

TAB 9

ARCHITECT

CERTIFICATION

EXHIBIT G

EXHIBIT G

South Carolina State Housing Finance and Development Authority Architect and/or Professional Engineer Certification

Development Name: Green Heron # of Residential Buildings 2
of Non-Residential Buildings 1

NOTE: All square footages listed on Exhibit G must match those listed in the tax credit application. All heated and non-heated square footage for the entire development must be included on this form and on any submitted drawings.

Unit Details

	LI/MR	# of Units	BRs	BA's	Heated Sqft	Total HSqft	CP#	CPA	OS#	OSA	Ot#	OtA	Total NHSqft
1	LI	1	1	1	750	750	1	67	1	16	1	66	149
2	LI	19	1	1	750	14,250	19	67	19	20	19	62	2,831
3	LI	2	2	2	936	1,872	2	67	2	16	2	68	302
4	LI	38	2	2	936	35,568	38	67	38	20	38	64	5,738
5	LI	1	3	2	1,100	1,100	1	67	1	16	1	65	148
6	LI	19	3	2	1,100	20,900	19	67	19	16	19	65	2,812
7													
8													
9													
10													
11													
12													
13													
14													
15													
16													
17													
18													
19													
20													
Total Units =		80	Total Residential HSqft =		74,440	Total Residential Non-Heated Sqft =		11,980					

CP = Covered Porches OS = Outside Storage Ot = Other* A = Area

*If Other was selected, please describe: Exterior Wall Thickness

General (not unit specific) Non-Heated Sqft

Common Heated Areas

Type	# of Type	Area	Total Area	Type	Area
Breezeways	2	5,649	11,298	Office Area	215
Clubhouse Ext. Wa	1	789	789	Laundry	253
				Exercise Room	415
				Computer Room	124
				Community Building	349
				Maintenance	439
Total General Non-Heated Sqft =			12,087	Multi-Purpose Room	721
				Total Common Area =	2,516

Total Heated Area: 76,956
Total Non- Heated Area: 24,067
Total Development Area: 101,023

Architect and/or Professional Engineer Certification:

The undersigned certifies to the South Carolina State Housing Finance and Development Authority (SCSHFDA) that:

- (1) the above information is true and correct;
- (2) the development **will be or has been** constructed in accordance with the mandatory design criteria as prescribed in the appropriate SCSHFDA Qualified Allocation Plan and any subsequent clarifying bulletins; and
- (3) the architect and/or professional engineer has reviewed the plans and specifications of the development to ensure that such plans and specifications comply with and the development has been constructed to comply with the accessibility and other requirements of Section 504 of the Rehabilitation Act, the Fair Housing Amendments to the Civil Rights Act of 1968, the American With Disabilities Act, 2010 Americans with Disabilities Act Accessibility Guidelines, local building codes, and any other applicable State or Federal legislation.

The undersigned further certifies that s/he will verify that the construction of the development will meet, at a minimum, the following seven specific requirements based on HUD's Fair Housing Act regulations (24 C.F.R. Part 100 as modified or explained in guidelines, manuals, Q&A's, etc.):

- (1) accessible building entrance on an accessible route,
- (2) accessible and usable public and common use areas,
- (3) usable doors,
- (4) accessible route into and through the covered dwelling unit,
- (5) light switches, electrical outlets, thermostats and other environmental controls in accessible locations,
- (6) reinforced walls for grab bars, and
- (7) usable kitchens and bathrooms.

The undersigned acknowledges that the foregoing certifications will be relied upon by the SCSHFDA and that any misrepresentation, whenever discovered, will result in:

- a) the undersigned and the Developer both being debarred from participation in any Authority administered programs for a minimum of one (1) year and**
- b) the filing of a complaint against the architect/professional engineer with the S.C. Department of Labor, Licensing and Regulation.**

Firm: Steele Group Architects

By: Michael B. Osman

License #: 11618

Its: Member / Manager

Signature: Michael B. Osman

Date: 5/13/2026

EXHIBIT AA
ACCESSIBILITY
CONSULTANT
QUALIFICATIONS
AND
REQUIREMENTS

Exhibit AA

SC Housing Accessibility Consultant Qualifications and Requirements

A Qualified Accessibility Consultant is any individual who possess the required knowledge to inspect multifamily properties for compliance with all federal, state and agency accessibility requirements and meets the following experience requirements and qualifications:

1. The Consultant will perform tasks necessary to review LIHTC and/or other SC Housing federally funded properties for compliance with federal, state, and agency accessibility laws and requirements, including, but not limited to:
 - a. Title II and III of the Americans with Disabilities Act and all applicable compliance standards.
 - b. Section 504 of the Rehabilitation Act of 1973 and all applicable compliance standards.
 - c. The Fair Housing Act and all applicable compliance standards.
 - d. The requirements of the SC Housing Qualified Allocation Plan (QAP) applicable to the Project and the SC Housing Appendix B Development Design Criteria.
 - e. Any other accessibility laws and regulations applicable to the project.
2. Consultant cannot be a member of the Project Team nor have an Identity of Interest with any member of the Project Team.
3. Consultant has the capacity to render a high quality report in accordance with the instructions and requirements set forth in the SC Housing Certification of Minimum Scope and Reporting Standards.
4. Consultant has no less than five (5) years of experience performing accessibility compliance assessments for affordable rental housing projects.
5. Consultant is not presently debarred, suspended, proposed for debarment or suspension, declared ineligible or excluded from participation by any state or federal department, agency, or program.
6. Consultant agrees to comply with all applicable laws, including, but not, limited to federal, state and local laws, codes, regulations, ordinances, rules and orders, including all laws concerning fair housing and equal opportunity that protect individuals and groups against discrimination on the basis of race, color, national origin, religion, disability, familial status, or sex.
7. Consultant agrees to comply with the SC Illegal Immigration Reform Act, Title 8, Chapter 14 of the S.C. Code, and any other applicable state or federal immigration laws. Consultant must be registered with and using E-Verify.
8. Consultant agrees to comply with Drug Free Workplace requirements:
 - a. If Consultant is an individual, he or she must not engage in the unlawful manufacture, sale distribution, dispensation, possession or use of controlled substance or marijuana during the performance of accessibility compliance services.
 - b. If Consultant is an entity other than an individual, the entity certifies that a drug-free workplace will be provided for the Consultant's employees during the performance of accessibility compliance services.
9. Consultant shall carry the minimum insurance coverage as required by current industry standards. The developer who contracts with Consultant will bear the responsibility of verifying the insurance coverage and determining its adequacy.

Qualification Package

The following information must be included with this certification in the order shown and numbered as follows (please scan each document separately):

1. Cover Letter: A cover letter which provides the company name, mailing address, contact name, telephone number, and email address of the individual to whom SC Housing may communicate regarding the Qualifications Package.

