the shower at the same mounting height ranges (38 to 48 inches) as UFAS. When a seat is installed, ADA requires the controls and shower head to be on the back (long) wall next to the seat, not to exceed 27 inches out onto the wall (Figure 608.5.2 page 179).

State Fair Housing: ANSI A117.1-1986 requirements for the suggested control locations for a 30" by 60" wide shower are allowed to be on either side wall at dimensional locations similar to UFAS OR the back wall at a dimensional location (Figure 37 page 54) similar to ADAAG, specifically within the 27" dimension.

Federal Fair Housing: ANSI A117.1- 2003 requirements for the suggested control locations for a 30" by 60" wide shower with and without a seat are identical to the ADAAG requirements described above.

MaineHousing question: In reviewing and comparing these requirements we note that the more restrictive and dated is the UFAS location for the controls in the 30" by 60" wide roll-in shower and there is no discussion or recognition of the installation of seats in such showers. The more recent ANSI (2003) and 2010 ADA standards (2004 ADAAG) are very similar and we submit that these more recent standards specifically address the reach/usability issues related to control and shower head locations in 30" by 60" wide roll-in showers. We anticipate that the State of Maine may likely be adopting a more recent version of ANSI A117.1 shortly, so we are fairly confident that ongoing

compliance with state fair housing will also be less of a conflict. In addition, we just received a copy of the 2009 ANSI A117.1 and note that seats are REQUIRED in all accessible showers regardless of width, thereby making it even more relevant to consider controls and shower head locations at the seat vs. the end wall.

In an effort to eliminate the identified conflict, provide design flexibility consistent with nationally recognized accessibility standards, and to control construction costs, we would like to request that HUD accept the 2010 ADAAG requirements as providing control and shower head locations compliant with the accessibility needs of our tenants, thereby relieving the identified conflict with UFAS. Without such a reciprocity acknowledgement/acceptance by HUD, we will need to provide duplicate controls in two different locations (an added cost to the projects) within 30" by 60" roll-in showers with seats; or not allow seats to be installed in 30" by 60" wide showers and provide controls per the UFAS specific location (developers prefer having the seats installed as part of the initial construction, providing maximum flexibility of use of the shower); or provide separate living units that comply with each of the different standards which will also be very costly.

HUD answer: *"I have received an answer from my supervisor regarding the accessible showers. If the shower provides greater access, the MSHA can accept the 2010 ADAAG standard. This standard is not required by the VCA, but is required by the ADA regulations after March 12, 2012."*

MaineHousing Commentary:

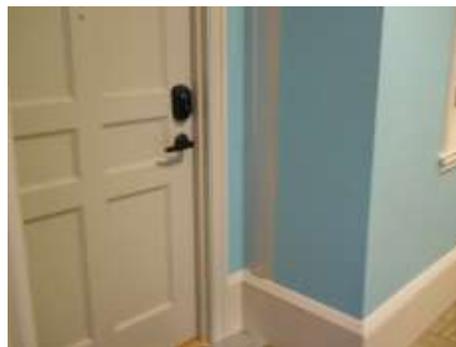
MaineHousing is very comfortable that the 2010 ADA Standards for Accessible Design (which include ADAAG 2004) are much better in addressing the roll-in shower controls locations and provide a higher level of accessibility. Using these standards eliminates a conflict with UFAS and will not increase construction costs.

Issue #7 (4/18/12): Projections within door clearance spaces.

MaineHousing question: We have a situation with an apartment entry door with spring loaded hinges (which act like a closer) to an accessible unit (right-hand picture below) and we interpret that we need 12" minimum clear on the latch side/push side of the door (Fig. 25 (a)). Is there a maximum thickness of the wall in which the door sits? In our case we have a 24" thick wall (usually only 5" plus/minus) within the 12" space and the door is mounted to the inside of the 24." Other codes suggest that the maximum thickness is 8" from the door trim to any obstruction within the 12" clear space required, but I don't see anything specific in UFAS.



OR



HUD answer: *“UFAS has no thickness requirements.”*

MaineHousing Commentary:

The HUD response is not very helpful in providing guidance; in situations like this it is generally advisable to take the next step of researching what the 2010 ADA standards have to offer as meeting Fair Housing requirements is necessary as well. In this instance, Figure 404.2.4.3 provides a great reference and guidance in analyzing such situations and, as such, it is prudent for MaineHousing to assure compliance using these standards.

