

## **Items in Shelters Identified by the Department of Justice as Not in Compliance with title II of the Americans with Disabilities Act**

Of the District's thirty-six Shelters, the District identified ten that were accessible to individuals with disabilities.<sup>1</sup> The Department's survey of these ten Shelters uncovered numerous violations of the ADA Standards for Accessible Design (28 C.F.R. Part 36, Appendix A) ("the Standards"). These violations are listed in Part I below. The Department surveyed five additional Shelters<sup>2</sup> that the District did not identify as accessible, and violations of the Standards at these Shelters are listed in Part II below. All section and figure references are to the Standards unless otherwise noted.

### **I. Violations in Shelters the District Identified as Accessible to Individuals with Disabilities**

#### **A. District of Columbia General Hospital Hypothermia Shelter 1900 Massachusetts Avenue, S. E. Washington, D.C. *Residents: Families with Children* *Surveyed: July 23, 2007***

1. Unit 4204 (an example of a three bedroom unit with en suite toilet and lavatory)

This unit contains three bedrooms plus a small room near the entrance containing a lavatory and another small room beyond that containing a toilet. A coat/hat rack

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<sup>1</sup> Request 14 of the Department's first request for information to the District requested a list of Shelters "accessible to individuals with disabilities." It appeared from the District's series of written responses to Request 14 that the District was identifying the following ten Shelters as accessible: 801 East Shelter (12 Hour Beds); District of Columbia General Hospital Hypothermia Shelter; Community for Creative Non-Violence Shelter (at the Federal City Shelter Building); Open Door 12- Hour Shelter (at Federal City Shelter Building); Open Door 24-Hour Shelter (at Federal City Shelter Building); John Young Center, Low Barrier Shelter (at Federal City Shelter Building); John Young Center, Severe Weather Shelter (at Federal City Shelter Building); Harriet Tubman Shelter; New York Avenue Shelter (Level One); and Community of Hope, Inc. Although the District also identified the New Transitions program at 611 N Street N.W. as accessible, this is a transitional housing program that was not within the scope of the Department's investigation. *See* Definition of "Shelter" in this Agreement. Likewise, although the District identified DC Village as accessible, the Department later learned, and confirmed with District officials, that in October of 2007 the District would discontinue its use of DC Village as a shelter. Thus, the Department did not survey DC Village. Finally, although an attachment to the District's earliest responses to Request 14 seemed to identify as accessible a small program at St. Luke's Church, the District's final response to Request 14 did not identify this Shelter as accessible. Nor did the District provide further information on the accessibility of this Shelter, as it did for each of the other Shelters identified in its responses to Request 14. Thus, the Department did not survey St. Luke's Church.

<sup>2</sup> The Department reviewed the following Shelters that were not identified as accessible by the District: Emery Working Man's Shelter; Park Road Shelter; 801 East Shelter [TRP and Project Rise]; House of Ruth; and My Sister's Place Domestic Violence Shelter.

that is a protruding object hazard is located near the entrance door to the room containing the lavatory.

The toilet, the lavatory and the rooms in which they are located are completely inaccessible. No accessible toilet is provided as required by §§4.16 and 4.23.4. No accessible lavatory is provided as required by §§4.19 and 4.22.6. The mirror and paper towel dispenser are mounted too high. See §§4.19.6, 4.22.7 and 4.27.3. There is no turning space as required by §§4.2.3 and 4.23.3. Nor is there the required clear floor space at the lavatory or at the toilet - see §§4.19.3 and 4.16.2.

Additionally, the entrance door to the rooms containing first the lavatory and then the toilet only provides 21" clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

This door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The pull side maneuvering clearance at this door is only 5½" wide contrary to §4.13.6 and Fig. 25 (a) which requires it to be at least 18" wide x 60" deep and preferably 24" wide.

This door swings into the clear floor space required at the lavatory contrary to §4.23.2.

The lavatory is not mounted so that there is a clearance of at least 29" above the finished floor ("AFF") to the bottom of the apron - the clearance is 27½" AFF contrary to §4.19.2 and Fig. 31. Additionally, there is only 24½" AFF of clearance at a point eight inches back from the leading edge of the lavatory apron contrary to §4.19.2 and Fig. 31 which require the clearance at that point to be at least 27" AFF.

The hot water supply and drain pipes are not insulated or otherwise configured to protect against contact contrary to §4.19.4.

The bottom of the reflecting surface of the mirror is mounted 49½" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The paper towel dispenser is mounted 61" AFF with no clear floor space contrary to §§4.27.2 and 4.27.3 which require it to be no higher than 54" AFF if clear floor space for a side approach (at least 48" wide x 30" long) is provided or no higher than 48" AFF if clear floor space for a front approach (at least 48" long x 30"

wide) is provided.

There is no visual fire alarm in the room although there is an audible fire alarm system in the building and there are visual alarms in the corridors. See §§4.1.3 and 4.28.1 which require there to be visual alarms in all enclosed spaces if there is an audible alarm system in the facility.

The framed doorless opening into the room containing the toilet provides only 26½" clear passage width contrary to §4.13.5 which requires that doorways have a minimum clear opening of 32".

The top of the toilet seat is 15½" AFF which is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

There are no grab bars at the side or rear of the toilet contrary to §4.16.4 and Fig. 29.

The far edge of the toilet paper dispenser is 43" from the rear wall contrary to §4.16.6 and Figs. 29 and 30 (d) which require it to be within reach maximum 36" from the rear wall.

A coat/hat rack that is a protruding object hazard is located near the entrance door to the room containing the lavatory. The round rod holder is 11½" deep at 60" AFF contrary to §4.4.1 and Fig. 8 (a) which require objects projecting from walls with their leading edges between 27" AFF and 80" AFF to protrude no more than 4".

2. Unit 4219A (an example of a one bedroom unit that has a lavatory in the bedroom and also shares a toilet and lavatory with the next unit)

This one bedroom unit contains a lavatory in the bedroom and it also shares a toilet and lavatory with the next room along the corridor.

The shared toilet and lavatory and the room in which they are located are completely inaccessible as is the lavatory in the bedroom of Unit 4219A. No accessible toilet is provided as required by §§4.16 and 4.23.4. No accessible lavatory is provided as required by §§4.19 and 4.22.6. The mirror is mounted too high. See §§4.19.6, 4.22.7 and 4.27.3. There is no turning space as required by §§4.2.3 and 4.23.3. Nor is there the required clear floor space at the lavatory or at the toilet - see §§4.19.3 and 4.16.2.

The lavatory in the bedroom of Unit 4219A is not mounted so that there is a clearance of at least 29" AFF to the bottom of the apron - the clearance is 20¼"

AFF contrary to §4.19.2 and Fig. 31.

The entrance door from Unit 4219A to the shared toilet room provides 21" clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

This door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The lavatory in the shared toilet room is not mounted so that there is a clearance of at least 29" AFF to the bottom of the apron - the clearance is 20¼" AFF contrary to §4.19.2 and Fig. 31.

The bottom of the reflecting surface of the mirror in the shared toilet room is mounted 52" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The top of the toilet seat in the shared toilet room is 16½" AFF which is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

The centerline of the toilet in the shared toilet room is 13½" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located with its centerline exactly 18" from the side wall.

There are no grab bars at the side or rear of the only toilet in the shared toilet room contrary to §4.16.4 and Fig. 29.

There is no visual fire alarm in either the shared toilet room or in the bedroom of Unit 4219A although there is an audible fire alarm system in the building and there are visual alarms in the corridors. See §§4.1.3 and 4.28.1 which require there to be visual alarms in all enclosed spaces if there is an audible alarm system in the facility.

3. Unit 4223 (an example of a one bedroom unit, without a lavatory in the bedroom, that shares a toilet and lavatory with the next unit)

This one bedroom unit shares a toilet and lavatory with the next room along the corridor.

The shared toilet and lavatory and the room in which they are located are completely inaccessible. No accessible toilet is provided as required by §§4.16

and 4.23.4. No accessible lavatory is provided as required by §§4.19 and 4.22.6. The mirror is mounted too high. See §§4.19.6, 4.22.7 and 4.27.3. There is no turning space as required by §§4.2.3 and 4.23.3. Nor is there the required clear floor space at the lavatory or at the toilet - see §§4.19.3 and 4.16.2.

The entrance door from Unit 4223 to the shared toilet room provides 21" clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

This door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The lavatory in the shared toilet room is not mounted so that there is a clearance of at least 29" AFF to the bottom of the apron - the clearance is 20¼" AFF contrary to §4.19.2 and Fig. 31.

The bottom of the reflecting surface of the mirror in the shared toilet room is mounted higher than 40" AFF contrary to §4.19.6.

The top of the toilet seat in the shared toilet room is 16" AFF which is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

The centerline of the only toilet in the shared toilet room is 15" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located such that its centerline is exactly 18" from the side wall.

There are no grab bars at the side or rear of the only toilet in the shared toilet room contrary to §4.16.4 and Fig. 29.

There is no visual fire alarm in either the shared toilet room or in the bedroom of Unit 4223 although there is an audible fire alarm system in the building and there are visual alarms in the corridors. See §§4.1.3 and 4.28.1 which require there to be visual alarms in all enclosed spaces if there is an audible alarm system in the facility.

#### 4. Staff Toilet/Shower Room 4207

This single - user toilet/shower room is entered through two hinged doors in series. Both of these doors have knob hardware. Knob hardware requires tight grasping and twisting of the wrist contrary to §4.13.9. Both doors swing into the space between the doors - the outer door, from the corridor, opens in and the inner door

to the toilet and lavatory area opens out. There are only a few inches between the two doors when both are open. This is contrary to §4.13.7 and Fig. 26 which require that there be at least 48" plus the width of any door swinging into the space between two hinged doors in series. Section 4.13.7 also requires that doors in series either swing in the same direction or swing away from the space between the doors. These doors swing into the space between the doors.

The threshold at the inner door to the toilet/lavatory area is 3/4" high and it is neither beveled nor ramped. See §4.13.8 and 4.5.2 which that thresholds at doors that are not exterior sliding doors be no higher than 1/2".

The top of the toilet seat of the only toilet in this room, at 15" AFF, is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

The centerline of the only toilet in this room is 17" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located with its centerline exactly 18" from the side wall.

There are no grab bars at the side or rear of the only toilet in this room contrary to §4.16.4 and Fig. 29.

The only lavatory in this room is mounted with its rim higher than 34" AFF contrary to §4.19.2 and Fig. 31. The rim is mounted 36 3/8" AFF. Additionally, the lavatory is not mounted so that there is a clearance of at least 29" AFF to the bottom of the apron - the clearance is 28 3/4" AFF contrary to §4.19.2 and Fig. 31.

The mirror is mounted too high for a person using a wheelchair for mobility to be able to see their reflection in it. The bottom of the reflecting surface is mounted 52 3/8" AFF contrary to §4.19.6.

The only shower stall in this room does not comply with §4.21, including the requirement for an accessible shower stall to be one of the two sizes illustrated in Fig. 35, to have a seat as illustrated in Fig. 36 and grab bars as illustrated by Fig. 37 and to not have a curb higher than 1/2" (only allowed in the case of a 36" x 36" shower - a roll-in shower may not have a curb of any height).

The shower stall has a curb that is 5" high. It has no seat. The inside, finished dimensions of this shower stall are 34 1/2" x 34 1/2". See Fig. 35 which requires a transfer shower to be exactly 36" x 36" (inside, finished dimensions) and a roll-in shower to be at least 30" wide x 60" long. This shower stall has only one 36" long grab bar that is mounted diagonally. See Fig. 37 which illustrates the lengths of grab bars to be mounted in a transfer shower and in a roll-in shower - all of which are mounted parallel to the floor, not diagonally. A transfer shower (which is the

closest size to this shower stall of the two showers shown in Fig. 35) requires two grab bars - one 18" long on the side wall and the other on the front wall under the shower spray unit. The shower spray unit is a fixed shower head only and without a hose. See §4.21.6 which requires that the shower spray unit provided in an accessible shower be able to be used both as a fixed shower head and as a hand-held shower and have a hose that is at least 60" long. The controls are not near the outside edge of the shower stall as illustrated in Fig. 37. The controls are very near the inside of the shower stall 24" from the outside edge of the shower.

There is no visual fire alarm in this toilet/shower room although there is an audible fire alarm system in the building and there are visual alarms in the corridors. See §§4.1.3 and 4.28.1 which require there to be visual alarms in all enclosed spaces if there is an audible alarm system in the facility.

5. Female Toilet/Shower Room 4224

The pull side maneuvering clearance of the entrance door is only 4½" wide contrary to §4.13.6 and Fig. 25 (a) which requires it to be at least 18" wide x 60" deep.

The lavatory is mounted with its rim higher than 34" AFF contrary to §4.19.2 and Fig. 31. The rim is mounted 36" AFF. Additionally, the lavatory is not mounted so that there is a clearance of at least 29" AFF to the bottom of the apron - the clearance is 28½" AFF contrary to §4.19.2 and Fig. 31.

The bottom of the reflecting surface of the mirror is mounted higher than 40" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The top of the toilet seat of the only toilet in this room, at 16½" AFF, is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

The centerline of the only toilet in this room is 17½" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located with its centerline exactly 18" from the side wall.

There are no grab bars at the side or rear of the only toilet in this room contrary to §4.16.4 and Fig. 29.

The only shower stall in this room is a molded acrylic shower stall with a curb that is 10½" high. This shower stall has only one 30" long grab bar that is mounted in the middle of the long wall. See Fig. 37 which illustrates the lengths and locations of grab bars to be mounted in a roll-in shower. The shower spray unit is a fixed shower head only and without a hose. See §4.21.6 which requires

that the shower spray unit provided in an accessible shower be able to be used both as a fixed shower head and as a hand-held shower and have a hose that is at least 60" long. The shower spray unit is mounted on one of the end walls, not on the long wall as required by Fig. 37 (b). The shower has two fixed seats but neither of them are the dimensions and height as illustrated in Fig. 36. Nor does either of the seats extend the full depth of the shower. See §4.21.3.

There is no visual fire alarm in this toilet/shower room although there is an audible fire alarm system in the building and there are visual alarms in the corridors. See §§4.1.3 and 4.28.1 which require there to be visual alarms in all enclosed spaces if there is an audible alarm system in the facility.

6. Male Toilet/Shower Room 4227

The pull side maneuvering clearance of the entrance door to this room is only 5½" wide contrary to §4.13.6 and Fig. 25 (a) which requires it to be at least 18" wide x 60" deep.

The entrance door has no hardware but the round hole where hardware should be requires tight grasping and twisting of the wrist contrary to §4.13.9.

The only lavatory in this room is mounted with its rim higher than 34" AFF contrary to §4.19.2 and Fig. 31. The rim is mounted 36" AFF. Additionally, the lavatory is not mounted so that there is a clearance of at least 29" AFF to the bottom of the apron - the clearance is 28½" AFF contrary to §4.19.2 and Fig. 31.

The bottom of the reflecting surface of the mirror is mounted at 52¼" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The top of the toilet seat of the only toilet in this room, at 16" AFF, is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

The centerline of the only toilet in this room is 18½" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located with its centerline exactly 18" from the side wall.

There are no grab bars at the side or rear of the only toilet in this room contrary to §4.16.4 and Fig. 29.

The only shower stall in this room is a molded acrylic shower stall with a curb that is 10½" high. This shower stall has only one 30" long grab bar that is mounted in the middle of the long wall. See Fig. 37 which illustrates the lengths and locations of grab bars to be mounted in a roll-in shower. The shower spray



unit is a fixed shower head only and without a hose. See §4.21.6 which requires that the shower spray unit provided in an accessible shower be able to be used both as a fixed shower head and as a hand-held shower and have a hose that is at least 60" long. The shower spray unit is mounted on one of the end walls, not on the long wall as required by Fig. 37 (b). The shower has two fixed seats but neither of them are the dimensions and height as illustrated in Fig. 36. Nor does either of the seats extend the full depth of the shower. See §4.21.3.