2. References: Three current customer references for accessibility reviews must be included. Of special interest to SC Housing are any customer references from multi-family housing developers, state or local housing agencies and/or financial institutions. Please provide the customer reference contact person's name and telephone number.
3. Resumes: Copies of resumes for all proposed individuals who will be working directly on the inspections. (Resumes should include any and all trainings and certifications related to accessibility).
4. Report Samples: At least two samples of accessibility reports (one for new construction, one for substantial rehabilitation) that your firm recently completed for a multi-family housing development.
5. Project List: A listing of multi-family rental housing projects on which the Consultant has performed accessibility reviews. This listing should indicate the project name, number of units, proposed tenancy (senior, family or 'other'), source of financing and whether the project was assisted with government funding.

Minimum Scope and Reporting Standards

The following identifies the minimum accessibility work scope and reporting standards:

Plans and Specification Review Report

Scope: A pre-construction plan and specification review to determine that the proposed construction documents will meet all accessibility requirements.

Reporting: Include the following minimum standards in the report:

1. Identify all applicable federal, state, and agency accessibility laws and requirements.
2. Include the documents reviewed.
3. The review comments from the Consultant, all documents related to resolution of identified accessibility issues.
4. Certification from the Consultant that the plan/spec review comments have been incorporated in the construction documents.

Framing Inspection (and additional needed interim inspections) Report

Scope: An inspection of the construction site after framing is completed to determine that the property is following the approved plans and specifications as to accessibility.

Reporting: Include the following minimum standards in the report:

1. Identify all applicable federal, state, and agency accessibility laws and requirements.
2. Description of the general progress of construction activities.
3. Description of the level of compliance with accessibility achieved to date.
4. Details on all areas of inconsistencies, including areas where the project is out of compliance with federal and state laws and regulations.
5. Recommendations that would bring the project in compliance with accessibility regulations
6. Photographs representative of situations that must be addressed.

Final Inspection Report

Scope: A final inspection of the property after completion of construction to determine that the property has been constructed in accordance with all accessibility requirements. This will include inspection of:

1. All units designated equipped for the mobility impaired (5% of the project unit count).
2. All units designated equipped for the audio/visual impaired (2% of the project unit count).
3. Where applicable, a random sample of 5% of the units required to comply with the Federal Fair Housing Amendments Act.
4. Overall review of the site for accessibility.

Reporting: Include the following minimum standards in the report:

1. Identify all applicable federal, state, and agency accessibility laws and requirements.
2. Information outlined in the Exhibit DD SC Housing Final Accessibility Inspection Checklist.
3. Details on all areas of inconsistencies, including areas where the project is out of compliance with federal and state laws and regulations.
4. Recommendations that would bring the project in compliance with SC Housing, state, federal and industry standards.
5. Photographs representative of situations that must be addressed.

Certificate of Accessibility Compliance

Scope: Following the final report after the general contractor and/or developer has had a reasonable opportunity to correct deficiencies; the Qualified Consultant will confirm that the corrections were executed properly.

Reporting: The consultant must sign Exhibit EE SC Housing Consultant Accessibility Certification and return to the SC Housing Tax Credit Manager at Placed in Service.

NOTE: It is incumbent upon the Qualified Consultant to arrange enough visits with his client, the LIHTC Developer, to observe all areas of accessibility and to verify completion of recommended corrections.

Certification Statement: Consultant agrees to comply with all requirements as stated above.

Company Name: Baker Donelson Bearman Caldwell & Berkowitz, P.C.

Consultant Name: Theresa L. Kitay Phone: 404-443-6745

Signature:  Date: 5/6/2026

BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC

THERESA L. KITAY
SHAREHOLDER
Direct Dial: (404) 443-6745
E-Mail Address: tkitay@bakerdonelson.com

MONARCH PLAZA
SUITE 1600
3414 PEACHTREE ROAD N.E.
ATLANTA, GEORGIA 30326

PHONE: 404.577.6000
FAX: 404.221.6501

www.bakerdonelson.com

May 6, 2026

South Carolina State Housing Finance
& Development Authority (SC Housing)
300-C Outlet Pointe Boulevard
Columbia, SC 29210

RE: 2026 SC Housing Accessibility Consultant Qualifications Package

To Whom It May Concern:

Please accept this SC Housing Accessibility Consultant Qualifications Package pursuant to the 2022 SC Housing Accessibility Consultant Qualifications and Requirements.

The contents of this package included with this cover letter and attached as separate documents are:

1. References for Theresa L. Kitay
2. Resume for Individuals Involved
3. Report Samples
4. Project List

I am the primary point of contact for SC Housing regarding this Qualifications Package, and my contact information is included on this letter.

Very truly yours,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.



BY: Theresa L. Kitay
Encls.

TLKTLK 4923-4972-1001
2616900-015274

References

REFERENCES for THERESA L. KITAY
Attorney at Law
California CASp #645
ICC Certified Accessibility Inspector / Plans Examiner #8029504
APAC-BE

1. Max Kovtoun
Design-Construction Manager | Development
Prestwick Companies
3715 Northside Parkway, NW
Building 200, Suite 175
Atlanta, GA 30327
(470) 925-0270

Prestwick Companies is a multi-state multifamily developer. I have performed accessibility training, plan review, site inspection, and accessibility consultation for this developer for nearly 10 years, including LIHTC and HUD-assisted projects.

2. Mr. Alrich Lynch
Senior Managing Director
LDG Consulting
976 Brady Avenue, Suite 100
Atlanta, GA 30318

LDG Consulting is a real estate advisory consultant group. I have worked with Mr. Lynch for over 15 years on multifamily development, including plan review, site inspection, and accessibility consulting on both LIHTC and market rate developments.

3. Ms. Kelly Manley
Managing Director - Development
The Spectrum Companies
300 South Tryon Street, Suite 200
Charlotte, NC 28202
(704) 338-3212

The Spectrum Companies is a multi-state multifamily developer. My firm has performed plan review, site inspection, and accessibility consultation for this developer on multiple multifamily residential projects.

Personnel Resumes

1. Theresa L. Kitay, Attorney at Law
ICC Certified Accessibility Inspector
California Certified Access Specialist
APAC-BE
2. Ronnie Johnson, Accessibility Inspector
Measured Access, LLC
3. Zachary H. Kitay, Attorney at Law

THERESA L. KITAY
SHAREHOLDER
Direct Dial: (404) 443-6745
E-Mail Address: tkitay@bakerdonelson.com

THERESA L. KITAY
ATTORNEY AT LAW
CA CERTIFIED ACCESSIBILITY SPECIALIST
ICC CERTIFIED ACCESSIBILITY INSPECTOR / PLANS EXAMINER
APAC-BE
2026

PROFESSIONAL EXPERIENCE

Shareholder, Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.

Atlanta, Georgia (from Oak Island, North Carolina)
August 2021-Present

Owner, Theresa L. Kitay, Attorney at Law

Oak Island, North Carolina & Marina Del Rey, California
March 2006-August 2021

Partner, The Law Firm of Coughlin, Kitay & Edelstein, P.C.