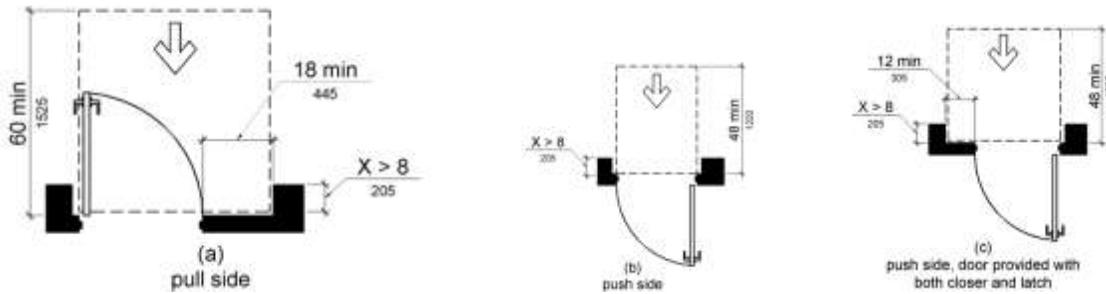


Figure 404.2.4.3
Maneuvering Clearances at Recessed Doors and Gates

Issue #8 (4/18/12): Door access clear space.



MaineHousing question: A Public Restroom wall-hung lavatory which is within the required 12" clear space on the push/latch side of the door which swings out may be an obstruction. The door has a closer as it is a fire door in an egress. Are we allowed to count the fact that there is adequate clearance beneath the sink for wheelchair access such that we (you) are comfortable that the intent of the 12" clear is met?

HUD answer: *“So long as there is adequate clearance beneath the sink, I do not see any requirements in UFAS prohibiting this.”*

MaineHousing Commentary:

Consistent with HUD’s response, if proper clearances for wheelchair access are provided at the wall hung lavatory within the required 12” clear space requirement on the push side of doors with closers, then MaineHousing may rule this as in compliance.

Issue # 9 (4/17/12): Paper Towel Dispenser location.



MaineHousing question: In reference to 4.16.6, Figure 29(b) for the toilet paper dispenser, the HUD UFAS checklist for Public Restrooms states that the requirement is that the dispenser is to be mounted no more than 36" from the back wall. We note that Figure 29(b) does not have such a dimensional requirement though we see that it graphically appears consistent. Further, we note that Figure 30 (Toilet Stalls) and Figure 47(b) (Adaptable Bathrooms) clearly indicate the 36" maximum dimension in question. Is this an omission in Figure 29(b) that has since been clarified or have you otherwise formalized that the 36" requirement indeed applies to public toilet rooms? It seems logical even though it is not so documented.

HUD answer: *"My review of UFAS did not reveal a formal requirement for 36" for a bathroom that is neither a stall nor in an accessible unit."*

MaineHousing Commentary:

Again, HUD's response is not very helpful in providing guidance, which is further complicated by the fact that the 2010 ADA requirements (Figure 604.7) differ from the UFAS Figure 29 (b) relative to mounting heights, it is suggested that compliance with the UFAS requirements with the added 36" requirement that is clearly indicated in other very similar situations provides compliance with UFAS, and, in all likelihood, 2010 ADA as well (dependant on the depth and mounting location of the toilet itself).

NOTE: *In reference to the photo above, the wall mounted grab bar is also not in compliance as it is mounted more than 1-1/2" off the wall.*

Issue # 10 (4/17/12): Accessible parking space marking.



MaineHousing (MH) Question 10: MaineHousing is utilizing the UFAS checklist suggested by HUD. Under Accessible Parking, the checklist requires 60" from the ground to the bottom of the International Symbol of Accessibility. We do not find any such dimensional requirement in the standards referenced in the checklist. Can you point me to where I can find the appropriate reference?

HUD answer: *"I did not see a 60" requirement in 4.6.4. I did not make this particular checklist, but I would imagine the requirement may have come from the statement "such signs shall not be obscured by a vehicle parked in the space."*

MaineHousing Commentary:

While not a definitive answer, HUD seems to suggest that the 60" requirement, which is indeed called out in the 2010 ADA (502.6 Identification), is a good one to follow. MaineHousing should continue to follow their lead and the checklist as written.

Issue # 11 (4/17/12): Kitchen Storage.

MaineHousing question: In reference to 4.34.10 Kitchen Storage, item (1), is it the intent that all upper cabinets over all countertops be mounted at the 48" to the bottom shelf height or is the intent that this height only applies at the "work counter" (note: see 4.34.6.4 Work Surfaces which requires one 30" section of counter to be a work surface). Is this semantics and the requirement really only applies at the 30" work surface or again, is it all upper cabinets except at appliances?

HUD answer: *"You need to have the lower shelves in cabinets be 48"."*

MaineHousing Commentary:

MaineHousing has been expecting that ALL upper cabinets, except over appliances (ranges and refrigerators), are to meet the 48" requirement in UFAS units, so this is not a change to how we have been and are to continue to operate.

Issue # 12 (4/17/12): Work counter access.

MaineHousing question: We have a situation that involves the 30" wide clear opening requirement for a work counter in an accessible kitchen, Specifically, we have the 30" clear everywhere except at the 12" high wood base along the floor which returns along the cabinet to the back wall which encroaches into the 30" by 1-1/2" (leaving 28-1/2" clear side-to-side at the floor). Are we correct that such an encroachment is not allowed - that the clear space is from the floor to the underside of the front skirt board, or can we consider this rather minor and somewhat standard detail as acceptable in meeting the intent?