There is no visual fire alarm in this toilet/shower room although there is an audible fire alarm system in the building and there are visual alarms in the corridors. See §§4.1.3 and 4.28.1 which require there to be visual alarms in all enclosed spaces if there is an audible alarm system in the facility.

7. Room 4201A - Chief Executive Officer's Office

The entrance door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

8. Room 4202 - Dining Room

The entrance door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The lavatory is not mounted so that there is a clearance of at least 29" AFF to the bottom of the apron - the clearance is 27½" AFF contrary to §4.19.2 and Fig. 31. Additionally, there is only 25½" AFF of clearance at a point eight inches back from the leading edge of the lavatory apron contrary to §4.19.2 and Fig. 31 which require the clearance at that point to be at least 27" AFF.

The bottom of the reflecting surface of the mirror is mounted at 50" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The paper towel dispenser and soap dispenser can only be approached from a front approach. They are each mounted higher than 48" AFF. See §§4.27.3 and 4.2.5 and Fig. 5 which require that controls, dispensers, receptacles and other operable equipment be mounted no higher than 48" AFF if a person using a wheelchair or other mobility aid approaches such a device using a front approach.

9. Pay Phones

During the site visit there were two pay phone enclosures (from which the telephones had been removed for the summer) located in the corridor of the story which the Hypothermia Shelter occupies. The enclosures suggest that when the

phones are installed they would be two single units. Therefore, one of the single unit pay phones must comply with §4.31.2 - 4.31.8 (see §4.1.3 (17) (a)). Both of the pay phones must have volume control - see §4.1.3 (17) (b) - and a sign displaying the International Symbol for Hearing Loss - see Fig. 43 (d).

**B. 801 East Shelter (12 Hour Beds)<sup>3</sup>  
801 Making Life Better Lane, S. E.  
Washington, D.C. 20032  
Residents: Single Men  
Surveyed: July 23, 2007<sup>4</sup>**

1. Parking Lot

The parking lot contains six van accessible parking spaces. However, only three of these spaces have post-mounted signs and none of the existing post-mounted signs contain the additional sign saying that the space is "Van Accessible". See §4.6.4.

2. Curb Ramp from Parking Lot to the Accessible Building Entrance

The running slope of this curb ramp<sup>3</sup> is 10.1% which exceeds the maximum 8.3% or 1:12 required by §§4.7.2 and 4.8.2.

3. Toilet/Shower Room Undergoing Alterations on Level One

Please note that only the entrance door and toilet/shower area nearest to the building entrance door could be surveyed during the site visit on July 23, 2007 since the other half of this room was under construction and blocked off by a plywood barrier.

A permanent room identification sign is mounted on the toilet room entrance door nearest to the building entrance. See §4.30.6 which requires such signs to be mounted on the wall adjacent to the latch side of the door with its centerline exactly 60" AFF.

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<sup>3</sup> It appears that the District intended to identify as accessible the 12 Hour Bed Program at 801 East, but not the TRP/Project Rise Shelter in that building. Thus the violations in TRP/Project Rise are listed in Part II rather than in Part I.

<sup>4</sup> While surveying the 801 East Shelter and the various Shelters located in the Federal City Shelter building, the Department observed ongoing – and non-compliant – renovations of some shower and toilet rooms. On August 10, 2007, in an effort to provide the District with technical assistance on these renovations, the Department gave the District a list of violations found in the shower and toilet rooms of those shelters.

The door to the wider of the three toilet stalls is located directly in front of the toilet in that stall. See Fig. 30(a) which shows the door to the Standard Stall in front of the clear floor space beside the toilet.

The coat hook in the wider stall is 63" above the finished floor ("AFF"). See §§4.2.5/6 and Figs. 5/6 which require that elements be mounted within the reach range of a person seated in a wheelchair - no higher than 48" AFF if there is at least 30" wide x 48" long of clear floor space for a front approach to the element and no higher than 54" AFF if there is at least 48" long x 30" wide of clear floor space for a parallel approach to the element.

The mirror serving the accessible lavatory is mounted with the bottom of its reflecting surface at 42" AFF. See §4.19.6 which requires it to be no higher than 40" AFF.

The shower spray unit in the shower stall with the shower seat cannot be used as both a fixed shower head and as a hand-held shower. The hook upon which the spray unit could otherwise sit to be "fixed" was broken during the site visit. See §4.21.6 which requires that the shower spray unit be able to be used as both a fixed shower head and as a hand-held unit. Note: the exception to §4.21.6 which allows a fixed shower head only to be mounted at 48" above the shower floor in unmonitored facilities where vandalism is a consideration.

The entrance door to this room requires more than five pounds of force to operate. It has a label indicating that it is a rated fire door. Fire doors must operate with the minimum opening force allowable by the appropriate administrative authority. See §4.13.11 (1).

4. Bulletin Boards in Lobby and Entrance Corridor

There are three bulletin boards containing notices for residents in the lobby of the first story and another bulletin board, also containing notices for residents, in the entrance corridor of the first story. Each board appears to contain different notices. The centerlines of the highest of the three bulletin boards in the lobby and of the bulletin board in the entrance corridor are both 67" AFF making them too high for a person using a wheelchair to read. The centerlines of the other two bulletin boards in the lobby are also much higher than 51" AFF. See Fig. A3 which dimensions the eye level of a person seated in a wheelchair at 43" to 51" AFF.

5. Elevator

The emergency two-way communication system in the elevator cab is located in a

closed compartment. The door to this compartment requires tight grasping and pinching and more than five pounds of force to open contrary to §§4.10.14 and 4.27.4.

The requirement of §4.10.14 that the emergency intercommunication system shall not require voice communication appears not to be met by this elevator. During the site visit on July 23, 2007, the telephone receiver located in the closed compartment rang for at least fifteen rings but was never answered. Therefore, it could not be ascertained if the communication system requires that the stranded passenger be able to speak. Indeed, the non-response suggests that there is no system in place to respond to an emergency in this elevator.

6. Storage Lockers Provided in Sleeping Areas

Lockers are provided for the secure storage of residents' personal possessions. The traditional twist-type combination locks require tight grasping, pinching and twisting of the wrist contrary to §§4.25.4 and 4.27.4 which require that hardware for accessible storage facilities be operable with one hand and not require tight grasping, pinching or twisting of the wrist.

The storage areas on the inside of the lockers are too high or low for a person seated in a wheelchair to reach. See Figs. 5 and 6 and §§4.2.5 and 4.2.6. See also §4.25.3 which requires that accessible storage spaces be within at least one of the reach ranges specified in §§4.2.5 and 4.2.6.

**C. Community for Creative Non-Violence Shelter (at the Federal City Shelter Building)**

**425 2nd Street, N.W.**

**Washington, D.C. 20001**

***Residents: Single Men and Women***

***Surveyed: July 18, 2007<sup>5</sup>***

1. Parking Lot

The parking lot at the rear of the Community for Creative Non-Violence Shelter (the “CCNV Shelter”) is an unpaved gravel lot that does not contain any accessible parking spaces. See §4.1.2 (5) which requires that if parking spaces are

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<sup>5</sup> While surveying the 801 East Shelter and the various Shelters located in the Federal City Shelter building, the Department observed ongoing – and non-compliant – renovations of some shower and toilet rooms. On August 10, 2007, in an effort to provide the District with technical assistance on these renovations, the Department gave the District a list of violations found in the shower and toilet rooms of those shelters.

provided for employees or visitors, or both, then accessible spaces complying with §4.6 shall be provided in each such parking area in conformance with the chart set out in §4.1.2 (5) (a).

2. No Accessible Route from Parking Lot to an Accessible Building Entrance

Section 4.3.2 (1) requires at least one accessible route within the boundary of the site to be provided from public transportation stops, accessible parking, and accessible passenger loading zones and public streets or sidewalks to an accessible building entrance. The accessible route must, to the maximum extent feasible, coincide with the route for the general public.

3. Ramp from 2nd Street, N.W. into the Main Entrance to the CCNV Shelter

The ramp from 2nd Street, N.W. into the main entrance to the CCNV Shelter is covered as it nears the entrance door. The portion of this ramp closest to the street is not covered.

(a) Covered Portion of the Ramp nearest to the Entrance Door

There is no landing at the top of this ramp. The top part of the ramp (within five feet of the doorway) is sloped with a running slope of 9.6% contrary to §4.8.4 which requires that the top and bottom landing of a ramp be "level".

A doorway is located at the top of this ramp; however, the area in front of the doorway does not comply with §4.13.6 and the left floor plan of Fig. 25 (a) - the pull side maneuvering clearance is not at least 18" wide as required by §4.8.4 (4).

The threshold at the entrance door from the ramp to the entrance lobby is 1 ½" high and unbeveled contrary to §4.13.8 and 4.5.2 which requires that thresholds at doors that are not exterior sliding doors be no higher than ½". Thresholds or other level changes between ¼" and ½" must be beveled at 1:2 maximum.

The running slope of the covered portion of the ramp further down the ramp (more than five feet from the entrance door) is 9.1% contrary to §4.8.2 which requires that the maximum slope of a ramp be 1:12 or 8.3% unless, in existing facilities, space limitations prohibit the use of a slope that is 1:12 or less.

The tops of the gripping surfaces of the handrails are 41" above the ramp surface contrary to §4.8.4 which requires that the top of handrail gripping surfaces be between 34" and 38" above the ramp surface.

The space between the wall and the handrail is more than the exactly 1 ½" required by §§4.8.5(3) and 4.26.2 and Fig. 39 (a) and (c). The width of the space between the wall and the handrail varies between 3 ½" and 5".

(b) Open Portion of the Ramp Closest to 2nd Street, N.W.

The space between the wall and the handrail is more than the exactly 1 ½" required by §§4.8.5(3) and 4.26.2 and Fig. 39 (a) and (c). The width of the space between the wall and the handrail is 2 7/8".

The handrail on the left of the ramp (looking down towards the street) is not continuous contrary to §4.8.5.

The ends of both of the handrails are not rounded or returned smoothly to the ground, a wall or a post contrary to §4.8.5 (6).

The handrails do not extend at least 12" beyond the top and bottom of the ramp segment contrary to §4.8.5 (2).

4. Ramp to the Entrance to the Unity Health Care, Inc. Clinic at the Side of the Building Housing the CCNV Shelter

The running slope of the ramp is 9.6% contrary to §4.8.2 which requires that the maximum slope of a ramp be 1:12 or 8.3% unless, in existing facilities, space limitations prohibit the use of a slope that is 1:12 or less.

There are no handrails on this ramp contrary to §4.8.2 which requires that if a ramp run has a rise greater than 6" or a horizontal projection greater than 72" it must have handrails on both sides.

Both the wall-mounted standpipe connection, which is 7 ½" deep and mounted at 48 ½" above the ramp surface, and the metal barrier directly below it are protruding object hazards contrary to §4.4.1 and Fig. 8 (a). Section 4.4.1 and Fig. 8 (a) require that objects projecting from walls with their leading edges between 27" and 80" AFF protrude no more than 4" into walks, halls, corridors, passageways or aisles.

5. Recently Altered Staff Toilet Room on Level Three, South

Department staff were advised by CCNV staff that renovations to the CCNV's toilet and shower rooms began in this area of the facility while the toilet and shower room in the CCNV's infirmary, addressed in section 10 below, was among the last scheduled for renovation.

This toilet room contains three urinals, three toilet stalls and four lavatories.

The entrance door to this toilet room requires 17 pounds of force to operate. Unless it is a fire door, an interior door must operate with no more than 5 pounds of force. See §4.13.11 (2) (b). Fire doors must operate with the minimum opening force allowable by the appropriate administrative authority. See §4.13.11 (1).

There are two vending machines blocking the required minimum 18" wide maneuvering clearance on the latch, pull side of the entrance door to this toilet room - see §4.13.6 and Fig. 25 (a).

There is no accessible route into the widest toilet stall in this toilet room. The row of three toilet stalls is located across from the counter containing four lavatories. The widest of the three stalls is located at the end of the row. The stall door of the widest stall swings out and is approached from the hinge side of the stall, not the latch side as is required by Fig. 30 (a) - Standard Stall. The maneuvering space at the latch side, pull side of the stall door is not at least 18" as required by the floor plan on the left side of Fig. 25 (a) and §§4.17.5 and 4.13.6.

The height of the toilet in the widest toilet stall is 19 ½ " measured to the top of the toilet seat. See §4.16.3 and Fig. 30 (d) - the top of the seat must be at least 17" but no higher than 19", measured to the top of the toilet seat.

The centerline of the toilet in the widest toilet stall is 15 ½" from the side wall, not the exactly 18" it is required to be by Fig. 30(a) and §4.16.

The control for the flush valve in the toilet in the widest toilet stall is not mounted on the wide side of the toilet area contrary to §4.16.5.

The far edge of the toilet paper dispenser in the widest stall is 41 1/4" from the rear wall contrary to §4.16.6 and Fig. 30(d) of the Standards which require it to be no more than 36" from the rear wall.

The toilet paper dispenser in the widest toilet stall does not permit continuous paper flow contrary to §4.16.6. It dispenses one sheet of paper at a time. At the time of the survey the toilet paper dispenser was not loaded with paper and instead a roll of toilet paper had been set on the side grab bar.

One of the urinals in this toilet room is mounted slightly lowered than the other two urinals. However, the elongated rim of this lower urinal is, at 21 ¼" above the finished floor ("AFF") still higher than the maximum 17" AFF that §4.18.2 requires for the height of the elongated rim of an accessible urinal. The flush control on the lower urinal is 47 ½" AFF contrary to §4.18.4 which requires the

flush control on an accessible urinal to be no higher than 44" AFF.

The bottom edge of the apron at the counter containing the four lavatories is 28 3/4" AFF which is lower than the minimum 29" AFF required by §4.19.2 and Fig. 31.

The hot water and drain pipes under each of the four lavatories are not insulated or otherwise configured to protect against contact contrary to §4.19.4.

The visual alarm signal appliance is located in the ceiling contrary to §4.28.3 which requires it to be placed 80" above the highest floor level within the space or 6" below the ceiling, whichever is lower. None of the fire alarms were tested during the site visit. However, during the site visit Mr. Abdul Nurridin, Executive Director of the CCNV Shelter, stated that the fire alarm system at the CCNV Shelter was not working.

6. Recently Altered Resident Toilet and Shower Room on Level Three, South

This toilet room contains 13 urinals, 8 toilet stalls and two lavatory counters and two gang shower rooms. It can be entered through two separate entry doors on opposite sides of the room.

The entrance doors to this toilet room require 20 and 27 pounds of force, respectively, to operate. Unless it is a fire door, an interior door must operate with no more than 5 pounds of force. See §4.13.11 (2) (b). Fire doors must operate with the minimum opening force allowable by the appropriate administrative authority. See §4.13.11 (1).

Two of the urinals are mounted slightly lowered than the other urinals. However, the elongated rims of these lower urinals are still higher than the maximum 17" AFF that §4.18.2 requires for the height of the elongated rim of an accessible urinal. One of the urinals is mounted with its elongated rim at 20" AFF and the other has its elongated rim at 20 1/2" AFF.

The centerline of the toilet in each of the two wider toilet stalls is 14 3/4" from the side wall, not the exactly 18" it is required to be by Fig. 30(a) and §4.16.

The same type of toilet paper dispenser that dispenses only one sheet of paper at a time is installed in the two wider toilet stalls in this room, also. Again, the far edge of each of the toilet paper dispensers is 42" from the rear wall contrary to §4.16.6 and Fig. 30(d) of the Standards which requires it to be no more than 36" from the rear wall.



The visual alarm signal appliance is mounted 86" above the highest floor level in the toilet room and 3" below the ceiling contrary to §4.28.3 which requires it to be placed 80" above the highest floor level within the space or 6" below the ceiling, whichever is lower.

The toilet seat cover dispenser is mounted above the toilet in the two wider toilet stalls in this room. The toilet therefore blocks the clear floor space required at dispensers by §4.27.2.

Both of the gang shower rooms are elevated 1 ½" above the level of the toilet room. The transition at both of the doorless openings into the gang shower rooms is not ramped contrary to §4.5.2 which requires changes in level greater than ½" to be accomplished by means of a ramp that complies with §4.7 or §4.8.