Norcross, Georgia & Marina Del Rey, California
March, 1996-February 2006

Private law practice concentrating on defense and preventive representation of the housing industry in all civil rights matters, including fair housing, Section 504, Title VI, and ADA. Clients include many of the leading residential housing providers and public housing authorities in the country.

Representation provided for consultation, conciliation, administrative matters and state and federal court litigation and appeals. Special emphasis on disability and accessibility issues, including compliance with the Fair Housing Act and building code requirements for design and construction of new multifamily housing.

Certified Accessibility Specialist (Casp)

September 2015 (#645)

Certified by State of California, Division of the State Architect, as having given satisfactory demonstration of competence of the laws and regulations mandating non-discriminating access to the built environment by persons with disabilities.

ICC Certified Accessibility Inspector / Plans Examiner

November 2018 (#8029504)

Nationally certified by the International Code Council as having demonstrated knowledge regarding accessibility inspections and accessibility plans examination by successfully completing the prescribed written examination based on codes and standards in effect.

Accessibility Professional Association Certified – Built Environment (APAC-BE)

January 2022 (#0041)

Nationally certified by the APA in knowledge and capabilities of accessibility in the as-built environment.

President, Fair Housing Institute

Norcross, Georgia

March 1996-February 2006; 2017-2018 (Director)

Founding director of private consulting firm providing training and consultation for the housing industry on all civil rights matters, including fair housing, Section 504, Title VI, and ADA. Conduct fair housing training seminars for housing providers, including conventional properties, federally-funded properties, public housing authorities and senior housing communities. Author of fair housing reference materials for the industry. Occasionally served as expert witness on fair housing issues.

Trial Attorney, U.S. Department of Housing and Urban Development,

Atlanta, Georgia, February 1991-February 1996

Litigation, conciliation, and administrative representation of the primary federal agency responsible for enforcement of the federal Fair Housing Act and other federal civil rights enactments relating to the housing industry. Presented first occupancy standard case heard by Administrative Law Judge. Assisted in the investigation of fair housing complaints.

Prepared training programs for HUD litigation and investigative staff nationwide.

Finalist, Federal Employee of the Year (scientific/professional), 1995.

Associate Attorney, Kirwan, Goger, Chesin & Parks, P.C.

Atlanta, Georgia, June 1987-February 1991

Litigation practice concentrating in the representation of private and public sector employees in civil rights matters.

Adjunct Professor of Law, Emory University School of Law

Atlanta, Georgia, September 1994-May 1999

PROFESSIONAL AFFILIATIONS

National Multifamily Housing Council

Southeastern Affordable Housing Management Association National Apartment Association

Atlanta Apartment Association

National Apartment Association (Apartment Association of Greater Los Angeles)

National Apartment Association (Wilmington [NC] Apartment Association)

Georgia Bar Association

California Bar Association

State Bar of North Carolina

North Carolina Bar Association

American Bar Association

Steering Committee Member, Fair Housing and Public Accommodation Subsection - State Bar of California

Board of Advisors, Professional Apartment Manager

Board of Advisors, Fair Housing Coach

Fair Housing Task Force, Atlanta Apartment Association Editor, Fair Housing Advisor

Fair Housing and Accessibility Task Force, National Apartment Association

International Code Council

Certified Accessibility Specialist Institute (CASI)

Accessibility Professional Association (APA) – Appeals Board

PRESENTATIONS, ARTICLES, AND OTHER PUBLICATIONS

Testimony Before the United States House of Representatives On Fair Housing And Accessibility Issues, Available At: <https://www.bakerdonelson.com/>

Webinars (Sponsored):

“Assistance Animals: What Housing Providers Need to Know,” February 2016

“Fair Housing and Parking Accommodation Requests,” June 2017

“Verification of Requests for Reasonable Accommodations,” October 2017

“Setting and Enforcing Occupancy Standards - Avoiding Fair Housing Trouble,” October 2018

“Fair Housing: COVID, Animals, and Crimes,” April 2020

“Assistance Animal Update,” October 2020

Articles:

“Taking Action on Fair Housing Complaints,” *CARH News*, May 1996

“Accommodating Disabled Residents: Your Obligations Under the Law,” *Multifamily Executive*, October 1996

“Address Fair Housing Issues During Design,” *Units*, Nov-Dec 1996

“Companion Animals are Not Pets,” *Apartment Industry Magazine*, April 1997

“Avoiding Fair Housing Litigation,” *Multifamily Executive*, May 1997

“Will your property pass the fair housing test?” and “What happens when a complaint is filed?”, *Abode*, August 1997

“Obeying the Law: Disabilities and Fair Housing,” *Multifamily Executive*, October 1997

Letter to the Editor (clearing up confusion regarding application of Americans with Disabilities Act to housing providers), *Multifamily Executive*, March 1998

“Housing Credit Properties May Have Section 504 Responsibilities,” *The Compliance Monitor*, August 1999

“Designing for the Disabled”, *Journal of Property Management*, March/April 2000

“Providing Equal Access,” *Journal of Housing & Community Development*, September/October 2002

“Accessibility: Build It & They Will Come” (with Nadeen Green), *Units*, May 2004

“7 Features of Accessibility Required by the Fair Housing Act of 1988”, *Units*, May 2004

“Other Accessibility Laws May Apply”, *Units*, May 2004

“Fair Housing at 50,” *Units*, (cover story), April 2018

Guest Columnist:

“Avoiding/Winning Tenant Lawsuits,” *Multi-Housing News*, July 2005

“Passing the Test,” *Units*, October 2005

“Fair Housing at 50: Looking Back to Predict the Future,” *Units*, April 2018

Cited as a significant source in the following articles in *Professional Apartment Manager*:

“New Law Makes It Easier to Set Occupancy Standards Without Discriminating,” July 1996

“Fine-Tune Pool Rules to Avoid Discrimination Lawsuits,” June 1996

“Don’t Base Apartment Charges on Number of Persons,” August 1997

“Get Parents to Control Their Destructive Children,” January 1998

“Avoid Disability Discrimination Claims by Training Leasing Consultants,” December 1999

“Use Written Agreement to Avoid Disputes over Reasonable Modifications,” August 2000

Cited as a significant source in the following articles in *Assisted Housing Management Insider*:

“Avoid Disability Discrimination Claims by Training Leasing Staff,” *Assisted Housing Management Insider*, January 2001

“Follow five rules to Avoid Fair Housing Problems When Getting Prospects’ Photo Ids”, *Assisted Housing Management Insider*, January 2004

Cited as a significant source in the following articles in “*Fair Housing Coach*”:

“Your Office & Fair Housing Law,” *Fair Housing Coach*, August 2004

“Evaluate Your Occupancy Standards to Prevent Discrimination Claims,” *Fair Housing Coach*, November 2018

Cited as a significant source in the following articles in “*Tax Credit Housing Management Insider*”:

