



THE CHICAGO HOUSING AUTHORITY'S
VOLUNTARY COMPLIANCE AGREEMENT
FACT SHEET

The Department of Housing and Urban Development (“HUD”) and the Chicago Housing Authority (“CHA”) have successfully negotiated a Voluntary Compliance Agreement (“VCA”) effective May 1, 2006. The VCA solidifies the CHA’s commitment to provide accessible housing for people with disabilities and provides a plan to bring the Authority into compliance through remediation of existing shortcomings in both its Family and Senior housing portfolios and related facilities.

The VCA confirms the CHA’s commitment—first made in 2000—that it will produce more than the legally-required minimum number of accessible units. The VCA outlines a strategy for the CHA to achieve that goal, as well as to bring all of its facilities into full compliance with all ADA-related requirements. Some of the more significant points of the strategy include the following:

1. The CHA will continue to honor its commitment of exceeding the minimum requirements for accessible units by making 5.3% of its units (rather than the statutory minimum of 5%) fully accessible for person with mobility impairments, and by making 2.1% of its units (rather than the statutory minimum of 2%) accessible for persons with sensory impairments.
2. At the developments where CHA is rehabilitating its current housing stock, it has agreed to modify additional units to the “maximum extent feasible” where structural impracticability and/or undue financial or administrative burden make it too difficult to create fully accessible units in a particular development.
3. The CHA will contract with an independent architectural/engineering firm, which will verify the accessibility of both mobility-impaired and sensory-impaired units, rather than HUD having to undertake this administrative task.
4. The CHA will double the size of the staff in the ADA/Section 504 Compliance Department, increasing it from two to four full-time positions.
5. The CHA will conduct annual employee training of all employees and property management staff who are involved in dealing with residents or otherwise addressing accessibility issues.
6. The CHA will meet semi-annually with HUD to discuss its progress on accessibility issues.





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The CHA also agreed in the VCA that it would specifically inform all of its employees of several federal legal provisions governing the CHA (and all other public housing authorities) as provided in the Americans with Disabilities Act of 1990 (“ADA”), Section 504 of the Rehabilitation Act of 1973 (“Section 504”), the Fair Housing Act (“FHA”), and the Architectural Barriers Act (“ABA”).

Federal Laws

1. Section 504 of the Rehabilitation Act of 1973

Section 504 provides that no otherwise qualified individual with a disability shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program, service, or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency.

2. Title II of the Americans with Disabilities Act of 1990

Title II of the ADA prohibits discrimination on the basis of disability by public entities. The ADA protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs, or activities of all State and local governments. It extends the prohibition against discrimination established by Section 504 for federally assisted programs to all activities of State and local governments, whether they receive Federal financial assistance or not, and it incorporates specific prohibitions against discrimination on the basis of disability from Title I, III, and V of the ADA.

3. Title III of the Americans with Disabilities Act of 1990

Title III of the ADA also prohibits discrimination on the basis of disability in all public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards

4. Title VIII of the Civil Rights Act of 1968 (the “Fair Housing Act” or “FHA”)

At the time of its passage in 1968, the FHA was the original federal statute that addressed discrimination against various classes of people. Title VIII was amended in 1988 by the Fair Housing Amendments Act, which expanded the coverage of the FHA to prohibit discrimination based on disability or on familial status (presence of a child under the age of 18 and pregnant women).

In connection with its prohibitions on discrimination against individuals with disabilities, this FHA contains design and construction accessibility provisions for certain new multifamily dwellings for first occupancy after March 13, 1991.



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5. The Architectural Barriers Act of 1968

The ABA requires buildings and facilities that are constructed by, or on behalf of, or leased by the United States, or buildings financed in whole or in part by a grant or loans made by the United States to be accessible to persons with mobility impairments.

Other Notable Disability-Related Regulations and Guides

The following is a sample of other disability-related regulations and guidelines. Although not comprehensive, the listing does include construction standards and some frequently referenced criteria:

- 24 CFR Section 8--Nondiscrimination Based on Handicap in Federally Assisted Programs and Activities of HUD
- The American National Standard ("ANSI")
- The Chicago Building Code (Chapter 18.11)
- Americans with Disabilities Act of 1990 Guidelines ("ADAAG")
- Fair Housing Amendment Act Guidelines ("FHAAG")

Further Requirements for Public Housing Authorities

1. Notification for Adaptable Units¹

As a requirement of the Uniform Federal Accessibility Standards ("UFAS"), the accessibility guidelines in conjunction with Section 504, the CHA shall, in an effort to ensure that the existence of adaptable features will be known to the owner or occupant of a dwelling, provide consumer information to potential residents of the unit listing items such as, but not limited to², notification of the alternate heights available for the kitchen counter and sink, and the existence of removable cabinets and bases, if provided, under counters, sinks, and lavatories and notification of the provisions for the installation of grab bars at toilets, bathtubs, and showers.

¹ HUD defines *adaptability* as the ability of certain elements of a dwelling unit, such as kitchen counters, sinks, and grab bars, to be added to, raised, lowered, or otherwise altered, to accommodate the needs of persons with or without handicaps, or to accommodate the needs of persons with different types or degrees of disability. For example, in a unit adaptable for a hearing-impaired person, the wiring for visible emergency alarms may be installed but the alarms need not be installed until such time as the unit is made ready for occupancy by a hearing-impaired person.

² For a complete listing of accessible items to be disclosed, please refer to UFAS Section 4.34.4.



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2. Providing Reasonable Accommodations

The CHA and its designees **must** comply with Federal, State and local laws that prohibit discrimination on the basis of disability, including but not limited to the FHAA, Section 504, and the ADA.

It is necessary to provide an applicant an equal opportunity to apply for and live in public housing. An applicant or resident with a disability may ask for specific changes in rules, policies, procedures, and methods of communication or may ask for physical modifications to a unit or common area to enable him/her access to a building, unit, or program. Such changes are referred to as “reasonable accommodations.”

Pursuant to the VCA’s Section IV(B)(7)(e), a CHA resident with a disability may request a reasonable accommodation up until the resident is forcibly removed or voluntarily vacates the unit. The CHA will process the request in accordance with the existing policies and procedures listed in CHA’s Admissions and Continued Occupancy Policy.

If you have questions about the VCA, ADA, Section 504 or any other disability-related inquiry, please contact the CHA’s ADA/Section 504 Compliance Department at either (312) 913-7068 or (312) 913-7072 VOICE or 312-454-1748 TTY.