The two gang shower rooms each provide several shower spray units including one with a shower seat with grab bars and a handheld shower spray unit in the far corner of the gang shower room. However, the locations of these showers with the seats, grab bars and hand held spray units in the far corners of the gang shower rooms means that there is no accessible route to those showers. See §4.5.1 which requires that the floor surfaces along accessible routes be slip-resistant. When the other showers in the gang shower are in use the tile floor to the gang shower will become wet resulting in it not being slip-resistant.

7. Resident Toilet and Shower Room on Level Two, South

This toilet/shower room had not been renovated on July 18, 2007. The toilet stalls, showers, and lavatories provided in this room are completely inaccessible. No Standard Stall is provided as required by §§4.17.3 and 4.22.4. No accessible shower is provided as required by §§4.21 and 4.23.8. No accessible lavatory is provided as required by §§4.19 and 4.22.6. No urinal is lowered with its rim no higher than 17" AFF as required by §§4.18 and 4.22.5.

8. Resident Toilet and Shower Room on Level One, South

This toilet/shower room had not been renovated on July 18, 2007. The toilet stalls, showers, urinals and lavatories provided in this room are completely inaccessible. No Standard Stall is provided as required by §§4.17.3 and 4.22.4. No accessible shower is provided as required by §§4.21 and 4.23.8. No urinal is lowered with its rim no higher than 17" AFF as required by §§4.18 and 4.22.5. No accessible lavatories are provided as required by §§4.19 and 4.22.6.

9. "Small" Elevator Unsafe for Operation

Section 35.133 of the Title II Regulation provides that a public entity shall maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities by the Americans with Disabilities Act of 1990 ("the Act") or by §35.133. The Act requires that, to the maximum extent feasible, facilities must be accessible to, and usable by, individuals with disabilities. Section 35.133 recognizes that it is not sufficient to provide features such as accessible routes, elevators, or ramps, if those features are not maintained in a manner that enables individuals with disabilities to use them. Inoperable elevators are neither "accessible to" nor "usable by" individuals with disabilities.

During the site visit on July 18, 2007 there was an emergency notice dated April 12, 2007 posted from James Burton, Director of Maintenance. This notice says that the small elevator is out of order and that the bearings are completely destroyed in the motor which makes the elevator unsafe for operation.

10. Toilet and Shower Room in the Infirmary on the Basement Level

This toilet/shower room had not been renovated on July 18, 2007. The four toilet stalls, three showers, two urinals and lavatories provided in this room are completely inaccessible. No Standard Stall is provided as required by §§4.17.3 and 4.22.4. No accessible shower is provided as required by §§4.21 and 4.23.8. Neither urinal is lowered with its rim no higher than 17" AFF as required by §§4.18 and 4.22.5. No accessible lavatories are provided as required by §§4.19 and 4.22.6. In addition to there being no accessible fixtures in the Infirmary Toilet/Shower Room there is a level change up to the level of the Toilet/Shower Room from the rest of the Infirmary. This level change is sloped with a running slope of 11.8% contrary to §4.8.1 which requires which requires that any part of an accessible route with a slope greater than 1:20 (which equates to 5%) be a ramp and comply with §4.8.

11. Pay Phone in Infirmary

The coin slot for the only pay phone in the infirmary is 59" AFF contrary to §4.31.3 which requires the highest operable part of the telephone to be within the reach ranges specified in §§4.2.5 or 4.2.6. The highest of those reach ranges is 54" AFF which is specified as the maximum high side reach allowed.

12. Sleeping Area in the Infirmary on the Basement Level

None of the beds in the sleeping area of the Infirmary have maneuvering space

that is at least 36" clear wide along both sides of the bed contrary to §§9.5.2 (2) (b) and 9.2.2 (1).

13. Doors with Hardware that Requires Tight Grasping and Twisting of the Wrist

The following doors have knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9:

- \* Classroom on Level Three, North;
- \* CCNV Administration Office (Donald Page's Office);
- \* Office #14 (Dr. Brown's office); \*
- \* The Case Management Offices in Module One; \*
- \* The Case Management Offices in Module Two; \*\*
- \* The door with the sign that says, "Notice Don't Block Door" on the route to the rear stairwell to Clean and Sober, etc.;
- \* The Door to Deborah Tibbs' Office (she is the assistant to the Executive Director); and
- \* Doors within the Infirmary.

14. Interior Doors that Require More than Five Pounds of Force to Operate

The doors marked with an asterisk in Section 13 above also require more than five pounds of force to operate contrary to §4.13.11 (2) (b).

15. Interior Doors that Close Too Quickly

The sweep period of the closer of the door marked with a double asterisk in Section 13 above also takes less than three seconds to move to a point three inches from the latch from an open position of 70 degrees. See §4.13.10.

16. Drinking Fountains Too High

All of the drinking fountains at the CCNV Shelter are built into the walls with their spouts being higher than the required maximum height of 36" AFF - see §4.15.2.

17. No Text Telephones

There are no text telephones at the CCNV Shelter. See §4.1.3(17) (c) (i) which requires that if a total number of four or more public pay phones is provided at a site and at least one is in an interior location, than at least one interior public text telephone shall be provided.

18. No Shelf and Electrical Outlet at Banks of Three or More Pay Phones

The two banks of three public pay phones at the CCNV Shelter do not have a shelf and electrical outlet complying with §4.31.9 (2). See §4.1.3(17) (d) which requires that where a bank of telephones in the interior of a building consists of three or more public pay phones at least one public pay phone in each such bank shall be equipped with a shelf and outlet in compliance with §4.31.9 (2).

19. Inaccessible Laundry Room Entrance Doors

The entrance doors to the laundry rooms are too narrow for people using mobility aids to pass through, require too much force to open and have high thresholds. For example, the door to the laundry room on Level Three, South provides only 28" of clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

The entrance door to the laundry room on Level Three, South also requires 24 pounds of force to operate. Unless it is a fire door, an interior door must operate with no more than 5 pounds of force. See §4.13.11 (2) (b). Fire doors must operate with the minimum opening force allowable by the appropriate administrative authority. See §4.13.11 (1).

The threshold at the entrance door to the laundry room on Level Three, South is 1 ½" high contrary to §4.13.8 and 4.5.2 which requires that thresholds at doors that are not exterior sliding doors be no higher than ½".

20. Inaccessible Food Service Line in Kitchen

During the site visit on July 18, 2007 we were told that one meal per day is delivered from the D.C. Central Kitchen and distributed at a food service line and tray slide in a kitchen on each of the three levels of the CCNV Shelter. For other meals residents may store and cook food themselves.

None of the food service lines in the three kitchens provide the required minimum clear width of 36" required by §5.5. For example, the food service line in the kitchen on Level Three, South provides 32" of clear width.

None of the tray slides in the three kitchens are mounted no higher than 34" AFF as required by §5.5 and Fig. 53. For example, the tray slide in the kitchen on Level Three, South is mounted at 36" AFF.

None of the sinks in the kitchens are mounted with their rim 34" AFF or lower contrary to §4.24.2. For example, the large sink in the kitchen on Level Three, South is mounted with its rim at 36" AFF.

None of the sinks in the kitchens have knee space under them contrary to §4.24.3. For example, the large sink in the kitchen on Level Three, South has a large garbage disposal mounted directly under it leaving only 6" deep of knee clearance under that sink. See §4.24.3 which requires that knee clearance that is at least 27" high x 30" wide x 19" deep be provided under accessible sinks. The small sink in the same kitchen has knee clearance under it but the sink is too low to comply with §4.24.3. The bottom edge of the small sink is 20 3/4" AFF which does not provide the minimum 27" AFF high knee clearance required by §4.24.3.

The entrance doors to the kitchens require too much force to operate. For example, the entrance door to the kitchen on Level Three, South requires 19 pounds of force to operate. Unless it is a fire door, an interior door must operate with no more than 5 pounds of force. See §4.13.11 (2) (b). Fire doors must operate with the minimum opening force allowable by the appropriate administrative authority. See §4.13.11 (1).

The thresholds at the entrance doors to the kitchens are too high. For example, the threshold at the entrance door to the kitchen on Level Three, South is 1" high and it is not beveled contrary to §4.13.8 and 4.5.2 which requires that thresholds at doors that are not exterior sliding doors be no higher than 1/2". Thresholds between 1/4" and 1/2" must be beveled at 1:2 maximum.

## 21. Storage Lockers Provided in Sleeping Areas

Full height metal lockers are provided for the secure storage of residents' personal possessions. The traditional twist-type combination locks require tight grasping, pinching and twisting of the wrist contrary to §§4.25.4 and 4.27.4 which require that hardware for accessible storage facilities be operable with one hand and not require tight grasping, pinching or twisting of the wrist.

The shelves and hooks on the inside of the lockers are too high or low for a person seated in a wheelchair to reach. See Figs. 5 and 6 and §§4.2.5 and 4.2.6. See also §4.25.3 which requires that accessible storage spaces be within at least one of the reach ranges specified in §§4.2.5 and 4.2.6.

**D. Open Door Shelter (12 Hour and 24 Hour Programs at Federal City Shelter Building)<sup>6</sup>**

**425 2nd Street, N.W.**

**Washington, D.C. 20001**

**Residents: Single Women**

**Surveyed: July 17, 2007<sup>7</sup>**

**1. ADA Shower/Toilet Room**

There is no accessible route into this room. There is a slope of 11.8% at the entrance contrary to §4.8.1 which requires that any part of an accessible route with a slope greater than 1:20 (which equates to 5%) shall be considered to be a ramp and must comply with §4.8. Section 4.8.2 requires that the maximum running slope of a ramp in new construction be 1:12 (which equates to 8.3%).

The faucets on the in the "ADA" lavatory are a round shape that requires tight grasping, pinching, or twisting of the wrist contrary to §§4.23.6 and 4.19.5.

The height of the toilet in the widest toilet stall is 20" measured to the top of the "riser" toilet seat that has been added to the toilet. See §4.16.3 and Fig. 30 (d) - the top of the seat must be at least 17" but no higher than 19", measured to the top of the toilet seat.

The centerline of the toilet in the widest toilet stall is 15 ½" from the side wall, not the exactly 18" it is required to be by Fig. 30(a) and §4.16.

The control for the flush valve in the toilet in the widest toilet stall is not mounted on the wide side of the toilet area contrary to §4.16.5.

The toilet paper dispenser in the widest stall is mounted on the rear wall contrary to §4.16.6 and Fig. 30(d) which require it to be mounted on the side wall, no more than 36" from the rear wall.

There is no grab bar at the rear of the toilet in the widest stall contrary to §4.17.6 and Fig. 30(a) and (c).

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<sup>6</sup> While the 12 hour and a 24 hour Open Door programs are each "Shelters" as that term is defined in this Agreement, we surveyed the programs together.

<sup>7</sup> While surveying the 801 East Shelter and the various Shelters located in the Federal City Shelter building, the Department observed ongoing – and non-compliant – renovations of some shower and toilet rooms. On August 10, 2007, in an effort to provide the District with technical assistance on these renovations, the Department gave the District a list of violations found in the shower and toilet rooms of those shelters.

The side grab bar in the widest toilet stall is mounted too high. It is mounted 39" above the finished floor ("AFF") contrary to §4.17.6 and Fig. 30(d) which require it to be mounted with its centerline between 33" and 36" AFF.

The coat hook in the widest stall is mounted at 72" AFF. See §§4.2.5/6 and Figs. 5/6 which require that elements be mounted within the reach range of a person seated in a wheelchair - no higher than 48" AFF if there is at least 30" wide x 48" long of clear floor space for a front approach to the element and no higher than 54" AFF if there is at least 48" long x 30" wide of clear floor space for a parallel approach to the element.

The shower spray unit and controls in the shower stall with grab bars are not located on the long wall of the shower as shown in Fig. 35 (b) and contrary to §4.21.5.

The shower with grab bars has a curb/threshold contrary to §4.21.7 which requires that roll-in showers not have curbs.

The shower spray unit in the shower stall with grab bars cannot be used as both a fixed shower head and as a hand-held shower. It is a fixed shower head only. See §4.21.6 which requires that the shower spray unit be able to be used as both a fixed shower head and as a hand-held unit.

The controls in the shower stall with grab bars are a round shape that requires tight grasping, pinching, or twisting of the wrist contrary to §§4.21.5 and 4.27.4.

## 2. Bank of Three Pay Phones Near Entrance

The bank of three public pay phones near the entrance do not have a shelf and electrical outlet complying with §4.31.9 (2). See §4.1.3(17) (d) which requires that where a bank of telephones in the interior of a building consists of three or more public pay phones at least one public pay phone in each such bank shall be equipped with a shelf and outlet in compliance with §4.31.9 (2) is not provided

The clear floor space required by §4.31.2 is not provided at this bank of pay phones - it is blocked by two guards' desks located immediately in front of the pay phones.

None of these pay phones provides volume control contrary to §4.31.5 (2).

Each of these pay phones is mounted with its leading edge higher than 27" AFF and each protrudes more than 4" from the wall upon which they are installed causing them to be protruding object hazards to people with vision impairments

contrary to §4.4.1 and Fig. 8 (a).

3. Inaccessible Laundry Room Entrance Door Hardware

The entrance door to the laundry room has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

4. Fire Alarms

None of the fire alarms were tested during the site visit. However, during the site visit Mr. Abdul Nurridin, Executive Director of the CCNV Shelter, stated that the fire alarm system in the building that houses both the CCNV Shelter and the John Young Center was not working.

**E. John Young Center (Severe Weather and Low Barrier Shelters at Federal City Shelter Building)<sup>8</sup>**  
**115 D Street, N.W.**  
**Washington, D.C. 20001**  
***Residents: Single Women***  
***Surveyed: July 18, 2007<sup>9</sup>***

1. Residents' Shower/Toilet Room

There is no accessible route into this room. There is a level change of 1½" at the entrance to the toilet/shower room and then again at the entrance to the toilet area and then again at the entrance to the shower area contrary to §§4.3.8 and 4.5.2 which require that changes in level along an accessible route greater than ½" be accomplished by means of a ramp that complies with §4.8.

The centerline of the toilet in the widest toilet stall is more than 18" from the side wall as it is required to be by Fig. 30(a) and §4.16.

The side grab bar in the widest toilet stall is only 24" long and mounted on an angle contrary to §4.17.6 and Fig. 30(d) which require it to be at least 40" long and mounted parallel to the floor.

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<sup>8</sup> While the Severe Weather and Low-Barrier programs at John Young Center are each "Shelters" as that term is defined in this agreement, we surveyed the programs together.

<sup>9</sup> While surveying the 801 East Shelter and the various Shelters located in the Federal City Shelter building, the Department observed ongoing – and non-compliant – renovations of some shower and toilet rooms. On August 10, 2007, in an effort to provide the District with technical assistance on these renovations, the Department gave the District a list of violations found in the shower and toilet rooms of those shelters.



The lavatories are mounted with the clearance between the floor and the bottom of the apron only 25" AFF contrary to §4.19.2 and Fig. 31 which require that clearance to be at least 29" AFF.

The shower spray unit and controls in the shower stall with grab bars are not located on the long wall of the shower as shown in Fig. 35 (b) and contrary to §4.21.5.

The shower spray unit in the shower stall with grab bars cannot be used as both a fixed shower head and as a hand-held shower. It is a fixed shower head only. See §4.21.6 which requires that the shower spray unit be able to be used as both a fixed shower head and as a hand-held unit.

The controls in the shower stall with grab bars are a round shape that requires tight grasping, pinching, or twisting of the wrist contrary to §§4.21.5 and 4.27.4.

The grab bar configuration is not as shown in Fig. 37 contrary to §4.21.4. The grab bar mounted on the wall with the shower controls and shower head is mounted at an angle. The grab bars shown in Fig. 37 are all shown mounted in a horizontal position.

## 2. Staff Toilet Room

There is no accessible route into this room. There is a level change of 1½" at the entrance to this room contrary to §4.13.8 which requires that thresholds be no higher than ½".

The centerline of the toilet is more than 18" from the side wall as it is required to be by Fig. 30(a) and §4.16.