“Follow Guidelines for Assistance Animals,” *Tax Credit Housing Management Insider*, April 2010

“Four Key Questions About Section 504 Requirements,” *Tax Credit Housing Management Insider*, August 2010

“Eight Dos and Don’ts for Interviewing Applicants with Disabilities,” *Tax Credit Housing Management Insider*, May 2011

Quoted In:

“Mission from God,” *Multifamily Executive*, September 2008

“Spanos Fallout: IBS Panel Says Expect More, Not Less Fair Housing Suits,” *Multifamily Executive*, March 2010

Other Publications:

Georgia Apartment Law Book; Chapter, “Fair Housing and Accessibility Issues in Multifamily Rental Housing,” 1997, 1999

Testers Welcome! A Program for Fair Housing Success (video); co-wrote and produced with Kathelene Coughlin

Fair Housing Basics; co-produced with Kathelene Coughlin and Fair Housing Institute Online;
online fair housing training program

National Apartment Association, Accessible Construction DVD Training, subject matter expert,
2008

California Fair Housing and Public Accommodations, Chapter 11, “Americans with Disabilities
Act and its Incorporation into California Law”, The Rutter Group, 2014

Emotional Support Animal Toolkit, National Apartment Association, 2022

EDUCATION

Emory University School of Law, Atlanta, Georgia

J.D., with distinction, 1987

Dean’s List

Member of the Board, Emory Law Review

Smith College, Northampton, Massachusetts

A.B., cum laude, 1984 Dean’s List

First Group Scholar

Harvard University Graduate School of Design - Executive Education

“Accessibility: Compliance, Comparisons, and Communications” (16 hours), July 2013

“Housing Accessibility” (16 hours), June 2015

“ADA, ABA, & 504 Access to Public, Private, and Federal Non-Residential Facilities and
Programs” (16 hours), August 2016

“Fair Housing, ADA, ABA, & 504 Access to Housing and Dorms” (8 hours), August 2016

Fair Housing Accessibility First

Fair Housing Act Requirements Webinars, 2019

RONNIE JOHNSON

ACCESSIBILITY INSPECTOR
MEASURED ACCESS LLC

 **P:** 770-296-0804  **E:** Ronniejohnson@truquality.com  **A:** 881 Memorial Drive SE #207
Atlanta, Ga 30316

EXPERTISE

Proficient in ADA compliance inspections, which includes training under the 2010 ADA for Accessible Design, The Fair Housing Act Design Manual, and ANSI Standard & Commentary. Highly skilled with leading multiple Fit & Finish inspections, including team leading and working closely with construction personnel and clients.

WORK EXPERIENCE

- **Fit & Finish Inspector**
Tru-Quality Consulting
2011 - 2020
Working as Fit & Finish inspector.
- **Team Leader and Fit & Finish Inspector**
Tru-Quality Consulting
2015 - 2020
Working as a Fit & Finish inspector. Scheduling, leading teams, and working closely with construction personnel and clients.
- **Accessibility Inspector**
Measuered Access
2020 - Present
Working as an accessibility inspector which includes, scheduling with clients and organizing detailed reporting.

REFERENCE

- **Ron Johnson**
CEO (Retired)
TruQuality, LLC
404-512-4561
- **Terry Kitay**
Shareholder
Baker, Donelson, Bearman,
Caldwell & Berkowitz, PC
770-356-9859

TECHINICAL SKILLS AND LANGUAGES

- **Procore | Construction Management Software**
- **Microsoft Word, Excel, and Adobe Acrobat Pro**
- **Spanish**

ZACHARY H. KITAY

404.695.0158 | zkitay @bakerdonelson.com | Atlanta, GA

PROFESSIONAL SUMMARY

Lawyer and construction manager with diverse practice experience seeking opportunities to deploy legal training and experience in managing and improving products or operations. Ability to analyze wide range of regulatory environments. Driven by challenges that demand a keen eye for detail and nuanced solutions.

PROFESSIONAL EXPERIENCE

Litigation Attorney

July 2023 - Present

Baker Donelson - Atlanta, GA

- Advise design and construction professionals regarding accessibility compliance under the federal Fair Housing Act and state/local building codes.
- Defend clients in administrative proceedings under the federal Fair Housing Act.

Senior Quality Control Manager

October 2022 - March 2023

FourA Constructs - Buena Vista, CO

- Responsible for quality assurance oversight during integration of 80+ contingent workforce at modular manufacturing facility.
- Advised various internal stakeholders regarding building code and accessibility compliance in pre-production phases of both commercial and residential projects.

Project Manager

September 2021 - September 2022

BMarko Structures - Atlanta, GA

- Managed multi-million-dollar projects while coordinating design intent, purchasing, client payments, production scheduling, quality assurance, and transportation of finished products.
- Managed direct reports in design / drafting and purchasing.
- Full responsibility for managing client relationships throughout project life cycle.

Associate Attorney

September 2018 – July 2021

Theresa L. Kitay, Attorney at Law – Atlanta, GA

- Legal advice for architects, developers, contractors and other design and construction professionals regarding accessibility compliance under the federal Fair Housing Act and state / local building codes.
- Conducted 200+ drawing / plan reviews for new multifamily projects to assist with accessibility compliance throughout all phases of design and construction.
- Performed onsite inspections of new and existing multifamily projects / assets to assess compliance with federal, state, and local accessibility requirements.
- Defended clients in administrative proceedings under the federal Fair Housing Act.

Associate Attorney

April 2018 – August 2018

Wesley Firm, LLC – Roswell, GA

- Civil litigation experience in high volume work environment
- Handled various aspects of insurance defense and coverage litigation including drafting pleadings, motions, and discovery requests and responses.

EDUCATION

Georgia State University College of Law – Atlanta, GA

J.D., *cum laude*

Pro Bono Honors with Highest Distinction

University of Georgia – Athens, GA

Bachelor of Arts in History

Sample Reports

**South Carolina
Accessibility Drawing Review – Permit and Pricing Review Set
May 15, 2025**

Prepared for:

By:

BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C.

I have reviewed the permit and pricing set of drawings for _____, a new multi-family (not senior) residential community in _____, South Carolina. My review was to determine the drawings' compliance with the accessibility provisions of the federal Fair Housing Act ("FHA") and, where applicable, the Americans with Disabilities Act ("ADA"). In addition, I have reviewed the drawings for compliance with the South Carolina Building Code, which references ANSI A117.1-2017 for technical standards.

As a tax credit property regulated by the South Carolina State Housing Finance and Development Authority ("HFDA"), 5% of the units will need to provide mobility features, and 2% of the units will need to provide communication features as required by the 2010 ADA Standards for Accessible Design, Section 233, in compliance with HUD's Section 504 Rehabilitation Act regulations. Additionally, the 2024 QAP issued by the HFDA was reviewed to confirm further HFDA compliance.

