



<b>Issue Date</b>	April 2016
<b>Code/Section</b>	2012 IBC, 2010 ADA Design Guidelines, ICC A117.1
<b>Approved:</b>	Mo Glancy, Assistant Director
<b>Developed By:</b>	Larry Walsh Accessibility Technical Lead

**Issue:**

Develop an internal process to create consistency in the handling of ADA complaints received at PDD

For the occasional complaints per ADA Title III and Fair Housing Act for privately owned buildings they should be handled as follows:

1. For complaints regarding projects under construction coordinate with the inspection group for follow-up and resolution.
2. For complaints regarding existing building sites (parking issues and pedestrian routes):
  - a. Often the complaint can be resolved when we state the related ADA code requirements to the customer. (Often customers request features that are not required by ADA Title III such as automatic door operators.)
  - b. If the building was built prior to the ADA (July 1, 1994) we refer the customer to the State and Federal Department of Justice, ADA division, for the customer to understand the requirements of the property owner to “remove barriers as readily achievable” (obligation for upgrading to current ADA requirements as the owner can afford it). City of Phoenix PDD is not the enforcer of ADA “barrier removal” of existing buildings. DOJ can be contacted at 1-800-514-0301.
  - c. If existing accessible features such as accessible parking stalls or accessible parking signs (required when the building was built) were removed then the customer is referred to Neighborhood Services Department (NSD) who enforces the Zoning Ordinance and will assure that the accessible features are restored. Give the customer this phone number 602-262-7884 for assistance.
  - d. On occasion we will get calls from customers about law suits i.e. they are being sued for lack of compliance to the ADA standards. You can refer them to our Records Counter, they can be contacted at 602-262-7800. Explain that if their current conditions match the approved plans on file they should be code compliant. Do not commit as we are not inspecting the site. Give them this number to the Dept. of Justice 1-800-514-0301 for further assistance.
3. For complaints regarding existing building interiors: (See 2 a and b above)

4. For complaints by multifamily tenants requesting accessible accommodations such as parking or bathroom grab bars they are referred to the Housing Division of the City's Equal Opportunity Department (EOD) 602-261-8873. The EOD staff investigate the requests per Fair Housing Act requirements.