The clear floor space required by Fig. 28 is not provided at the toilet.

The lavatory is mounted in a vanity cabinet so does not provide the knee space required by §4.19.2 and Fig. 31.

## 3. Maneuvering Space at Beds

Not all of the beds have a 36" wide maneuvering space located along both sides of the bed. See §9.5.2 (2) (b) which requires maneuvering space around the beds for persons with mobility impairments to comply with §9.2.2 (1) which requires a 36" clear width maneuvering space to be located along both sides of a bed.

4. Information Posted on Bulletin Boards

The centerlines of the bulletin boards are mounted too high for a person using a wheelchair to read. The centerlines are much higher than 51" AFF. See Fig. A3 which dimensions the eye level of a person seated in a wheelchair at 43" to 51" AFF.

5. Fire Alarms

None of the fire alarms were tested during the site visit. However, during the site visit Mr. Abdul Nurridin, Executive Director of the CCNV Shelter, stated that the fire alarm system in the building that houses both the CCNV Shelter and the John Young Center was not working.

**F. Harriet Tubman Shelter  
1900 Massachusetts Avenue, S.E.  
Washington, D.C.  
Residents: Single Women  
Surveyed: January 10, 2007 and July 23, 2007**

The Department first surveyed the Harriet Tubman Shelter on January 10, 2007, following its receipt of a complaint from a resident of that Shelter. The resident alleged that she was repeatedly falling out of her wheelchair while trying to navigate a rotted wooden ramp and dilapidated flagstone path on the route to the shelter's entrance. The violations discovered during the Department's first survey are listed below in the section entitled "Violations Noted on January 10, 2007."

Subsequent to the Department's review, and with technical assistance from the Department, the District paved the entrance route to the shelter and created a new ramp leading from the entrance route to the parking lot.

The Department returned to the Harriet Tubman Shelter on July 23, 2007 to survey the ramp and entrance route. The parking lot with the new ramp was fenced off, and a new passenger drop area had been created. The route from the new passenger drop off area to the entrance did not comply with the Standards, as detailed below in the section entitled "Violations Noted on July 23, 2007."

**Violations Noted on January 10, 2007**

1. No Accessible Passenger Loading Zone

The parking lot area at the Tubman Shelter does not contain a marked passenger

loading zone although we were told by a Tubman Shelter representative that city vans and/or buses discharge passengers who are about to enter the Tubman Shelter in the parking lot.

Subsection C of §4.1.2 (5) requires that if passenger loading zones are provided, then at least one passenger loading zone shall comply with §4.6.6

2. No Accessible Parking Spaces in Parking Lot

The parking lot area at the Tubman Shelter does not contain any accessible parking spaces - see §4.1.2 (5) (a) which requires that if parking spaces are provided for self-parking by employees or visitors, or both, then accessible spaces complying with §4.6 shall be provided in each such parking area in conformance with the chart set out in §4.1.2 (5) (a).

3. No Accessible Route from Passenger Loading Zone/Parking Lot to the Accessible Building Entrance

Section 4.3.2 (1) requires at least one accessible route within the boundary of the site to be provided from public transportation stops, accessible parking, and accessible passenger loading zones and public streets or sidewalks to the accessible building entrance. The accessible route must, to the maximum extent feasible, coincide with the route for the general public.

There is no accessible route from the de facto passenger loading zone to the building entrance. There is an unramped curb separating the parking lot (which we were told by the Tubman Shelter representatives is also used as a passenger drop-off area for residents who arrive on a van operated by the District) and the path leading to the entrance to the Tubman Shelter. (\* See Addendum at end of this report.) There is a damaged and weathered wooden platform in one of the parking spaces. It appears to be the remaining top portion of a ramp from which the sloped portion has been removed. This platform is several inches higher than the level of the parking lot with no sloped portion connecting it to the level of the parking lot/passenger drop-off area so could not be used to connect the passenger drop-off area to the path en route to the Tubman Shelter entrance. See §§ 4.3.8 and 4.5.2.

The route from this curb to the Tubman Shelter entrance is not firm or stable and has several places with level changes greater than 1/2". See §§ 4.3.6, 4.3.8, 4.5.1 and 4.5.2. This route is paved with flagstones but appears to have not been maintained for a long period of time - there are several places where the flagstones are missing, including one deep hole that has been filled in with gravel. Other

areas where the flagstone pavers are missing or damaged create level changes greater than ½" that are not ramped . See §§ 4.3.8 and 4.5.2.

4. No Accessible Route from Washington, DC Metro Bus Stop to the Accessible Building Entrance

Residents also arrive at the Tubman Shelter via the DC Metro bus. See §4.3.2 (1) which requires an accessible route from public transportation stops within the boundary of the facility site. The route from the Metro bus stop/shelter is not accessible in that it has a sidewalk only part of the way to the entrance to the Tubman Shelter. See §4.5.1 which requires an accessible route to be firm and stable. There are also several unramped steps in the sidewalk. See §4.3.8 which requires level changes greater than ½" on an accessible route to be ramped, etc. This sidewalk ends about a quarter of the way to the Tubman Shelter entrance. The rest of the route is either on grass or on the road. There is no curb ramp down to the road. On the road, there are running slopes greater than 1:20 (5%) without being a ramp. See §4.8.1. It also has several large pot holes that create level changes greater than ½" - see §§ 4.3.8 and 4.5.2.

5. Designated Accessible Toilet and Shower Room

The entrance door to this toilet/shower room requires 12 pounds of force to operate. See §4.13.11 (2) (b) which requires that interior hinged doors operate with no more than five pounds of force. The door also sticks in the frame so it may require more than 12 pounds to move the door from the frame.

The threshold at this door is ½ " high and it is not beveled. See §4.13.8 and §4.5.2 which require thresholds that are between 1/4" and ½" high to be beveled at 1:2 maximum.

The shower seat does not extend the full depth of the shower - see §4.21.3. The leading edge of the shower is 2" from the edge of the shower stall.

The shower spray unit is a fixed shower head. See §4.21.6 which requires that a shower spray unit with a hose that is at least 60" long that can be used both as a fixed shower head and as a hand-held shower be provided.

6. Food Service Area

There is a cafeteria-style area in which, we were told by the Tubman Shelter representative, food is served to the shelter residents. We were told by the Tubman Shelter representative that plates of food are set at the top of the food warming hood cover for the residents to take from there. The top of this cover is

48 1/4" above the finished floor ("AFF") as well as being obstructed by the depth of the tray slide and a small ledge about the tray slide. See Illustration C of Fig. 6 which dimensions the maximum high side reach over an obstruction as 46".

## 7. Storage Areas

Lockers or footlockers are provided to the residents of the Tubman Shelter for secure storage of their personal effects. The lockers are full height metal lockers. The Tubman Shelter representatives told us that the shelter provides the twist-type traditional combination locks which were on the lockers. See §§4.25.4 and 4.27.4 which require that hardware for accessible storage facilities be operable with one hand and not require tight grasping, pinching, or twisting of the wrist.

The interior of one locker was observed to contain two shelves and one hook. All are outside the reach range of a person seated in a wheelchair - see Fig. 5 and 6 and §4.2.5 and 4.2.6. The lower shelf is 7" AFF and the high shelf is 65" AFF. The hook is 64" AFF. See §4.25.3 which requires that accessible storage spaces be within at least one of the reach ranges specified in §4.2.5 and 4.2.6.

The footlockers are supplied for resident use if all of the metal lockers are in use, we were told by the Tubman Shelter representative. The lock area is 6 1/2" from the bottom of the foot locker which are placed on the floor under the bunk beds. See Illustration B of Fig. 6 which dimensions the low side reach as 9".

## 8. Maneuvering Space at Beds

Bunk beds are provided for residents of the Tubman Shelter to sleep in. Representatives of the Tubman Shelter told us that persons who use wheelchairs for mobility are assigned a bottom bunk. We were shown the bed that had been assigned to a resident who uses a wheelchair. The route to this bed was not at least 36" wide. See §9.5.2 (2) (e) which requires at least one route connecting the elements in §9.5.2 (2) (a) - (d) (the entrance, bed, toilet/bathroom and at least one common area) to be at least 36" wide.

Not all of the bunk beds have a 36" wide maneuvering space located along both sides of the bed. See §9.5.2 (2) (b) which requires maneuvering space around the beds for persons with mobility impairments to comply with §9.2.2 (1) which requires a 36" clear width maneuvering space to be located along both sides of a bed.

## **Violations Noted on July 23, 2007**

The parking lot area at the Tubman Shelter which was surveyed in January of

2007 has been fenced off and a new passenger drop off area created. The new route from the new passenger drop off area does not comply with the Standards. The new route consists of three distinct segments on the route from the parking lot area where, we were told, passengers are dropped off to then make their way to the entrance to the Tubman Shelter. The first segment is a striped walkway that is part of the parking lot. The second segment is a relatively flat area where one turns the corner of the building. The third segment is a sloped, paved walkway that runs parallel to the entrance to the Tubman Shelter.

There is no accessible route from the new passenger drop off area to the entrance to the Tubman Shelter. From the new passenger drop off area people heading toward the entrance to the Tubman Shelter would first encounter a striped walkway that is part of the parking lot. This striped walkway has cross slopes that are greater than 1:50 (2%) contrary to §4.3.7. Near the bottom of this striped walkway the cross slope was measured at 5.6%. Midway up this striped walkway the cross slope was measured at 3.0%. Near the top of this striped walkway the cross slope was measured at 3.5%.

On this striped walkway there are also running slopes greater than 1:20 (5%) without the walkway being a ramp compliant with §4.8. Near the bottom of the striped walkway the running slope was measured at 7.3%. See §§4.3.7 and 4.8.1.

The third segment of the route to the entrance to the Tubman Shelter also has running slopes greater than 1:20 (5%) without that walkway being a ramp compliant with §4.8. See §§4.3.7 and 4.8.1. The running slope of the third segment was measured in two places. The running slope near the top of the third segment measured 9.0%. A little further down the third segment the running slope was measured at 6.8%.

**G. New York Avenue Shelter (Level One)**  
**1355 - 1357 New York Avenue, N. E.**  
**Washington, D.C.**  
***Residents: Single Men***  
***Surveyed: July 25, 2007***

1. Parking Lot

There is a small parking lot at the rear of the building that contains about seven parking spaces (some of the spaces are not striped). The designated accessible parking space has no access aisle. See §4.1.2 (5) (b).

The designated accessible space is also not on the shortest accessible route to an

accessible entrance to the New York Avenue Shelter. It is at the far end of the parking lot on the longest route to the rear entrance to the New York Avenue Shelter. See §4.6.2.

2. Ramp from Parking Lot to the Rear Building Entrance

The running slope of the ramp segment closest to the parking area is 10% which exceeds the maximum 8.3% or 1:12 required by §§4.7.2 and 4.8.2.

Although the horizontal projection of this ramp is greater than 72" there is only one handrail contrary to §4.8.2 which requires that if a ramp run has a rise greater than 6" or a horizontal projection greater than 72" it must have handrails on both sides. The handrail provided does not extend along the entire length of the ramp. The handrail provided does not extend at least 12" beyond the bottom of the ramp. See 4.8.5 (2) and Fig. 17.

The intermediate landing, where the ramp changes direction, is not at least 60" x 60" as required by §4.8.4 (3).

There are weeds growing along the building side of the ramp which narrows the clear width of this ramp to less than 36" contrary to §§4.7.2 and 4.8.2. During the site survey there were also two bicycles chained to the ramp handrail which also narrowed the clear width of this ramp to less than 36".

3. Rear Entrance Facing Parking Lot

The operable leaf of the set of double doors at the rear of the building has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

4. Unisex Toilet Room on Level One near the New York Avenue Entrance

The visual alarm signal appliance is mounted 83½" above the highest floor level in the toilet room and 12" below the ceiling contrary to §4.28.3 which requires it to be placed 80" above the highest floor level within the space or 6" below the ceiling, whichever is lower.

The centerline of the toilet is 19 ¼" from the side wall not the exactly 18" it is required to be by Fig. 30(a) and §4.16.

The control for the toilet's flush valve is not mounted on the wide side of the toilet area contrary to §4.16.5.

5. Route from Lobby near the New York Avenue Entrance to Corridor Four

The route to Corridor Four is elevated 1½" above the level of the front entrance lobby. The transition is not ramped contrary to §4.5.2 which requires changes in level greater than ½" to be accomplished by means of a ramp that complies with §4.7 or §4.8.

6. Doors with Hardware that Requires Tight Grasping and Twisting of the Wrist

Many interior doors have knob hardware that require tight grasping and twisting of the wrist contrary to §4.13.9.

7. Stall Toilet Room on Level One near Dormitory Five

The entrance door to this toilet room requires 15 pounds of force to operate. Unless it is a fire door, an interior door must operate with no more than 5 pounds of force. See §4.13.11 (2) (b). Fire doors must operate with the minimum opening force allowable by the appropriate administrative authority. See §4.13.11 (1).

The threshold at the entrance door is 1½" high contrary to §4.13.8 and 4.5.2 which requires that thresholds at doors that are not exterior sliding doors be no higher than ½" and beveled at 1:2 maximum if between ¼" and ½".

The visual alarm signal appliance is mounted 91" above the highest floor level in the toilet room and 3" below the ceiling contrary to §4.28.3 which requires it to be placed 80" above the highest floor level within the space or 6" below the ceiling, whichever is lower.

The widest stall is located at the end of the row but its door opens out contrary to Fig. 30 (a-1) and §4.17.3.

The control for the flush valve in the toilet in the widest toilet stall is not mounted on the wide side of the toilet area contrary to §4.16.5.

The coat hook is 63" above the finished floor ("AFF"). See §§4.2.5/6 and Figs. 5/6 which require that elements be mounted within the reach range of a person seated in a wheelchair - no higher than 48" AFF if there is at least 30" wide x 48" long of clear floor space for a front approach to the element and no higher than 54" AFF if there is at least 48" long x 30" wide of clear floor space for a parallel approach to the element.

One of the urinals in this toilet room is mounted slightly lowered than the other urinal. However, the elongated rim of this lower urinal is, at 23¾" AFF, still



higher than the maximum 17" AFF that §4.18.2 requires for the height of the elongated rim of an accessible urinal.

The required minimum 30" wide x 48" long of clear floor space is not provided at the lower urinal. There is only 26½" wide of clear floor space between the urinal shield separating the two urinals and the opposite wall for someone to approach the lower urinal. The rim of the lower urinal is 5" in from the end of the urinal shield.

8. Bathroom A on Level One ("Handicap Shower Room")

A permanent room identification sign is mounted on the toilet room entrance door. See §4.30.6 which requires such signs to be installed on the wall adjacent to the latch side of the door. This sign does not have raised letters or Braille. See §§4.1.3 (16) (a) and 4.30.4 which require permanent room identification signs to have letters and numerals raised 1/32nd of an inch in upper case with sans serif or simple serif font and to be accompanied by Grade 2 Braille.

The entrance door to this toilet room provides only 29" of clear width. See §4.13.5 which requires that an accessible door have a minimum clear opening at least 32" wide with the door open 90 degrees, measured between the face of the door and the opposite stop. See Fig. 24 (a).

The threshold at the entrance door is 1" high contrary to §4.13.8 and 4.5.2 which requires that thresholds at doors that are not exterior sliding doors be no higher than ½" and beveled at 1:2 maximum if between ¼" and ½".

The width of the pull side maneuvering clearance is only 13½" contrary to Fig. 25 which requires that the width of the pull side maneuvering clearance on a front approach door such as this must be at least 18" and preferably 24".

None of the four urinals is mounted with its rim maximum 17" AFF. See §4.18.2 which requires that the height of the elongated rim of an accessible urinal be maximum 17" AFF.

There is no accessible route to the widest stall. The width between the leading edge of each of the urinal shields and the stall doors opposite them is only 34½". The minimum width of an accessible route is 36 inches - see §4.3.3.

The control for the toilet flush valve in the widest toilet stall is not mounted on the wide side of the toilet area contrary to §4.16.5.