I have the following comments and observations from my review of the drawings:

I. PUBLIC AND COMMON USE AREAS

1. Parking

The site plan and parking spaces were not provided for review. The FHA requires 2% of each type of parking for residents and their guests, or at least one space, be accessible. The ADA requires at least one accessible space when parking is provided at ADA-covered facilities (i.e. the leasing office), and that one space must be van accessible. The QAP further requires a minimum number of spaces per unit size with at least one accessible parking space per accessible unit along the closest accessible route to that unit.

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2. Accessible Route

- An accessible pedestrian route must connect each covered unit to each type of amenity and the public right of way. No site plan was provided for review to confirm compliance.
- Common area doors must provide an 18” pull side, latch side maneuvering space and 52” perpendicular push side maneuvering space. Confirm that the 18” required maneuvering space is provided in the employee work room (not dimensioned). **Sheet A101.**

3. Employee and Residential Common Areas

A. *Leasing Office Desk*

The leasing office has what appears to be a desk with two seats for prospective residents. Confirm the intended use of this desk as either a “work surface” or (as it appears) a reception desk (sales or service counter). Assuming this is a reception desk not required to be used for “work” (i.e., filling out paperwork) for any member of the public, it should be considered a “sales or service” counter that is required to have at least one 36” long section no higher than 36” AFF for a parallel approach. (No knee and toe space for a forward, pull under approach is required for a sales or service counter, unlike a “work surface,” which is limited to 34” AFF and must have at least one 30” wide knee and toe space for a forward, pull under approach.) **Sheet A101.**

B. *Employee Work Room*

- The work room is an employee common area required to be ADA accessible. A parallel, centered approach is provided at the sink, so no forward approach to the sink is required. The parallel approach shown at the sink is compliant. **Sheet C/ID4.10.**
- Confirm the depth of the sink counter is not more than 24” to allow for an accessible obstructed reach within the accessible reach range to any switches or outlets installed on the back wall over the counter.
- Under the ADA, at least 50% of the shelf storage in the work room kitchenette must be within the 15”-48” AFF accessible reach range, measured linearly. A calculation of the 50% shelf storage (measured linearly) required to be accessible in the work room kitchenette should be provided to confirm compliance.

C. *QAP Common Area Requirements*

- The QAP requires sidewalks and walkways to be 48” minimum wide. These dimensions are not provided to confirm compliance.
- The width of the interior hallways must be 40” minimum. This requirement appears to be met.
- The QAP requires a community multi-purpose room (minimum 800 square feet) with access to ADA compliant restrooms. The QAP further requires a kitchenette, exercise room, computer room, refuse/recycling area, and playground for family developments. The community provides a clubroom (square feet not provided) with nearby restrooms.

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The community also provides a kitchenette in the clubroom, a fitness room, and computer room. **Sheet A101.** No site plan was provided to confirm whether a refuse/recycling area or playground are provided.

- The site amenities must include doors that are half lite or full view commercial grade glass. The Building A doors are not depicted to confirm compliance with this requirement. **Sheet A800.**
- The QAP requires the office and maintenance office to each be at least 200 square feet. These areas are not dimensioned and should be confirmed. **Sheet G201.**

D. Common Area Restrooms – Sheet A101

There is a single user restroom serving the leasing office in Building A that is subject to the ADA. **Sheet A101.** There are also two single user restrooms in Building A across from the clubroom. **Sheet A101.** If both are unisex bathrooms, only one needs to be accessible. Per the QAP, this restroom(s) must also meet the ADA requirements. Interior elevations for the common area restrooms were not provided. Confirm the following in the accessible restrooms:

- The toilet paper dispenser is 7”-9” in front of the toilet bowl, measured to the center of the dispenser.
- The mirror over the lavatory 40” AFF maximum to the bottom of the reflective surface (mirror dimensioned at 41” to bottom, which is not compliant in the restrooms serving the clubroom. **Sheet H, I/ID4.10.** Leasing restroom dimensioned to bottom of mirror and not to bottom of reflective surface. **Sheet D/ID4.10).**
- Flush controls are located on the open side of the water closet.
- A 67” turning space in the accessible restrooms. (the turning space in the restrooms by the clubroom is impeded by the lavatories) **Sheet A1/A101.**

E. Clubroom – Sheet A101

- The kitchenette in the clubroom does not have a conventional range or cooktop. The sink has a centered parallel approach with the counter height at 34” AFF maximum, so the fixed base cabinet shown is compliant. **Sheet K/ID4.10.**
- Confirm the depth of the sink counter is not deeper than 24”, to allow for an accessible obstructed reach within the accessible reach range to any switches or outlets installed on the back wall over the counter in both kitchenettes.
- As common area amenities at an HFDA regulated project, the kitchenette in the clubroom must meet the ADA standards. Under the ADA, at least 50% of the shelf storage in the kitchenette, measured linearly, must be within the 15”-48” AFF accessible reach range. Confirm this requirement is met in the resident kitchenettes.
- Per the QAP, the distance between the island and the back wall in the clubroom must be 42” minimum; confirm that this requirement is met.
- The QAP further requires a kitchenette with a minimum of 6 linear feet of countertop equipped with refrigerator, microwave, sink, and 5 pound fire extinguisher. The

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clubroom kitchenette shows a refrigerator, sink, and what appears to be a microwave in the island. No fire extinguisher is shown; confirm that one will be provided. It appears that 6 linear feet of countertop is provided. **Sheets K/ID4.10, B/ID4.11.**

*F. Seating in Common Areas – **Sheet A101***

At all common area amenities with table seating, 5% of the seating space (or at least one 30” wide seating space) must be accessible. An accessible seating space is at least 30” wide with the table surface no higher than 34” AFF and compliant open knee and toe space for a forward, pull under approach. Additionally, bar seating is a different type of seating and must also have at least one accessible seating space. Confirm at least one accessible table seating space in the following locations:

- Leasing
- Work room
- Computer room
- Clubroom (including bar seating), **Sheet A-B/ID4.11.**

Free-standing table seating is typically part of the furniture specification for the project. Confirm these requirements for accessible table seating are included in the FFE specifications for this project.

G. Mailboxes

HUD’s interpretation of the FHA is that all covered units must have a mailbox located within the ANSI 1986 accessible reach range of 15”-54” AFF. Because there is an elevator in the residential buildings, all units are “covered” and must have mailboxes within the ANSI 1986 15”-54” AFF reach range for FHA compliance. In addition, all mobility accessible unit mailboxes must be located within the ANSI 2017 accessible reach range of 15”-48” AFF. The height of the mailbox locks and the bottom of the parcel boxes are not dimensioned; confirm that they are within the 15”-48” AFF accessible reach range. **Sheet F-G/A-ID4/10.**

H. Storage

If any of the storage areas are intended for resident use, at least some must be accessible, meaning along an accessible route, the door must have a minimum 32” clear opening width with an 18” minimum pull side, latch side maneuvering clearance, a 67” turning space must be provided, and locks must be within the accessible reach range of 15”-48”.