HUD answer: *"It needs to be 30" not 28 1/2"."*

MaineHousing Commentary:

Clearly "clear" means clear from the floor to the underside of the counter, period, with no exceptions. Once again, this is consistent with what has been and is to continue to be MaineHousing's understanding and approach.

Issue # 13 (4/17/12): Projections in travel ways.

MaineHousing question: Some of the accessibility standards provide clarity when evaluating "projections" such as panic hardware within the required clear door widths of accessible doors. As

an example, the 2010 ADA Standards for Accessible Design, section 404.2.3 Clear Width states: "There shall be no projections into the required clear opening width lower than 34 inches (865 MM) above the finished floor or ground. Projections into the clear opening width between 34 inches (865 mm) and 80 inches (2030 mm) above finished floor or ground shall not exceed 4 inches (100 mm)." It doesn't appear that UFAS would allow for such projections and, therefore, in some instances this requires doors to swing far beyond 90 degrees to obtain the minimum clearances required. Would HUD accept a projection similar to ADA or is it indeed the intent that the clear opening be provided throughout the entire door opening?

HUD answer: *"You may use the ADA for projections."*

MaineHousing Commentary:

As HUD has suggested, MaineHousing is to use the 2010 ADA standards for projections within door clearances in determining compliance.

Issue # 14 (8/17/12): Handrail clearances in egress ways

MaineHousing question: A conflict between UFAS and life safety codes concerning handrail clearances has come to our attention. Specifically, UFAS requires a 1 1/2" clearance space between handrails and walls. The 1 1/2" clearance does not appear to be a minimum or maximum under UFAS. NFPA 101 (the State's life safety code) requires a minimum clearance of 2 1/4". It is not possible to comply with both UFAS and the life safety code requirement. (Our understanding of the concern is with persons getting their arms caught between the handrail and the wall.)

Other accessibility codes, including ADAAG, appear to require a minimum clearance of 1 1/2", not an exact clearance like UFAS. A minimum 1 1/2" clearance does not conflict with the life safety code. Under the circumstances, is it seems logical to interpret the 1 1/2" clearance under UFAS as a minimum or to defer to ADAAG?

HUD answer: *"If you review UFAS, there is no language would make exceptions for local health and safety laws and regulations. Therefore, I am unable to make the statement you are requesting. However, there is the provision which I explained which would allow for deviations from UFAS where the standard used provides for greater access and usability. Given the reason that was provided regarding fire safety personnel it seems reasonable to me that you could consider this standard as providing greater access and usability. But ultimately, this decision rests with MaineHousing."*

MaineHousing Commentary:

MaineHousing has determined that compliance with the state wide mandated life/safety code will provide for greater access and usability and, therefore will be in compliance with the intent of UFAS.

Issue # 15 (5/18/12): Upper cabinets over sinks

MaineHousing question: Is it necessary to have upper cabinets located over sinks comply with the UFAS 48" to top of bottom shelf requirement?

MaineHousing Commentary: Careful review of the kitchen cabinet requirements in UFAS provides no specific requirements for casework over sinks. So it is logical that sinks are NOT work counters and therefore, they are exempt from the 48" requirement. Therefore any cabinet height over sinks is acceptable to MaineHousing as compliant with UFAS.

Issue # 16 (3/12/12): Measuring tolerances

MaineHousing question: As MaineHousing conducts our detailed plan review work, followed by aggressive construction inspection, it will be necessary for us to understand what you will consider acceptable tolerances in the completed work. Specifically, our research to date notes the following:

1. We have not found any clear guidance on measures or standards that constitute acceptable "industry tolerances."
2. We find that it is generally understood that if an upper and lower limit is provided as a range the "tolerance is the area between the limits," i.e., a toilet fixture needs to be mounted somewhere between 16 to 18 inches off from an adjacent finished wall. In this instance 16" is the absolute minimum and 18" is the absolute maximum and the tolerance is 2 inches.
3. We find that it is generally thought that if a maximum dimension is a standard the "tolerance" is up to the limit, i.e. the reach distance for an unobstructed side reach of 48" maximum above finished floor; but is 48 - 1/4" still meeting the standard intent for instance?
4. It is generally thought that if a minimum dimension is a standard, the "tolerance" is down to the limit, i.e. the reach distance to an electrical outlet of a minimum of 15" above finished floor; but is 14 - 3/4" still meeting the standard intent for instance?
5. If an absolute dimension is a standard, there is no defined tolerance....compliance is determined by the accuracy of measuring tolerance; a principle that also isn't defined; but again is plus or minus 1/4" still meeting the standard?

HUD answer(s):

1. There are no tolerances for UFAS.
2. Correct
3. We will accept 1/4".
4. We will accept 1/4".
5. Yes.

MaineHousing Commentary:

The above tolerances are to be used for field verification purposes only; they are not to be considered "design" tolerances and we are to encourage all project partners to strive for strict compliance with UFAS dimensions consistent with the above examples.