The coat hook in the widest stall is 66 ½" AFF. See §§4.2.5/6 and Figs. 5/6 which

require that elements be mounted within the reach range of a person seated in a wheelchair - no higher than 48" AFF if there is at least 30" wide x 48" long of clear floor space for a front approach to the element and no higher than 54" AFF if there is at least 48" long x 30" wide of clear floor space for a parallel approach to the element.

The lavatory in the widest toilet stall has round faucets which require tight grasping and twisting of the wrist contrary to §4.19.5.

The hot water and drain pipes on the lavatory in the widest toilet stall are not insulated or otherwise configured to protect against contact contrary to §4.19.4.

The robe hook near the shower stall with a seat is mounted higher than 54" AFF. See §§4.2.5/6 and Figs. 5/6 which require that elements be mounted within the reach range of a person seated in a wheelchair - no higher than 48" AFF if there is at least 30" wide x 48" long of clear floor space for a front approach to the element and no higher than 54" AFF if there is at least 48" long x 30" wide of clear floor space for a parallel approach to the element.

In the shower with a seat the shower seat does not extend the full depth of the shower contrary to §4.21.3. In the shower with a seat the controls are not within reach of the seat. The shower spray unit in the shower stall with the seat cannot be used as both a fixed shower head and as a hand-held shower. See §4.21.6 which requires that the shower spray unit be able to be used as both a fixed shower head and as a hand-held unit. This shower spray unit is a fixed shower head only. One of the three grab bars is mounted behind the seat contrary to Fig. 35 (a) and Fig. 57. The seat is 13½" deep x 18" long and is not as shown in Fig. 36. One grab bar is not securely attached to the wall contrary to §§4.21.4 and 4.26.3 which specifies that the structural strength of grab bars must allow them to withstand at least 250 pounds of force from the various stresses enumerated in §4.26.3.

9. Bathroom B on Level One

A permanent room identification sign is mounted on the toilet room entrance door. See §4.30.6 which requires such signs to be installed on the wall adjacent to the latch side of the door. This sign does not have raised letters or Braille. See §§4.1.3 (16) (a) and 4.30.4 which require permanent room identification signs to have letters and numerals raised 1/32nd of an inch in upper case with sans serif or simple serif font and to be accompanied by Grade 2 Braille.

The threshold at the entrance door is 1" high contrary to §4.13.8 and 4.5.2 which requires that thresholds at doors that are not exterior sliding doors be no higher than ½" and beveled at 1:2 maximum if between ¼" and ½".

None of the urinals is mounted with its rim maximum 17" AFF. See §4.18.2 which requires that the height of the elongated rim of an accessible urinal be maximum 17" AFF.

The lavatories all have round faucets which require tight grasping and twisting of the wrist contrary to §4.19.5.

The toilet stalls and shower stalls provided in this room are inaccessible. No Standard Stall is provided as required by §§4.17.3 and 4.22.4. No accessible shower is provided as required by §§4.21 and 4.23.8.

10. "Resident Toilet" on Level One

A permanent room identification sign is mounted on the toilet room entrance door. See §4.30.6 which requires such signs to be installed on the wall adjacent to the latch side of the door. This sign does not have raised letters or Braille. See §§4.1.3 (16) (a) and 4.30.4 which require permanent room identification signs to have letters and numerals raised 1/32nd of an inch in upper case with sans serif or simple serif font and to be accompanied by Grade 2 Braille.

The threshold at the entrance door is 1" high contrary to §4.13.8 and 4.5.2 which requires that thresholds at doors that are not exterior sliding doors be no higher than ½" and beveled at 1:2 maximum if between ¼" and ½".

The width of the pull side maneuvering clearance at the entrance door is only 4" contrary to §4.13.6 and Fig. 25 which require that the width of the pull side maneuvering clearance on a front approach door such as this must be at least 18" and preferably 24".

Each of the two urinals is mounted at 22" AFF which is higher than the maximum 17" AFF that §4.18.2 requires for the height of the elongated rim of an accessible urinal.

The lavatories both have round faucets which require tight grasping and twisting of the wrist contrary to §4.19.5. The hot water and drain pipes under the lavatories are not insulated or otherwise configured to protect against contact contrary to §4.19.4.

11. Bathroom C on Level One

A permanent room identification sign is mounted on the toilet room entrance door. See §4.30.6 which requires such signs to be installed on the wall adjacent to the latch side of the door. This sign does not have raised letters or Braille. See

§§4.1.3 (16) (a) and 4.30.4 which require permanent room identification signs to have letters and numerals raised 1/32nd of an inch in upper case with sans serif or simple serif font and to be accompanied by Grade 2 Braille.

The width of the pull side maneuvering clearance at the entrance door is only 3" contrary to §4.13.6 and Fig. 25 which requires that the width of the pull side maneuvering clearance on a front approach door such as this must be at least 18" and preferably 24".

The shower spray unit in the shower stall with the seat cannot be used as both a fixed shower head and as a hand-held shower. See §4.21.6 which requires that the shower spray unit be able to be used as both a fixed shower head and as a hand-held unit. The hook that a user would hang the hand-held shower spray unit on to make it be "fixed" was broken the day of the site survey.

## 12. Storage Lockers

Half-height metal lockers are provided for the secure storage of residents' personal possessions. The traditional twist-type combination locks require tight grasping, pinching and twisting of the wrist contrary to §§4.25.4 and 4.27.4 which require that hardware for accessible storage facilities be operable with one hand and not require tight grasping, pinching or twisting of the wrist.

The bottom shelf on the inside of the lockers is too low for a person seated in a wheelchair to reach. See Figs. 5 and 6 and §§4.2.5 and 4.2.6. See also §4.25.3 which requires that accessible storage spaces be within at least one of the reach ranges specified in §§4.2.5 and 4.2.6.

## 13. Sleeping Areas

None of the beds in the sleeping areas of the New York Avenue Shelter have maneuvering space that is at least 36" clear wide along both sides of the bed contrary to §§9.5.2 (2) (b) and 9.2.2 (1).

## 14. Kitchen / Eating Area

During the site visit on July 25, 2007 we were told that one meal per day is delivered from the D.C. Central Kitchen and distributed in the kitchens/eating room at the New York Avenue Shelter. We were told that residents are handed an empty plate at the door to the kitchen area. Residents then hand the empty plate over both a tray slide and Delfield brand sneeze guard (a 50¾" AFF x 24" deep reach) for food to be put on their plate by the server who is on the other side of the Delfield brand sneeze guard. See Fig. 6 (c) and §4.2.6 which specify that the

maximum high side reach over an obstruction is 46" AFF.

The kitchen/eating room is elevated 1½" above the level of the corridor. The transition is not ramped contrary to §4.5.2 which requires changes in level greater than ½" to be accomplished by means of a ramp that complies with §4.7 or §4.8.

The television set mounted above the lockers in the eating area is 72" AFF and protrudes 8" from the leading edge of the line of lockers below it. See §4.4.1 and Fig. 8 (a) which prohibit anything deeper than 4" from protruding from walls between 27" AFF and 80" AFF.

15. Laundry Room

A permanent room identification sign is mounted on the laundry room entrance door. See §4.30.6 which requires such signs to be installed on the wall adjacent to the latch side of the door. This sign does not have raised letters or Braille. See §§4.1.3 (16) (a) and 4.30.4 which require permanent room identification signs to have letters and numerals raised 1/32nd of an inch in upper case with sans serif or simple serif font and to be accompanied by Grade 2 Braille.

**H. Community of Hope, Inc.  
1413 Girard Street, N.W.  
Washington, D.C. 20009  
*Residents: Families with Children*  
*Surveyed: July 16, 2007***

1. Ramp from Girard Street to Front Entrance to the Girard Street Shelter

The top landing is 53" long contrary to §4.8.4 (2) which requires landings to be at least 60" clear long.

The bottom landing changes direction but is not at least 60" x 60" contrary to §4.8.4 (3). The dimensions of the bottom landing are 36" wide x 42" long. The bottom landing, also, is not level contrary to §4.8.4. The bottom landing has a running slope of 4.4%.

The space between the street-side handrail and the decorative metal railing is 3" when §4.26.2 and Fig. 39 require that space to be exactly 1 ½".

The top part of the ramp is only 35" wide - a minimum width of 36" is required by §4.8.3 and Fig. 11.

2. Entrance Door from Girard Street

The threshold is ½" high and is not beveled contrary to §4.13.8 and Fig. 7 (c) and (d).

3. Platform Lift Connecting the Entrance Lobby to the Main Part of Level One

An older model Stair-Lift manufactured by Garaventa Limited is installed at the side of three stairs which connect the small entrance lobby, where the reception desk is located, to the main part of Level One of the Girard Street Shelter; The Stair-Lift does not facilitate unassisted entry, operation, and exit from the lift contrary to §4.11.3. There was no key in the lift during the site visit on July 16, 2007. We were told that the guard/receptionist has possession of the key to the lift and operates the lift for the person who needs to use it. However, that was not what occurred during the site visit on July 16, 2007. The guard/receptionist did not have the key to operate the lift. There was a delay while a third staff member went to get the key to operate the lift. Operation of the lift was demonstrated but only after this delay when this third person went to get the key to operate the lift. The lift is old and battered and staff present during the site visit told us that the lift frequently breaks down.

4. Accessible Route to Common Use Areas

The only laundry room at the Girard Street Shelter and the children's program area are both located on the Basement Level. The only route to the Basement Level is not accessible since it is down a flight of stairs. See §9.5.2 (2) (e). During the site visit on July 16, 2007 neither of the two designated accessible units had washers and/or dryers within the unit.

5. Accessible Route to Public Use Areas

The children's program area is located on the Basement Level. During the site visit on July 16, 2007 we were told that children who are not residents of the Girard Street Shelter are allowed to participate in the children's programs offered there. Therefore, the children's program area is a place of public accommodation. The only route to the Basement Level is not accessible since it is down a flight of stairs contrary to §4.3.8.

6. Door Leading to the Telephone Room and to the Case Management Suite

One enters the area containing the telephone room (from which residents make calls related to potential employment only) and the case management suite

through a door from the main corridor. Immediately upon passing through this door, one is in a narrow hallway which requires either a right turn into the telephone room or a left turn into the case management suite. This hallway is only 40" wide. The hallway means that when a person using a mobility device approaches the door to leave the telephone room they don't have enough space to maneuver their wheelchair to open the door. Coming from the telephone room they approach the door from the latch, pull side which requires a width of at least 48". See §4.13.6 and Fig. 25 (c). On the hinge, pull side (which is how this door is approached when one is approaching it from the case management suite) at least 54" wide is required. See §4.13.6 and Fig. 25 (b).

#### 7. Toilet Room in Case Management Suite

The toilet and lavatory and the room in which they are located are completely inaccessible. No accessible toilet is provided as required by §§4.16 and 4.23.4. No accessible lavatory is provided as required by §§4.19 and 4.22.6. The mirror is mounted too high. See §§4.19.6, 4.22.7 and 4.27.3. There is no turning space as required by §§4.2.3 and 4.23.3. Nor is there the required clear floor space at the lavatory or at the toilet - see §§4.19.3 and 4.16.2.

The entrance door to this toilet room provides 30" clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

This door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

This door has no pull side maneuvering clearance contrary to §4.13.6.

The threshold is ½" high and is not beveled contrary to §§4.5.2, 4.13.8 and Fig. 7 (c) and (d).

The lavatory in this toilet room is in a vanity cabinet so that there is no front approach knee clearance contrary to §4.19.2 and Fig. 31.

The bottom of the reflecting surface of the mirror in the shared toilet room is mounted 49 ½" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The top of the toilet seat is 15" above the finished floor ("AFF") which is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

The toilet is not located beside a wall contrary to Fig. 28 which requires an accessible toilet to be located with its centerline exactly 18" from the side wall. The toilet is located between the tub and the vanity cabinet containing the lavatory.

There are no grab bars at the side or rear of the toilet contrary to §4.16.4 and Fig. 29.

The clear floor space required at the toilet seat cover dispenser is blocked by the toilet contrary to §4.27.2.

#### 8. Staff Toilet Room

The toilet and lavatory and the room in which they are located are completely inaccessible. No accessible toilet is provided as required by §§4.16 and 4.23.4. No accessible lavatory is provided as required by §§4.19 and 4.22.6. The mirror is mounted too high. See §§4.19.6, 4.22.7 and 4.27.3.

There is no turning space as required by §§4.2.3 and 4.23.3. Nor is there the required clear floor space at the lavatory or at the toilet - see §§4.19.3 and 4.16.2.

The entrance door to this toilet room has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

This door has no pull side maneuvering clearance contrary to §4.13.6. It is blocked by the vanity cabinet.

The lavatory in this toilet room is in a vanity cabinet so that there is no front approach knee clearance contrary to §4.19.2 and Fig. 31.

The bottom of the reflecting surface of the mirror in the shared toilet room is mounted 49 ½" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The top of the toilet seat is 15" AFF which is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

The toilet centerline is located 17" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located with its centerline exactly 18" from the side wall.



The flush control is mounted on the narrow side of the toilet area contrary to §4.16.5 which requires it to be mounted on the wide side of the toilet area.

There are no grab bars at the side or rear of the toilet contrary to §4.16.4 and Fig. 29.

The clear floor space required at the toilet seat cover dispenser is blocked by the toilet contrary to §4.27.2.

9. Case Managers' Offices

The entrance doors to these two rooms have knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

10. Case Managers' Offices

The entrance doors to these two rooms have knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

11. Computer Lab Door

The entrance door to the computer lab has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The threshold is ½" high and is not beveled contrary to §4.13.8 and Fig. 7 (c) and (d).

12. Laundry Room

The entrance door to the laundry room has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

There is no accessible route to the folding table in the laundry room. The route to the folding table narrows to 29" wide across from the dryers. See §4.3.3 which requires an accessible route to be at least 36" wide.

13. Children's Program Area - Girl's Toilet Room

The toilet and lavatory and the room in which they are located are completely inaccessible. No accessible toilet is provided as required by §§4.16 and 4.23.4. No accessible lavatory is provided as required by §§4.19 and 4.22.6. The mirror is mounted too high. See §§4.19.6, 4.22.7 and 4.27.3.

There is no turning space as required by §§4.2.3 and 4.23.3. Nor is there the required clear floor space at the lavatory or at the toilet - see §§4.19.3 and 4.16.2.

The entrance door to this toilet room provides 27½" clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

The entrance door to this toilet room has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The lavatory in this toilet room is in a vanity cabinet so that there is no front approach knee clearance contrary to §4.19.2 and Fig. 31.

The bottom of the reflecting surface of the mirror in the shared toilet room is mounted 49 ½" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The toilet centerline is located 17" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located with its centerline exactly 18" from the side wall.

The flush control is mounted on the narrow side of the toilet area contrary to §4.16.5 which requires it to be mounted on the wide side of the toilet area.

There are no grab bars at the side or rear of the toilet contrary to §4.16.4 and Fig. 29.

#### 14. Children's Program Area - Boy's Toilet Room

The toilet, the door and the room in which they are located are completely inaccessible. See §§4.19.6, 4.22.7 and 4.27.3.

There is no turning space as required by §§4.2.3 and 4.23.3. Nor is there the required clear floor space at the toilet - see §4.16.2.

The entrance door to this toilet room provides 28" clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

The entrance door to this toilet room has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The bottom of the reflecting surface of the mirror in the shared toilet room is mounted 49 ½" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

The toilet centerline is located 14" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located with its centerline exactly 18" from the side wall.

There are no grab bars at the side or rear of the toilet contrary to §4.16.4 and Fig. 29.