I. Fitness

In addition to a 36” minimum wide accessible route through the fitness center that reaches at least one of each type of equipment or machine, ANSI 2017 also requires a 30” x 52” clear floor space for at least one of each type of equipment or machine to allow for use or transfer. The QAP further requires that a minimum of three low impact cardio machines be provided. The accessible

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route and clear floor space at one of each type of machine is provided. A total of three low impact cardio machines are provided (one bike and two ellipticals). **Sheet ID4.11.** This is sufficient.

J. Computer Room

The QAP requires a computer room with two current, updated computer systems with a high-speed internet connection. Printers and scanners must be provided for each computer. The computer stations must be 34” AFF. The computer stations are dimensioned at 30” AFF, which is a compliant height. **Sheet E/ID4.10.**

K. Cane Detection

Objects that protrude more than 4” into the path of general circulation and have their bottom edges between 27”-80” AFF must provide cane detection. The wall sconces in the hall entry are dimensioned at 3-5/8” deep and are installed at 66” AFF to the center of the light. Confirm that the wall sconces will not protrude more than 4” into the path of general circulation. **Sheets ID2.00, F/ID4.11.** In addition, the television in the clubroom must be recessed so that it does not protrude more than 4” or cane detection must be provided. **Sheet C/ID4.11.**

II. INDIVIDUAL DWELLING UNITS

There are two community buildings, each with an elevator, so each residential dwelling unit is “covered” by the FHA’s requirements for accessibility. All units, therefore, must be compliant FHA / ANSI Type B (referencing ANSI 2017) units. In addition, the SCBC requires 2% of the total units on site be ANSI Type A compliant (also referencing ANSI 2017). And as a tax credit property, 5% of the units will need to provide mobility accessible features, and 2% of the units will need to provide communication accessible features, as required by the 2010 ADA Standards for Accessible Design, Section 233, in compliance with HUD’s regulations under Section 504 of the Rehabilitation Act.

With a total of 100 units, 5 ADA mobility accessible units (that will also meet the requirements for the ANSI Type A units required by the SCBC) are required and 2 ADA communication accessible units must be provided. The mobility and communication accessible features must be provided in separate units.

4. General QAP Unit Requirements

- A studio apartment must have one full bathroom, laundry room, and the bedroom, living area, and kitchen in the same room. The one bedroom apartment must have at least six rooms, including a living area, dining room, full kitchen, one bedroom, one full bathroom, and laundry room (36” minimum depth). The other unit types must have the same rooms with one additional bedroom per type. Three- and four-bedroom units both must also have two bathrooms. The dining rooms are not shown on the unit plans. **Sheets A400-A410.**

- The QAP requires the following heated square feet per bedroom size (measured interior wall to interior wall). The following units are not compliant with this requirement, per **Sheet G000**.

Unit	Minimum	Maximum	Noncompliant units
Studio	500 sq. feet	525 sq. feet	Units E1.0, E1.0A, E1.0H
1 Bedroom	750 sq. feet	840 sq. feet	none
2 Bedroom	850 sq. feet	1,022 sq. feet	Units B1.2, B1.3
3 Bedroom	1,100 sq. feet	1,233 sq. feet	Units C1.0, C1.0A, C1.1, C2.0, C3.0

- The primary bedroom must be at least 144 square feet with other bedrooms 120 minimum square feet (not counting closet space). The unit bedrooms provide sufficient square footage.
- The living room must be 11'6" minimum and 150 square feet minimum. The living rooms appear to meet the minimum length requirement, but this should be confirmed. The following living rooms do not have sufficient square footage:
 - Unit C1.0, **Sheet B3/A405**,
 - Unit C1.0A, **Sheet B1/A405**
 - The living room square footage is not provided to confirm compliance in Units C1.3, **Sheet B1/A407**, Unit C3.0, **Sheet B1/A409**, Unit E1.0, **Sheet B1/A410**, Unit E1.0A, **Sheet B3/A410**.
- The full bathroom must contain a toilet, vanity with sink, and a 32" x 60" gasketed fiberglass tub/shower combination. The unit bathrooms have toilets and sinks. Confirm that at least one bathroom in each FHA / ANSI Type B unit has a 32" x 60" gasketed fiberglass tub/shower combination.
- All units must have a sunroom (70 sq feet minimum), balcony or patio (both 65 sq feet minimum). None of the balconies provided specify the square feet. Additionally, the following units do not show a sunroom, balcony, or patio:
 - Unit A1.1, **Sheet B1/A401**
 - Unit A2.0, **Sheet B3/A401**
 - Unit B1.2, **Sheet B3/A403**
 - Unit B1.3, **Sheet B1/A404**
 - Unit E1.0, **Sheet B1/A410**
 - Unit E1.0A, **Sheet B3/A410**
- Each kitchen plan must specify the following minimum linear footage of countertop that is 36" maximum AFF (excluding the range and sink). Confirm that the linear footage for each unit type is provided as follows in the kitchen:

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Studio	5.0 linear feet minimum
1 Bedroom	8.0 linear feet minimum
2 Bedroom	10.0 linear feet minimum
3 Bedroom	12.0 linear feet minimum

5. Doors

- The FHA and ANSI 2017 require a 32” minimum wide clear opening in the unit entry doors to the FHA / ANSI Type B units, generally provided by a 3’0” door. The interior doors (to rooms deeper than 24”) must provide a nominal 32” minimum wide clear opening, generally provided by a 2’10” door. The QAP further requires all bedroom doors to be 3’0”. The following bedroom doors will not meet the QAP requirement and should be replaced with 3’0” doors:
 - Unit C1.0, **Sheet B3/A405** (master bedroom door)
 - Unit C1.3, **Sheet B1/A407** (master bedroom door)
- The QAP requires closet doors to be 2’6” minimum wide and pantry doors 2’0” minimum wide. If the closet is deeper than 24” (measured interior drywall to interior drywall), the door must provide a nominal 32” minimum opening width clearance, meaning a 2’10” minimum door must be used. Note that the QAP requires that each bedroom must have a 24” minimum deep closet and a 5’ minimum wire shelf and closet rod. The following doors do not provide the required minimum opening width:
 - Unit closet door U09 is 2’0”, which does not meet the QAP requirements. **Sheet A800.**
 - Unit A1.0, **Sheet B3/A400** (closet near laundry is deeper than 24” but tagged with a 2’6” door)
 - Unit A1.1, **Sheet B1/A401** (closet near laundry is deeper than 24” but tagged with a 2’6” door)
 - Unit B1.0, **Sheet B1/A402** (entry closet is deeper than 24” but tagged with a 2’0” door)
 - Unit B1.1, **Sheet B1/A403** (entry closet is deeper than 24” but tagged with a 2’0” door)
 - Unit B1.2, **Sheet B3/A403** (entry closet is deeper than 24” but tagged with a 2’0” door)
 - Unit B1.3, **Sheet B1/A404** (entry closet is deeper than 24” but tagged with a 2’0” door)
- Unit exterior doors must include a peephole (entry door only) and thumb latch/lever style dead bolt. Confirm that this requirement will be met.

