

Access Alert

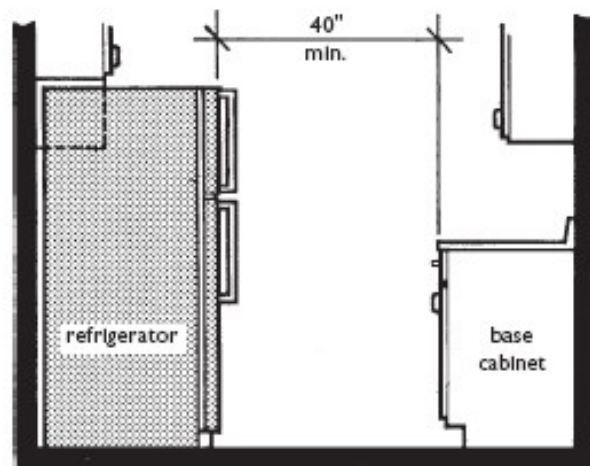
Court Decision Helps Clarify "Adaptable" Housing

February 25, 2010

HUD's 10 safe harbors provide for spaces that have "a design which allows them to be adapted or adjusted to accommodate the needs of different people." The most familiar examples are:

- Blocking in walls that permits later installation of grab bars, and
- Removable cabinets under sinks and lavatories to provide future knee/toe clearance.

In *PHILLIPS v. DOWNTOWN AFFORDABLES, LLC*, the court found that replacing a refrigerator to provide the minimum 40" clear space meets the statutory intent of the FHAA for 'adaptability.'



[Click here to read a summary of the case.](#)

[Click here to read the full decision.](#)

KMA offers a 1.5 hour lunch-and-learn seminar (AIA/CES Credit: 1.5 LUs, qualifying for HSW) on the many changes in the new ADAAG. Please contact [David Kessler](#) for more information.

[Kessler McGuinness & Associates, LLC](#), is a nationally known firm that specializes in accessibility compliance planning through access audits, access master plans, architectural plan review, accessible design review protocols, training and resource development. We also serve as expert witnesses for plaintiffs and defendants. Clients include airports, commercial property owners, educational institutions, government agencies, architects, and attorneys.

Please call, 617-641-2802, if you have any questions or would like to discuss one of your projects.