15. Children's Program Area - Break Out Rooms and Offices (Except for the Blue Break Out Room)

The entrance doors to these rooms provide 28" clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

The entrance doors to these rooms have knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

16. UNIT 104 [One of two units designated as accessible]

(a) DOORS

The unit entrance door, as well as all of the other doors in this unit, has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

One enters this unit through a door from the main corridor on the main part of Level One. Immediately upon passing through the unit entrance door, one is in a narrow hallway which requires either a right turn to the bedrooms and bathroom or a left turn into the living/dining/kitchen area. This hallway is only 30 ¾" wide. The clear space on the latch side of the door is only 13 ½" long. The location of this hallway means that when a person using a mobility device approaches the unit entrance door to leave the unit they don't have enough space to maneuver their wheelchair to open the door. Coming from the area containing the living/dining/kitchen area they approach the door from the latch, pull side which requires a width of at least 48". See §4.13.6 and Fig. 25 (c). On the hinge, pull side

(which is how this door is approached when one is approaching it from the area containing the bedrooms and bathroom) a clear space on the latch side that is at least 42" long x 54" wide is required. Or that clear space can be at least 36" long x 60" wide. See §4.13.6 and Fig. 25 (b). Here the clear space is only 13½" long x 30 ¾" wide.

The threshold at the unit's entrance door is 1" high and not beveled contrary to §§4.13.8 and 4.5.2 which require thresholds and other level changes to be no higher than ½" and to be beveled at 1:2 maximum if between ¼ inch and ½ inch. See Fig. 7 (c) and (d).

The bathroom door provides only 27 ½" clear width contrary to §4.13.5. That

section requires that doors to and in accessible spaces that are intended for user passage have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the stop.

#### (b) BATHROOM

##### Turning Space

The bathroom does not provide either the minimum five foot diameter turning radius or the T-shaped turning space required by §4.22.3, 4.2.3 and Fig. 3. The widest space in the bathroom is from the wall to the leading edge of the bath tub which is 37" wide.

##### Lavatory

The lavatory is in a vanity cabinet so does not provide the front approach clear floor space required by §4.19.3 and Fig. 31. The required minimum 30" wide x 48" long clear floor space in front of the lavatory is not provided. The bottom of the mirror's reflecting surface is 47" AFF contrary to §4.19.6 which requires it to be no higher than 40" AFF.

##### Toilet

The toilet is located in a 25" wide space between the tub and the lavatory. It does not have the clear floor space required by §4.16.2 or Fig. 28. Nor is the toilet seat 17" to 19" AFF as required by §4.16.3. The top of the toilet seat is 15" AFF. There are no grab bars at the rear and side wall of the toilet as required by §4.16.4.

## Bath Tub

The tub is a standard, inaccessible tub with no seat, no grab bars and no handheld shower spray unit contrary to §4.20.

The controls for the bath tub are not offset close to the edge of the tub so that they are usable from outside of the tub as required by §4.20.5.4 and Fig. 34 which require that faucets and other controls be located as shown in Fig. 34. Fig. 34 shows the control area near the edge of the tub, rather than being centered in the middle of the foot of the tub as is typical of standard tubs.

## Visual Alarms

There is no visual alarm in the bathroom contrary to §4.28.1 which requires visual signal appliances to be provided in buildings and facilities that have an audible alarm system in each of the following areas:

- \* Restrooms and any other general usage areas;
- \* Hallways;
- \* Lobbies; and
- \* Any other area of common use.

There are visual and audible alarms in both bedrooms and in the living/dining/kitchen area.

## (c) KITCHEN

The kitchen countertop and the sink rim are both mounted at 36" AFF contrary to §9.2.2 (7) which requires them to be mounted at a maximum height of 34" AFF.

Please note that the kitchen sink is mounted with a cabinet below it. This complies with the requirements of §9.2.2 (7) which allows a front or a parallel approach to cabinets, counters, sinks and appliances. Section 4.34.6.5 of the Uniform Federal Accessibility Standards ("UFAS") would require a much more accessible kitchen, including at the sink and cabinets.

UFAS would require the rough-in plumbing to be located to accept connections of supply and drain pipes for sinks mounted at a height of 28" (§4.34.6.5 (2)).

UFAS would also require that the depth of the sink bowl would have to be no greater than 6 ½" (§4.34.6.5 (3)).

UFAS would also require that base cabinets, if provided, must be removable under the full 30" minimum frontage of the sink and surrounding counter. The finished flooring must extend under the counter to the wall (§4.34.6.5 (5)). Counter thickness and supporting structure must be 2" maximum over the required clear space (§4.34.6.5 (6)).

UFAS would also require that there be a clear floor space 30" x 48" to allow a forward approach to the sink. Nineteen inches maximum of the clear floor space may extend underneath the sink. The knee space must have a clear width of 30" and a clear depth of 19" (§4.34.6.5 (7)).

UFAS would require that there be no sharp or abrasive surfaces under sinks. Hot water and drain pipes must be insulated or otherwise covered (§4.34.6.5 (8)).

(d) HALL CLOSET

The closet rod/shelf is 65" AFF contrary to §§4.25.3 and 9.2.2 (4) which requires it to be no higher than 54" AFF for a side approach.

(e) THERMOSTAT

The thermostat requires tight grasping and twisting of the wrist contrary to §§4.27.4 and 9.2.2 (5).

The thermostat is mounted at 56" AFF contrary to §§4.27.3 and 9.2.2 (5) which require all controls in accessible units to be placed within at least one of the reach ranges specified in §4.2.5 and 4.2.6 (no higher than 48" AFF if clear floor space for a forward approach is provided or no higher than 54" AFF if clear floor space for a parallel approach is provided).

17. UNIT 105 [One of two units designated as accessible.]

(a) DOORS

The unit entrance door, as well as the door to the bedroom at the right end of the corridor, has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The threshold at the unit's entrance door is 1" high and not beveled contrary to §§4.13.8 and 4.5.2 which require thresholds and other level changes to be no higher than ½" and to be beveled at 1:2 maximum if between ¼ inch and ½ inch. See Fig. 7 (c) and (d).

One enters this unit through a door from the main corridor on the main part of Level One. Immediately upon passing through the unit entrance door, one is in a narrow hallway which requires either a right turn to the bedrooms and bathroom or a left turn into the living/dining/kitchen area. This hallway is only 40" wide. The clear space on the latch side of the door is only 13 ½" long. The location of this hallway means that when a person using a mobility device approaches the unit entrance door to leave the unit they don't have enough space to maneuver their wheelchair to open the door. Coming from the area containing the living/dining/kitchen area they approach the door from the latch, pull side which requires a width of at least 48". See §4.13.6 and Fig. 25 (c). On the hinge, pull side (which is how this door is approached when one is approaching it from the area containing the bedrooms and bathroom) a clear space on the latch side that is at least 42" long x 54" wide is required. Or that clear space can be at least 36" long x 60" wide. See §4.13.6 and Fig. 25 (b). Here the clear space is only 13½" long x 30 ¾" wide.

(b) BATHROOM

Turning Space

The bathroom does not provide either the minimum five foot diameter turning radius or the T-shaped turning space required by §4.22.3, 4.2.3 and Fig. 3.

Lavatory

The lavatory is in a vanity cabinet so does not provide the front approach clear floor space required by §4.19.3 and Fig. 31. The required minimum 30" wide x 48" long clear floor space in front of the lavatory is not provided. The bottom of the mirror's reflecting surface is 44" AFF contrary to §4.19.6 which requires it to be no higher than 40 inches above the finished floor.

Toilet

The toilet is located beside the door to the bathroom. There is no grab bar at the rear wall of the toilet as required by §4.16.4. The grab bar at the side of the toilet is only 24" long when a minimum length of 42" (extending 54" from the rear wall - see Fig. 29 (b)) is required by §4.16.4. However, a 42" long side grab bar could not be installed in the current configuration of this bathroom since the bathroom door is on the side wall. A 42" long grab bar would extend into the door opening.

This location of the toilet also means that the toilet blocks the pull side maneuvering clearance required at the bathroom door contrary to §4.13.6 and Fig.

25 (a).

The flush control is mounted on the narrow side of the toilet area contrary to §4.16.5 which requires it to be mounted on the wide side of the toilet area.

#### Bath Tub

The bottom grab bar on the long wall is mounted 6½" above the tub rim contrary to §4.20.4 which requires it to be exactly 9" above the rim.

The controls for the bath tub are not offset close to the edge of the tub so that they are usable from outside of the tub as required by §4.20.5.4 and Fig. 34 which require that faucets and other controls be located as shown in Fig. 34. Fig. 34 shows the control area near the edge of the tub, rather than being centered in the middle of the foot of the tub as is typical of standard tubs.

#### Visual Alarms

There is no visual alarm in the bathroom or in any other of the rooms in Unit 105 contrary to §4.28.1 which requires visual signal appliances to be provided in buildings and facilities that have an audible alarm system in each of the following areas:

- \* Restrooms and any other general usage areas;
- \* Hallways;
- \* Lobbies; and
- \* Any other area of common use.

There are visual and audible alarms in both bedrooms and in the living/dining/kitchen area of Unit 104.

#### Robe Hook

The robe hook is mounted at 67" AFF contrary to §§4.2.5 and 4.2.6 which require the highest reach range to be 54" AFF and then, only when clear floor space for a side approach is provided.

#### Electrical Outlet

The electrical outlet is installed at 49½" AFF contrary to §§9.2.2 (5) and 4.27.3 which require that receptacles and other operable equipment be placed within at least one of the reach ranges specified in §§4.2.5 and 4.2.6. This electrical outlet is



installed in the space between the toilet and the lavatory where there is not even clear floor space for a front approach.

(c) KITCHEN

The kitchen sink is mounted with knee space below it. However, this knee space does not comply with the requirements of §9.2.2 (7) which allows a front or a parallel approach to cabinets, counters, sinks and appliances. Section 4.24.3 describes the dimensions of clear knee space under sinks as being at least 27" AFF x 30" wide x 19" deep. The knee space under this sink is only 28" wide. It is also in the corner of the kitchen which prevents a parallel approach being made to the sink.

Neither a parallel approach nor a front approach can be made to either the range or the microwave oven contrary to §9.2.2 (7) which requires a front or a parallel approach to cabinets, counters, sinks and appliances.

At least 50% of the cabinet space is not within reach range contrary to §9.2.2 (7) which requires at least 50% of shelf space in cabinets to be within the reach ranges of §4.2.5 or 4.2.6.

## II. Violations in Other Shelters Surveyed by the Department

**A. Emery Working Man's Shelter**  
**1725 Lincoln Road, N.E.**  
**Washington, D.C. 20002**  
***Residents: Single Men***  
***Surveyed: July 16, 2007***

1. Parking Lot

The parking lot at the south side of the Emery Shelter does not contain any accessible parking spaces. See §4.1.2 (5) which requires that if parking spaces are provided for employees or visitors, or both, then accessible spaces complying with §4.6 shall be provided in each such parking area in conformance with the chart set out in §4.1.2 (5) (a). The parking spaces in this lot are not striped. However, it would appear to contain approximately 18 parking spaces.

2. No Accessible Route from Parking Lot to an Accessible Building Entrance

Section 4.3.2 (1) requires at least one accessible route within the boundary of the

site to be provided from public transportation stops, accessible parking, and accessible passenger loading zones and public streets or sidewalks to an accessible building entrance. The accessible route must, to the maximum extent feasible, coincide with the route for the general public. There is no accessible route from the parking lot to an accessible entrance. Nor is there an accessible entrance (both the front entrance facing Lincoln Road, N.E. and the side entrance facing the parking lot have unramped steps up to the entrance door - two sets of ten steps up to a porch and then one more step up at the set of double doors at the Lincoln Road, N.E. entrance and eleven steps at the side entrance door near the parking lot). The route from the parking lot to the side entrance has a curb between the lot and the shortest route to the side door. There is a sloped asphalt path that requires a longer route of travel. However, this sloped path has a running slope of 13.6% and a cross slope of 6.1% and an unramped level change of approximately 3" where the asphalt meets the concrete walkway leading to the side door steps.

Additionally, there are room air conditioners protruding out of windows near both sets of stairs at the entrance facing Lincoln Road, N.E. contrary to §4.4.1 and Fig. 8 (a). Each air conditioner cover protrudes 10 ½" between 27" and 80" above the ground.

3. No Accessible Entrance

At least 50% of the public entrances shall be connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones, and to public streets or sidewalks if available (see §§4.3.2(1)) and 4.14). Both the front entrance facing Lincoln Road, N.E. and the side entrance facing the parking lot have unramped exterior steps up to the entrance door - two sets of ten steps at the Lincoln Road, N.E. entrance and eleven steps at the side entrance door. When one enters the front entrance facing Lincoln Road, N.E. there is also one unramped step up to the entrance doorway and then another flight of eleven stairs to get from the entrance lobby/foyer to the upper main level and a flight of stairs down to the ground level.

At the front entrance facing Lincoln Road, N.E., there is a door bell mounted 75" above the floor of the entry porch. This door bell is too high for a control or operating mechanism to be mounted - see §4.27.3, Figs. 5 and 6 and §§4.2.5 and 4.2.6. The maximum high side reach is 54" AFF.

4. No Accessible Route to Sleeping Areas or to all Common Use Amenities

The design of the building in which the Emery Shelter is housed is inaccessible. When one enters the front entrance facing Lincoln Road, N.E. (which is up a flight

of ten stairs) there is also one unramped step up to the entrance doorway and then another flight of eleven stairs to get from the entrance lobby/foyer to the upper main level and a flight of stairs down to the ground level.

The common use amenities, such as the dining room and the laundry room, are on the ground floor level, which is down a flight of stairs from the entrance level on the upper main level. There is no accessible route connecting the ground floor level, the upper main level and the level above the upper main level. See §4.3.8 and 4.5.2 of the Standards - an accessible route does not include steps or stairs.

5. Multi-User Toilet Room on Upper Main Level

This toilet room contains two toilet stalls, two urinals and three lavatories mounted in a counter top.

The toilet stalls, urinals and lavatories provided in this room are completely inaccessible. No Standard Stall is provided as required by §§4.17.3 and 4.22.4. No urinal is lowered with an elongated rim no higher than 17" AFF as required by §§4.18 and 4.22.5. No accessible lavatories are provided as required by §§4.19 and 4.22.6. The mirrors and soap dispensers are mounted too high for a person using a wheelchair for mobility to be able to use. See §§4.19.6, 4.22.7 and 4.27.3. Additionally, the threshold at the entrance door is 2" high and unramped contrary to §4.13.8 and 4.5.2 which require that thresholds at doors that are not exterior sliding doors be no higher than ½".

6. Staff Toilet Room off of the Substance Abuse Office on Upper Main Level

This single - user toilet room is entered through a narrow door with a knob. The door provides only 29½" of clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

The door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The top of the toilet seat of the only toilet in this room is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

There are no grab bars at the side or rear of the only toilet in this toilet room contrary to §4.16.4 and Fig. 29.

The faucets on the only lavatory in this room require tight grasping and twisting of the wrist contrary to §4.19.5.

7. Toilet Room off of the Computer Lab/ Office on Upper Main Level

This single - user toilet room is entered through a door with a knob. Knob hardware requires tight grasping and twisting of the wrist contrary to §4.13.9.

The top of the toilet seat of the only toilet in this room is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

There are no grab bars at the side or rear of the only toilet in this toilet room contrary to §4.16.4 and Fig. 29.

The faucets on the only lavatory in this room require tight grasping and twisting of the wrist contrary to §4.19.5.

The hot water supply and drain pipes are not insulated or configured to protect against contact with the user's legs contrary to §4.19.4.

The mirror is mounted too high for a person using a wheelchair for mobility to be able to use. The bottom of the reflecting surface is mounted 44" AFF contrary to §4.19.6.

Additionally, there is a coat rack at the entrance to this toilet room protruding out more than 4" between 27" and 80" AFF contrary to §4.4.1 and Fig. 8 (a).

8. Toilet Room off of the Group Room on Upper Main Level

The unobstructed turning space required by §§4.22.3 and 4.2.3 is not provided in this room. The total overall dimensions of this room are 58" x 58". Section 4.2.3 requires a clear space of 60" diameter or a T-shaped space as illustrated in Fig. 3 (a) and 3 (b).

The top of the toilet seat of the only toilet in this room is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

The centerline of the only toilet in this toilet room is 27" from the side wall contrary to Fig. 28 which requires an accessible toilet to be located such that its centerline is exactly 18" from the side wall.