6. Accessible Route

A 36” minimum wide accessible route must connect each room in the covered units. Confirm that the minimum 36” wide route is present in the following locations:

- Unit A1.0, **Sheet B3/A400** (between the island and hall closet)
- Unit A1.0A, **Sheet B1/A400** (between the island and hall closet)
- Unit A1.1, **Sheet B1/A401** (between the island and hall closet)
- Unit B1.0, **Sheet B1/A402** (from the kitchen to the living room)
- Unit B1.2, **Sheet B3/A403** (from the kitchen to the living room)

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- Unit B1.1, **Sheet B1/A403** (from the kitchen to the living room)
- Unit B1.3, **Sheet B1/A404** (from the kitchen to the living room)
- Unit C1.3, **Sheet B1/A407** (from the island to the hall closet)

7. **Laundry**

No common laundry room is provided. To comply with the QAP, washers and dryers must be provided in all rental units. The unit laundry closets must be 36” minimum deep (from the back of the door) and must accommodate side by side 30” washers and dryers with a centered, parallel approach. Laundry machines are shown side by side in the unit plans with a centered, parallel approach. Confirm that these machines are provided by the community and that the unit laundry rooms are 36” minimum deep.

8. **Kitchens**

A. Clearance

In a galley-style kitchen (any kitchen not a U-shaped kitchen), the minimum clearance between opposing elements is 42”, measured from whatever protrudes the most. Confirm the presence of the required 42” clearance (not dimensioned) in the following units:

- Unit A1.0, **Sheet B3/A400** (from the refrigerator to the island and from the range to the island)
- Unit A1.0A, **Sheet B1/A400** (from the range to the island)
- Unit A2.0, **Sheet B3/A401** (from the refrigerator to the island and from the range to the island)
- Unit A1.1, **Sheet B1/A401** (from the refrigerator to the island and from the range to the island)
- Unit C1.0, **Sheet B3/A405** (from the refrigerator to the island and from the range to the island)
- Unit C1.0A, **Sheet B1/A405** (from the refrigerator to the island and the range to the island)
- Unit C1.1, **Sheet B3/A406** (from the refrigerator to the island and from the range to the island)
- Unit C1.3, **Sheet B1/A407** (from the refrigerator to the island and from the range to the island)
- Unit C2.0, **Sheet B3/A406** (from the refrigerator to the island and from the range to the island)
- Unit C3.0, **Sheet B1/A409** (from the range to the island)

In a U-shaped kitchen, the minimum clearance between opposing elements is 60”, measured from whatever protrudes the most. Confirm the presence of the required 60” minimum clearance (not dimensioned) in the following units:

- Unit B1.0, **Sheet B1/A402** (from the refrigerator to the dishwasher)

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- Unit B1.2, **Sheet B3/A403** (from the refrigerator to the dishwasher)
- Unit B1.1, **Sheet B1/A403** (from the refrigerator to the dishwasher)
- Unit B1.3, **Sheet B1/A404** (from the refrigerator to the dishwasher)

B. Accessible Outlets

If the clear floor space required for a parallel approach to the back wall of the kitchen must be positioned in front of an appliance that is deeper than the front edge of the adjacent countertops, the reach depth to the back wall is likely greater than the maximum 25-1/2" depth permitted in the units. The protrusion of an appliance, or the presence of an interior corner with a protruding appliance less than 48" from that corner on both sides, can mean that large portions of the kitchen will not allow for accessible standard installation of an outlet or switch on the back wall. For FHA compliance, if sufficient accessible locations for outlets and switches in the kitchen are not available elsewhere, special steps should be taken to decrease the reach depth to outlets and switches in these areas so that they are within the 30" x 48" clear floor space position for a parallel approach, and are not more than a 25-1/2" deep reach from that clear floor space.

For strict ANSI compliance, any uninterrupted span of kitchen countertop that has two or more electrical outlet receptacles mounted over it is required to have no more than one outlet. As typically enforced, however, the ANSI requirement is for at least one accessible outlet over every uninterrupted span of countertop in the kitchen. While some AHJs will permit this issue to be addressed on an "as needed" basis for strict ANSI compliance, many will require the special steps be taken to ensure an accessible location for at least one electrical receptacle over every uninterrupted span of countertop. In addition, the ANSI 2017 exemption for corner countertops that are less than 9 square feet in area can be applied as needed.

There is insufficient counterspace for accessible outlets in the following units:

- Unit B1.0, **Sheet B1/A402** (between the range and the sink)
- Unit B1.0A, **Sheet A3/A402** (between the range and the sink)
- Unit B1.2, **Sheet B3/A403** (between the range and the sink)
- Unit B1.1, **Sheet B1/A403** (between the range and the sink)
- Unit B1.3, **Sheet B1/A404** (between the range and the sink)

9. Water Closet Centerline

- ANSI 2017 provides that when a complying water closet is located next to an obstruction that will not support the later installation of a side wall grab bar, such as a short wall or fixture, the centerline of the water closet must be 18" *minimum* from the side wall. Likewise, the QAP provides that *all* toilets (regardless of whether they are in a Specification B bathroom or not) be 18" minimum from the bathtubs. The water closets are dimensioned at 15" minimum from the sidewall in the Spec A bathroom, which is not compliant. **Sheet B5/A420.**
- Under ANSI 2017, when a complying water closet is located next to a wall that will support the later installation of a side wall grab bar, the centerline of the water closet

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must be 16” – 18” from the side wall. The QAP requires all water closets to be 18” minimum from the sidewall. To comply with both these requirements, if a water closet is located next to a side wall that will support the later installation of grab bars (regardless of whether it is a complying bathroom, it must be 18” *exactly* from the side wall. The water closet centerline is dimensioned as “18” hold”, which is compliant. **Sheet C5/A420.** Care should be taken during construction to ensure that this exact dimension is met.

- The QAP states that the water closet should also be 18” minimum from the vanity. The Specification A and B bathrooms state that the centerline of the water closet to the vanity “varies.” The plans should specify that the water closet centerline be 18” minimum from the vanity. **Sheet B5, C5/A420.**

10. Units with Features of Communication Accessibility

As a tax credit property, 2% of the units will need to provide communication accessible features, as required by the 2010 ADA Standards for Accessible Design, Section 233, in compliance with HUD’s regulations under Section 504 of the Rehabilitation Act. With a total of 100 units, 2 ADA communication accessible units must be provided, and the communication accessible units must be distinct from the mobility accessible units. The QAP also mandates that the communication accessible units must be roughed in for smoke alarms with strobe lights in every bedroom, hallways outside the bathroom, and living area. Additionally, a lighted doorbell button connected to an audible and strobe alarm must be provided in each bathroom, bedroom, and common area.