The only lavatory in this room does not provide the knee space under it required

for a front approach by a person using a wheelchair for mobility contrary to §§4.19.2 and 4.19.3. The lavatory is on legs that are 13½" apart contrary to §4.19.3 which requires that a clear floor space 30" x 48" be provided in front of a lavatory to allow front approach. There is only 25 ¾" of clear knee space under this lavatory. See §4.19.2 which requires a clearance of at least 29" AFF from the bottom of the apron. These clearances are illustrated in Figs. 31 and 32.

9. Designated Accessible Toilet/Shower Room off of Sleeping Area on Upper Main Level

There is no accessible route into the toilet room from the sleeping area. The threshold at the entrance to the toilet/shower room is higher than ½" and unramped contrary to §4.13.8 and 4.5.2 which require that thresholds at doors that are not exterior sliding doors be no higher than ½".

The shower stall in this room has a seat but the seat does not extend the full depth of the shower stall contrary to §4.21.3 and Fig. 35 (a).

The grab bar in the shower stall is only on the front wall under the fixed shower head. See Figs. 35 (a) and 37 (a) which illustrate an 18" long grab bar on the side wall as well as the grab bar the full length of the wall opposite the seat in a transfer shower.

The shower spray unit in the shower stall with the shower seat is only a fixed shower head. See §4.21.6 which requires that the shower spray unit be able to be used as both a fixed shower head and as a hand-held unit.

There is no grab bar at the rear of the toilet as required by §4.16.4 and Fig. 29 (a).

The access panel on the side wall near the toilet reduces the required 1½" clear space between the side grab bar and the wall. See §4.16.4, 4.26.2 and Fig. 39.

10. Multi-User Toilet Room on Ground Level

The seven toilet stalls, urinals and lavatories provided in this room are completely inaccessible. No Standard Stall is provided as required by §§4.17.3 and 4.22.4. No ambulatory stall is provided contrary to §4.22.4. No urinal is lowered with an elongated rim no higher than 17" AFF as required by §§4.18 and 4.22.5. No accessible lavatories are provided as required by §§4.19 and 4.22.6.

11. Shower Room on Ground Level

This room has a total of 12 shower stalls none of which are accessible. None of the shower stalls comply with §4.21, including the requirement for an accessible shower stall to be one of the two sizes illustrated in Fig. 35, to have a seat as illustrated in Fig. 36 and grab bars as illustrated by Fig. 37 and to not have a curb higher than ½" (only allowed in the case of a 36" x 36" shower - a roll-in shower may not have a curb of any height). Each of these shower stalls has a curb that is 14" high.

12. Small Toilet Room off of the Kitchen/Eating Area on Ground Level

This single - user toilet room has a narrow stall and one wall-hung lavatory. No Standard Stall is provided as required by §§4.17.3 and 4.22.4.

13. Multi-User Toilet/Shower Room on Level above the Upper Main Level

This toilet room with toilet stalls, urinals, shower stalls and lavatories is entered through a door that has knob hardware and a 3" high unramped threshold.

The toilet stalls, urinals, shower stalls and lavatories provided in this room are completely inaccessible. No Standard Stall is provided as required by §§4.17.3 and 4.22.4. No urinal is lowered with an elongated rim no higher than 17" AFF as required by §§4.18 and 4.22.5. No accessible lavatories are provided as required by §§4.19 and 4.22.6. Additionally, the threshold at the entrance door is 3" high and unramped contrary to §4.13.8 and 4.5.2 which require that thresholds at doors that are not exterior sliding doors be no higher than ½". The door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

None of the shower stalls comply with §4.21, including the requirement for an accessible shower stall to be one of the two sizes illustrated in Fig. 35, to have a seat as illustrated in Fig. 36 and grab bars as illustrated by Fig. 37 and to not have a curb higher than ½" (only allowed in the case of a 36" x 36" shower - a roll-in shower may not have a curb of any height). Each of these shower stalls has a curb that is 6" high.

There is also no accessible route to the rest of the room past the toilet stalls. The path of travel is less than 36" wide contrary to §§4.22.3 and 4.3.3 which require the accessible fixtures to be on an accessible route which is at least 36" wide.

14. Sleeping Areas

None of the beds in the sleeping areas have maneuvering space that is at least 36" clear wide along all sides of the bed contrary to §§9.5.2 (2) (b) and 9.2.2 (1).

15. Doors with Hardware that Requires Tight Grasping and Twisting of the Wrist

The outer door to the Administrative Offices has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

16. Laundry Room

There is no accessible route to the only laundry room provided for residents to use to wash their clothes. Not only is this laundry room on the ground level (which is down 13 steps from the entrance) there are an additional three steps down into the laundry room from the ground level corridor in which it is located.

17. Dining Room

There is no accessible route to the only dining room provided for residents to eat the two meals per day that we were told are provided to them. This dining room is on the ground level (which is down 13 steps from the entrance).

18. Clinic

There is no accessible route to the clinic where a physician comes to treat residents once a week. This clinic is on the ground level (which is down 13 steps from the entrance).

19. Door en route to the Laundry Room and Ground Level Toilet Room

There is no accessible route to the laundry room and toilet room on the ground level. The area containing the toilet room and laundry room is entered through a narrow door. The door provides only 31" of clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

20. Metal Lockers Provided in Corridors on Level above the Upper Main Level

Metal lockers are provided for the secure storage of residents' personal possessions. The traditional twist-type combination locks require tight grasping, pinching and twisting of the wrist contrary to §§4.25.4 and 4.27.4 which require that hardware for accessible storage facilities be operable with one hand and not require tight grasping, pinching or twisting of the wrist.

The shelves and hooks on the inside of the lockers are too high or low for a person

seated in a wheelchair to reach. See Figs. 5 and 6 and §§4.2.5 and 4.2.6. See also §4.25.3 which requires that accessible storage spaces be within at least one of the reach ranges specified in §§4.2.5 and 4.2.6.

21. Reception Counter on Upper Main Level

The entire length of this counter is 46" AFF contrary to §7.2 which requires that service counters either have a section that is at least 36" long that is no higher than 36" AFF or that it have an auxiliary counter no higher than 36" AFF in close proximity to the main counter or that it provide equivalent facilitation such as a folding shelf attached to the main counter and space at the side of the counter for handing materials back and forth.

22. Hazards to Persons who are Blind or have Low Vision

There are numerous protruding object hazards (§4.4.1 and Fig. 8) and overhead hazards (§4.4.2) throughout the Emery Shelter, including:

- \* Fire annunciator panel;
- \* Pay phones;
- \* Electrical panel;
- \* Fire Extinguisher cabinet;
- \* Service counter in Dining Room; and
- \* Air duct on ground level that reduces headroom below the minimum 80" AFF required by §4.4.2.

**B. Park Road Shelter**  
**1448 Park Road, N.W.**  
**Washington, D.C.**  
***Residents: Families with Children***  
***Surveyed: May 9, 2007***

1. Common Use Areas

The Park Road Shelter provides the following common use elements which were also surveyed for compliance with the Standards:

- \* Front Entrance Doors from Park Road;
- \* An Office;
- \* A Community Room;
- \* An Elevator;



- \* Stairs;
- \* An Emergency Exit.

There is no accessible route into the Park Road Shelter. At the street there are two unramped level changes - a three inch high step and then, closer to the building entrance, an 8½ inch high step.

When you enter the double doors at the only public entrance into the Park Road Shelter, there are an additional seven unramped steps up from the vicinity of the doors to the lobby area.

The elevator, which is very small and old, is located at the lobby level (i.e. you would have to walk up the seven unramped stairs to get to the elevator; it does not come down as far as the entrance door level).

The design of the exterior of the entrance area with its proximity to the street and also with exterior stairs (going down into what appeared to be an exterior entrance to the "community room" in the basement) beside the front entrance steps makes it difficult, if not impossible, to provide an accessible route at the entrance. Nor is there any space inside the entrance area to either build a ramp or install a wheelchair lift to provide an accessible route for the seven unramped steps up into the lobby area that confront you when you enter the front doors.

When you come up those seven steps you are on the level where a small old elevator (which we were told by D.C. representative Michele Salters is not used - it was filled with janitorial equipment during the survey), an office area and the one hundred series dwelling units are located. The doors to these offices do not provide 32 inches clear width contrary to §4.13.5.

The dwelling units located on the floors above the first floor are not on an accessible route since the only route to them in lieu of the elevator is by way of a flight of stairs. The community room is not on an accessible route either since it is down two flights of very narrow stairs consisting of 13 steps.

The emergency exit at this basement level is also not accessible since it empties out into an area where one must climb up seven steps to exit.

2. UNIT 103 [A unit being used by a person with a disability]
  - (a) DOORS

All doors that the user must pass through to use the space on the other side of the

door do not provide at least 32" clear width contrary to §4.13.5. That section requires that doors to and in accessible spaces that are intended for user passage have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the stop. The door to the bathroom is very narrow, providing only 22 inches clear width.

(b) BATHROOM

Turning Space

The bathroom does not provide either the minimum five foot wide turning radius or the T-shaped turning space required by §4.22.3, 4.2.3 and Fig. 3. The widest space in the bathroom is from the wall to the leading edge of the bath tub which is 39 inches wide.

Lavatory

The lavatory is in a vanity cabinet so does not provide the front approach clear floor space required by §4.19.3 and Fig. 31. The required minimum 30" wide x 48" long clear floor space in front of the lavatory is not provided. The toilet is on the opposite wall directly behind the lavatory with less than 30 inches between the lavatory and the toilet. The faucets require tight grasping and twisting contrary to §4.19.5.

Toilet

The toilet is located in a 27 inch wide alcove at the far end of the tub and directly across from the lavatory. It does not have the clear floor space required by §4.16.2 or Fig. 28. Nor is the toilet seat 17 to 19 inches high as required by §4.16.3. There are no grab bars at the rear and side wall of the toilet as required by §4.16.4.

Bath Tub

The tub is a standard, inaccessible tub with no seat, no grab bars and a sliding door enclosure with tracks mounted on the tub rim such as those prohibited by §4.20.7.

The controls for the bath tub are not offset close to the edge of the tub so that they are usable from outside of the tub as required by §4.20.5.4 and Fig. 34 which require that faucets and other controls be located as shown in Fig. 34. Fig. 34 shows the control area near the edge of the tub, rather than being centered in the middle of the foot of the tub as is typical of standard tubs.

One cannot verify by visual inspection whether walls at the tub and toilet are reinforced for later installation of grab bars. I did not open up the walls or otherwise probe for evidence of the necessary reinforcement of the drywall to provide the structural strength to support grab bars.

(c) KITCHEN

The range and the microwave oven are both located in the corner of the two runs of kitchen cabinets which form an L-shape. This corner location means that neither appliance has clear floor space for either a front or parallel approach as required by §9.2.2 (7).

The range fan switch is located above the maximum 54 inch high side reach contrary to §9.2.2 (7) which requires that controls in kitchens comply with §4.27. §4.27.3 requires that the highest operable part of all controls, dispensers, receptacles, and other operable equipment shall be placed within at least one of the reach ranges specified in §§4.2.5 and 4.2.6. The maximum side reach is 54" AFF. Each approach must provide at least 30" x 48" of clear floor space at the control. See Figs. 5 and 6 and §4.27.2.

The faucets on the kitchen sink require tight grasping and twisting of the wrist contrary to §9.2.2 (7) which requires that controls in kitchens comply with §4.27. Section 4.27.4 requires that controls and operating mechanisms operate with one hand without tight grasping, pinching, or twisting of the wrist with no more than five pounds of force.

**C. 801 East Shelter [TRP and Project Rise]<sup>10</sup>  
801 Making Life Better Lane, S. E.  
Washington, D.C. 20032  
Residents: Single Men  
Surveyed: July 23, 2007**

1. Parking Lot

The parking lot contains six van accessible parking spaces. However, only three of these spaces have post-mounted signs and none of the existing post-mounted signs contain the additional sign saying that the space is "Van Accessible". See §4.6.4.

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<sup>10</sup> It appears that the District intended to identify as accessible the 12 Hour Bed Program at 801 East, but not the TRP/Project Rise Shelter in that building. Thus the violations in TRP/Project Rise are listed in Part II rather than in Part I.

2. Curb Ramp from Parking Lot to the Accessible Building Entrance

The running slope of this curb ramp is 10.1% which exceeds the maximum 8.3% or 1:12 required by §§4.7.2 and 4.8.2.

3. Resident Toilet Room on Level Two

There are two areas containing toilet stalls in this room. Both areas have wider stalls. However, one of the wider stalls is only 51" wide and so does not meet the 60" wide minimum width for a Standard Stall - see Fig. 30 (a). In the area where there are just two toilet stalls the wider of those two stalls is 60" wide. This 60" wide stall was surveyed as the one Standard Stall required in this toilet room. However, the door to this stall is located directly in front of the toilet. See Fig. 30(a) which shows the door to the Standard Stall in front of the clear floor space beside the toilet. Also, the grab bars in this Standard Stall are loose. See §4.26.3 which requires that grab bars, fasteners and mounting devices have the structural strength to withstand the application of 250 pounds of force from bending stress, sheer stress, sheer force and tensile force. The grab bars in the 60" wide stall did not appear to be able to withstand the application of much less than 250 pounds of force during the site visit. This is a serious safety concern since the side grab bar, especially, could pull out of the wall if someone leaned heavily on it to pull up from the toilet.

The mirror serving the accessible lavatory nearest to the Standard Stall is mounted with the bottom of its reflecting surface at 47½" AFF. See §4.19.6 which requires it to be no higher than 40" AFF.

The entrance door nearest to the 60" wide stall requires 19 pounds of force to operate. Unless it is a fire door, an interior door must operate with no more than 5 pounds of force. See §4.13.11 (2) (b). Fire doors must operate with the minimum opening force allowable by the appropriate administrative authority. See §4.13.11 (1).

A permanent room identification sign, without raised letters or Braille, is mounted on the toilet room entrance door nearest to the 60" wide stall. See §4.30.6 which requires permanent room identification signs to be installed on the wall adjacent to the latch side of the door with its centerline exactly 60" AFF. See, also, §4.1.3.16 (a), §4.30.4 and §4.30.5 which require permanent room identification signs to have letters and numbers raised 1/32" in sans serif or simple serif type and be accompanied by Grade 2 Braille.

The visual alarm signal appliance is mounted 73½" above the highest floor level in

the toilet room and 20" below the ceiling contrary to §4.28.3 which requires it to be placed 80" above the highest floor level within the space or 6" below the ceiling, whichever is lower.

4. "Small Shower Room" on Level Two

A permanent room identification sign, without raised letters or Braille, is mounted on the toilet room entrance door. See §4.30.6 which requires permanent room identification signs to be installed on the wall adjacent to the latch side of the door with its centerline exactly 60" AFF. See, also, §4.1.3.16 (a), §4.30.4 and §4.30.5 which require permanent room identification signs to have letters and numbers raised 1/32" in sans serif or simple serif type and be accompanied by Grade 2 Braille.

The threshold at the entrance door to this room is 1 1/4" high and it is not beveled contrary to §4.13.8 and §4.5.2 which requires that thresholds at doors that are not exterior sliding doors be no higher than 1/2" and beveled at 1:2 maximum if higher than 1/4".

The visual alarm signal appliance is mounted 74" above the highest floor level in the toilet room and 18" below the ceiling contrary to §4.28.3 which requires it to be placed 80" above the highest floor level within the space or 6" below the ceiling, whichever is lower.

The height of the toilet in the widest toilet stall is 20" measured to the top of the toilet seat. See §4.16.3 and Fig. 30 (d) - the top of the seat must be at least 17" but no higher than 19", measured to the top of the toilet seat.

The centerline of the toilet in the widest toilet stall is 19" from the side wall not the exactly 18" it is required to be by Fig. 30(a) and §4.16.

The coat hook in the widest toilet stall is 63" AFF. See §§4.2.5/6 and Figs. 5/6 which require that elements be mounted within the reach range of a person seated in a wheelchair - no higher than 48" AFF if there is at least 30" wide x 48" long of clear floor space for a front approach to the element and no higher than 54" AFF if there is at least 48" long x 30" wide of clear floor space for a parallel approach to the element.

The mirror serving the accessible lavatory is mounted with the bottom of its reflecting surface at 41" AFF. See §4.19.6 which requires it to be no higher than 40" AFF.

There are two unramped level changes in this room. Near the accessible shower stall there is a level change of 1". This is contrary to §4.5.2 which requires that changes in level greater than ½" be accomplished by a ramp that complies with §4.7 or §4.8. The other unramped level change is between the toilet stalls and the shower stalls. It is 1½" high.

5. Female Staff Toilet Room on Level Two

A permanent room identification sign, without raised letters or Braille, is mounted on the toilet room entrance door. See §4.30.6 which requires permanent room identification signs to be installed on the wall adjacent to the latch side of the door with its centerline exactly 60" AFF. See, also, §4.1.3.16 (a), §4.30.4 and §4.30.5 which require permanent room identification signs to have letters and numbers raised 1/32" in sans serif or simple serif type and be accompanied by Grade 2 Braille.

The mirror is mounted with the bottom of its reflecting surface at 41 ¼" AFF. See §4.19.6 which requires it to be no higher than 40" AFF.

The visual alarm signal appliance is mounted 74" above the highest floor level in the toilet room and 16" below the ceiling contrary to §4.28.3 which requires it to be placed 80" above the highest floor level within the space or 6" below the ceiling, whichever is lower.

6. Male Staff Toilet Room on Level Two

A permanent room identification sign, without raised letters or Braille, is mounted on the toilet room entrance door. See §4.30.6 which requires permanent room identification signs to be installed on the wall adjacent to the latch side of the door with its centerline exactly 60" AFF. See, also, §4.1.3.16 (a), §4.30.4 and §4.30.5 which require permanent room identification signs to have letters and numbers raised 1/32" in sans serif or simple serif type and be accompanied by Grade 2 Braille.

The mirror is mounted with the bottom of its reflecting surface at 41 ¼" AFF. See §4.19.6 which requires it to be no higher than 40" AFF.

The visual alarm signal appliance is mounted 74" above the highest floor level in the toilet room and 16" below the ceiling contrary to §4.28.3 which requires it to be placed 80" above the highest floor level within the space or 6" below the ceiling, whichever is lower.

7. Elevator

The emergency two-way communication system in the elevator cab is located in a closed compartment. The door to this compartment requires tight grasping and pinching and more than five pounds of force to open contrary to §§4.10.14 and 4.27.4.

The requirement of §4.10.14 that the emergency intercommunication system shall not require voice communication appears not to be met by this elevator. During the site visit on July 23, 2007, the telephone receiver located in the closed compartment rang for at least fifteen rings but was never answered. Therefore, it could not be ascertained if the communication system requires that the stranded passenger be able to speak. Indeed, the non-response suggests that there is no system in place to respond to an emergency in this elevator.

8. Storage Lockers in Fitness Room

The shelves and hooks on the inside of the lockers are too high for a person seated in a wheelchair to reach. The hook is 57" AFF and the shelf is 62" AFF. See Figs. 5 and 6 and §§4.2.5 and 4.2.6. See also §4.25.3 which requires that accessible storage spaces be within at least one of the reach ranges specified in §§4.2.5 and 4.2.6.

9. Pay Phone

The coin slot for the only pay phone is 56 ½" AFF contrary to §4.31.3 which requires the highest operable part of the telephone to be within the reach ranges specified in §§4.2.5 or 4.2.6. The highest of those reach ranges is 54" AFF which is specified as the maximum high side reach allowed.

This phone also does not have a volume control contrary to §4.1.3 (17) (b) which requires that all telephones required to be accessible be equipped with a volume control.

10. Kitchen on Level Two

During the site visit on July 23, 2007 we were told that one meal per day is delivered from the D.C. Central Kitchen and distributed in the kitchens/dining rooms on each of the two levels of the 801 East Shelter. For other meals residents of Level Two participating in a six month long rehabilitation program may store and cook food themselves in a small kitchen/dining room on Level Two.

The sink in this kitchen/dining room on Level Two is mounted with its rim 36" AFF contrary to §4.24.2 which requires sinks to be mounted with their rims no higher than 34" AFF.

The sink in this kitchen/dining room on Level Two does not have knee space under it contrary to §4.24.3. See §4.24.3 which requires that knee clearance that is at least 27" high x 30" wide x 19" deep be provided under accessible sinks.

11. Storage Lockers Provided in Sleeping Areas

Lockers are provided for the secure storage of residents' personal possessions. The traditional twist-type combination locks require tight grasping, pinching and twisting of the wrist contrary to §§4.25.4 and 4.27.4 which require that hardware for accessible storage facilities be operable with one hand and not require tight grasping, pinching or twisting of the wrist.

The storage areas on the inside of the lockers are too high or low for a person seated in a wheelchair to reach. See Figs. 5 and 6 and §§4.2.5 and 4.2.6. See also §4.25.3 which requires that accessible storage spaces be within at least one of the reach ranges specified in §§4.2.5 and 4.2.6.

**D. House of Ruth Shelter**  
**[Domestic Violence Shelter: Address Confidential]**  
**Residents: Women and Children**  
**Surveyed: October 29, 2007**

1. No Accessible Entrance

At least 50% of the public entrances shall be connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones, and to public streets or sidewalks if available (see §§4.3.2(1)) and 4.14). Both the front entrance facing the street and the rear entrance have unramped exterior steps up to the entrance door - a set of nine steps at the street front entrance and six steps at the rear entrance door. When one enters the front entrance facing the street after climbing the nine exterior iron stairs there is also one unramped step up to the entrance doorway.

The front entrance door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

There is also a threshold that is higher than ½" high and not beveled at the front entrance door. See §4.13.8 which requires thresholds to be no higher than ½" and



to be beveled at 1:2 maximum if higher than ¼".

2. No Accessible Route to Sleeping Areas or to all Common Use Amenities

The design of the house in which the House of Ruth Shelter is housed is inaccessible. When one enters the front entrance facing the street (which is up a flight of nine stairs) there is also one unramped step up to the entrance doorway and then a flight of stairs down to the ground level and two flights of stairs up to the two floors housing the bedrooms and bathrooms.

The laundry room, pay phone and children's play room are on the ground floor level which is down a flight of stairs from the entrance level. There is no accessible route connecting the ground floor level, the main level and the two levels above the upper main level. See §4.3.8 and 4.5.2 of the Standards - an accessible route does not include steps or stairs.

3. Bath Room on First Floor above the Front Entrance Level Facing the Street

This single - user toilet room is entered through a narrow door with a knob. The door provides less than 32" of clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

The door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The top of the toilet seat of the only toilet in this room is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

There are no grab bars at the side or rear of the only toilet in this toilet room contrary to §4.16.4 and Fig. 29. The toilet is located beside the lavatory so is not beside a wall to which the required side grab bar could be mounted.

The toilet paper dispenser is located on the wall behind the toilet contrary to §4.16.6 and Fig. 29 (b).

The only lavatory in this room is in a vanity cabinet so does not provide the knee space under it required for a front approach by a person using a wheelchair for mobility contrary to §§4.19.2 and 4.19.3.

No in-tub seat is provided in the bath tub nor is there a seat at the head end of the

tub as required by §4.20.3 and Fig. 33.

There are no grab bars mounted on the walls at the side, foot and head of the tub as required by §4.20.4 and Fig. 34.

The shower spray unit in the bath tub does not have a hose and it cannot be used both as a fixed head and as a hand-held shower as required by §4.20.6 and Fig. 34. It is a fixed shower head only.

The faucets on the bath tub require tight grasping, pinching and twisting of the wrist contrary to §§4.20.5 and 4.27.4.

#### 4. Toilet Room on Ground Level

This single - user toilet room is entered through a narrow door with a knob. Knob hardware requires tight grasping and twisting of the wrist contrary to §4.13.9.

The door provides less than 32" of clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop. The pull side maneuvering clearance at the bathroom door is less than the required minimum 18" wide x 60" long contrary to §4.13.6 and Fig. 25.

There is also an unramped step up at the entrance to this bathroom contrary to §§4.22.1 and 4.3.8.

The top of the toilet seat of the only toilet in this room is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

There are no grab bars at the side or rear of the only toilet in this toilet room contrary to §4.16.4 and Fig. 29. The toilet is located beside the lavatory so is not beside a wall to which the required side grab bar could be mounted.

The toilet paper dispenser is located on the far wall opposite the toilet contrary to §4.16.6 and Fig. 29 (b).

The only lavatory in this room is located in a vanity cabinet so does not provide the knee space under it required for a front approach by a person using a wheelchair for mobility contrary to §§4.19.2 and 4.19.3.

The faucets on the only lavatory in this room require tight grasping and twisting of

the wrist contrary to §4.19.5.

The mirror is mounted too high for a person using a wheelchair for mobility to be able to use. The bottom of the reflecting surface is mounted 44" AFF contrary to §4.19.6.

5. Doors with Hardware that Requires Tight Grasping and Twisting of the Wrist

The rear doors from the Play Room and from the Kitchen have knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

6. Laundry Room, Children's Play Room and Pay Phone

There is no accessible route to the only laundry room provided for residents to use to wash their clothes. Not only is this laundry room on the ground level (which is down a flight of steps from the entrance level) but there is also the only playroom for the children residing at House of Ruth on the ground floor level. The only pay phone is also on this ground floor level which is down an unramped flight of stairs.

7. Door en route to the Laundry Room

There is no accessible route to the laundry room which is on the ground level. The room containing the washer and dryer is entered through a narrow door with a knob. The door provides less than 32" of clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

There is also a threshold that is about 2" high and not beveled at the door to the Laundry Room. See §4.13.8 which requires thresholds to be no higher than ½" and to be beveled at 1:2 maximum if higher than ¼".

8. Hazards to Persons who are Blind or have Low Vision

There is a coat rack with hooks protruding out more than 4" between 27" and 80" AFF contrary to §4.4.1 and Fig. 8 (a).

**E. My Sister's Place Shelter**  
**[Domestic Violence Shelter: Address Confidential]**  
**Residents: Women and Children**  
**Surveyed: July 25, 2007**

1. No Accessible Entrance

At least 50% of the public entrances shall be connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones, and to public streets or sidewalks if available (see §§4.3.2(1)) and 4.14). The main entrance at the side of the house has five unramped exterior steps up to the entrance door.

The side entrance door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

There is also a threshold that is higher than ½" high and not beveled at the front entrance door. See §4.13.8 which requires thresholds to be no higher than ½" and to be beveled at 1:2 maximum if higher than ¼".

2. Parking Lot

The parking lot at the rear of My Sister's Place Shelter does not contain any accessible parking spaces. See §4.1.2 (5) which requires that if parking spaces are provided for employees or visitors, or both, then accessible spaces complying with §4.6 shall be provided in each such parking area in conformance with the chart set out in §4.1.2 (5) (a). The striping for the parking spaces in this lot is faded but would appear to contain approximately three parking spaces.

3. No Accessible Route from Parking Lot to an Accessible Building Entrance

Section 4.3.2 (1) requires at least one accessible route within the boundary of the site to be provided from public transportation stops, accessible parking, and accessible passenger loading zones and public streets or sidewalks to an accessible building entrance. The accessible route must, to the maximum extent feasible, coincide with the route for the general public. There is no accessible route from the parking lot to an accessible entrance. The route from the parking lot to the side entrance has the five steps up to the side door noted above. Directly from the parking area there is a gate that leads through the back yard to a wooden ramp to a side door on the opposite side of the house from the side entrance with the five steps. However, this ramp is in disrepair and could be a safety hazard to anyone using it. One of the sides of the ramp is falling away from the rest of the structure and several of the wooden planks on the traveled portion of the ramp appear to be

badly damaged. There are no handrails on the ramp contrary to §4.8.5. The sides of the ramps are composed of pickets but they are in such disrepair that they do not provide the edge protection required by §4.8.7.

The door at the top of this ramp does not provide the maneuvering clearance required by §4.13.6 and Fig. 25 for a latch side approach door. The door hardware is a knob which requires tight grasping, pinching and twisting of the wrist contrary to §4.13.9.

4. No Accessible Route to Sleeping Areas or to all Common Use Amenities  
The design of the house in which the My Sister's Place Shelter is housed is inaccessible. There are flights of stairs up to the floors housing the bedrooms and bathrooms.

The laundry room and children's play room are on the basement level which is down a flight of stairs from the entrance level. There is no accessible route connecting the basement level and the upper levels. See §4.3.8 and 4.5.2 of the Standards - an accessible route does not include steps or stairs. There is also a small bathroom on the basement level.

5. Bath Room on the Basement Level

This single - user toilet room is entered through a narrow door with a knob. The door provides less than 32" of clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

The door has knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

This bathroom does not provide the turning radius or clear floor space at fixtures required by §4.22.3.

The top of the toilet seat of the only toilet in this room is lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

There are no grab bars at the side or rear of the only toilet in this toilet room contrary to §4.16.4 and Fig. 29. The toilet is located beside the lavatory so is not beside a wall to which the required side grab bar could be mounted.

The toilet paper dispenser is located on the wall behind the toilet contrary to

§4.16.6 and Fig. 29 (b).

The only lavatory in this room is in a vanity cabinet so does not provide the knee space under it required for a front approach by a person using a wheelchair for mobility contrary to §§4.19.2 and 4.19.3.

The faucets on the lavatory require tight grasping, pinching and twisting of the wrist contrary to §§4.20.5 and 4.27.4.

No in-tub seat is shown in the bath tub nor is there a seat at the head end of the tub as required by §4.20.3 and Fig. 33.

There are no grab bars mounted on the walls at the side, foot and head of the tub as required by §4.20.4 and Fig. 34.

The shower spray unit in the bath tub does not have a hose and it cannot be used both as a fixed head and as a hand-held shower as required by §4.20.6 and Fig. 34. It is a fixed shower head only.

The faucets on the bath tub require tight grasping, pinching and twisting of the wrist contrary to §§4.20.5 and 4.27.4.

## 6. Bath Rooms on the Upper Levels

Each bath room is entered through a narrow door with a knob. The doors provide less than 32" of clear width with the door open 90 degrees, measured between the face of the door and the opposite stop. See §4.13.5 which requires that doors have a minimum clear opening of 32" with the door open 90 degrees, measured between the face of the door and the opposite stop.

The doors have knob hardware that requires tight grasping and twisting of the wrist contrary to §4.13.9.

The tops of the toilet seats are lower than the 17" to 19" AFF required for an accessible toilet by §4.16.3.

Except for the bath room with the shower stall which has one side grab bar there are no grab bars at the side or rear of the toilets contrary to §4.16.4 and Fig. 29.

The only lavatories are either in a vanity cabinet or are pedestal lavatories so do not provide the knee space under the lavatory required for a front approach by a person using a wheelchair for mobility contrary to §§4.19.2 and 4.19.3.

The faucets on the lavatories require tight grasping, pinching and twisting of the wrist contrary to §§4.20.5 and 4.27.4.

No in-tub seat is provided in the bath tub nor is there a seat at the head end of the tub as required by §4.20.3 and Fig. 33.

There are no grab bars mounted on the walls at the side, foot and head of the tub as required by §4.20.4 and Fig. 34. Nor are there grab bars in the shower stall contrary to §4.21.4 and Fig. 37.

The shower spray unit in the bath tub does not have a hose and it cannot be used both as a fixed head and as a hand-held shower as required by §4.20.6 and Fig. 34. It is a fixed shower head only. The shower spray unit in the shower stall is also only a fixed shower head contrary to §4.21.6 and Fig. 37.

The faucets on the bath tub require tight grasping, pinching and twisting of the wrist contrary to §§4.20.5 and 4.27.4.

7. Doors with Hardware that Requires Tight Grasping, Pinching and Twisting of the Wrist

All interior doors have knob hardware that requires tight grasping, pinching and twisting of the wrist contrary to §4.13.9.

8. Hazards to Persons who are Blind or have Low Vision

There is a wooden box housing the thermostat protruding out more than 4" between 27" and 80" AFF contrary to §4.4.1 and Fig. 8 (a).

9. Pay Phone

The pay phone is located in a corner so does not provide either front or side clear floor space contrary to §4.31.2 and Fig. 44.