No units with communication features are identified in the plans. Two must be provided, and the two units must be Type B units.

11. Mobility Accessible Units

Under the SCBC, 2% of the total units on site must be ANSI Type A compliant. As a tax credit property, 5% of the units will need to be compliant with the 2010 ADA Standards for Accessible Design, Section 233. With 100 total units, at least 5 units must provide mobility accessibility. Units that comply with the HFDA mobility accessibility requirements will also meet the ANSI Type A requirements.

Five mobility accessible units are provided, which is a compliant number. **Sheet G000.** Each mobility accessibility unit has a roll-in shower, which is sufficient to meet the HFDA’s roll-in shower requirement. These five mobility accessible units also meet the SCBC’s requirement for 2% of the total units to be compliant ANSI 2017 Type A units.

The following comments are generally applicable to all the individual ADA mobility accessible unit plans:

A. Doors

In the mobility accessible units, the unit entry door and each passage door (to rooms deeper than 24”) must provide a full 32” minimum clear opening width (generally by a 3’0” door) by one

leaf operating independently. The QAP likewise mandates that the unit entry and interior doors be 3'0". The QAP further requires the primary unit entry door at the mobility accessible unit have spring hinges and a peephole at 48" AFF maximum. The following mobility accessible unit doors do not provide the minimum clear opening width:

- Unit A1.0A, **Sheet B1/A400** (hall closet is deeper than 24" but is tagged with a 2'0" door)
- Unit B1.0A, **Sheet A3/A402** (hall closet is deeper than 24" but is tagged with a 2'0" door)
- Unit Type C1.0A, **Sheet B1/A405** (hall closet is deeper than 24" but is tagged with a 2'6" door)
- Confirm that each mobility accessible unit has spring hinges and a 48" AFF maximum peephole in the primary entry door.

B. Turning Space

Each room deeper than 48" in the mobility accessible units must provide a 67" turning space, either by turning circle or t-turn. The turning circle overlaps the lavatory in the following locations:

- Unit Type B1.0A, **Sheet A3/A402** (bathroom)
- Unit Type C1.0A, **Sheet B1/A405** (complying bathroom)

C. Kitchen Storage

Confirm that at least 50% of the kitchen shelf storage, measured linearly, is within the accessible reach range of 15"- 48" AFF in each of the ADA mobility accessible unit kitchens. The drawings do not indicate any calculations of compliance with this requirement in any of the mobility accessible units.

D. Work Surface

In the mobility accessible units, a 34" AFF maximum, 30" minimum wide work surface must be provided (removable base cabinet acceptable). The work surface must be located adjacent to the range. Per the QAP, the work surface must be installed next to the range with no wall on either side. Additionally, the QAP requires that the cabinet above the work surface be 48" maximum AFF to the top of the bottom shelf. These requirements are met in each mobility accessible unit kitchen. **Sheets C4/A430, B4/A431, A1/A431, B2/A432.**

E. Removable Base Cabinets

The kitchen sink and complying bathroom lavatory must provide a forward, pull under approach with sufficient knee and toe space or a removable base cabinet must be provided. No removable base cabinet is designated, and no forward approach is provided to the complying lavatory in any of the mobility accessible units.

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F. Roll-in Shower

The QAP requires all mobility accessible units to have a minimum of one roll-in shower with factory installed grab bars, a level approach, with an additional diverter on the short shower wall in front of the seat, mounted 80” AFF. Each mobility accessibility unit has a roll-in shower,. The shower seat wall is not shown; confirm that an additional 80” AFF diverter is provided. **Sheet D5/A420.**

G. Lavatory Mirror

The mirror above the lavatory in the ADA mobility accessible unit must be 40” AFF maximum to the bottom of the reflective surface. This dimension is not provided. **Sheet D4/A420.**

H. Water Closet Centerline

In the mobility accessible complying bathroom, the water closet must be located 16”-18” from the side wall. The QAP requires all water closets to be 18” minimum from the sidewall. To comply with both these requirements, if a water closet is located next to a side wall (regardless of whether it is a complying bathroom, it must be 18” *exactly* from the side wall. The water closet centerline is dimensioned at 18” exactly, which is compliant, and care should be taken during construction to ensure this exact dimension is attained. **Sheet D5/A420.**

I. Flush Controls

Confirm that the flush controls in the complying bathrooms in the mobility accessible units are on the open side of the water closet (not shown). **Sheet D4/A420.**

I hope this is helpful to you. Please let me know if you have questions or need anything further.

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.

Georgia
Accessibility Drawing Review – CD Set
September 10, 2024

Prepared for:

By:

BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C.

I have reviewed the CD set of drawings for _____ located in _____ Georgia. This is a renovation of an existing three-story multifamily residential elevator building. My review was to determine compliance with the Georgia Access Law (referencing ANSI A117.1-2003 for technical standards) for the entirety of the building. In addition, where applicable for any places of public accommodation, the Americans with Disabilities Act (“ADA”) was included in the review.

I. PUBLIC AND COMMON USE AREAS

1. Common Area Restrooms – Lavatory / Mirror Height

Common area restroom elevations do not include dimensions for the lavatory height and mirror height. **Sheet ID-4.2.** Confirm the rim of lavatory or counter adjacent, whichever is higher, is at a maximum height of 34” AFF. Confirm that the mirror over the lavatory is located at a maximum height of 40” AFF, measured to the bottom of the reflective surface.

2. Wheelchair Accessible Stalls – Door Location

Wheelchair accessible stall doors are required to be located in the front or side partition farthest from the water closet. See figure below. For doors in the front partition, the door opening must be 4” maximum from the side wall / partition opposite the water closet. In the men’s and women’s restrooms on the first floor, the wheelchair accessible stall door is shown next to the

toilet side wall. **Sheet A-2.41.** Moving the door opening to maximum 4” from the opposite side partition would resolve this issue.

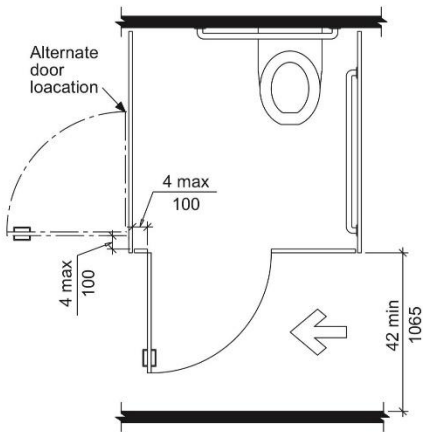


Fig. 604.8.3
Wheelchair Accessible Compartment Doors

3. ADA Restroom Shower

3.1 *Clear Floor Space*

A transfer-type shower is provided in the first-floor single user ADA restroom. Common area transfer-type showers must have a 36” x 48” clear floor space parallel to the shower, starting from the control wall. The clear floor space is intended to be flush with the shower opening. The ADA restroom shower lacks the required 48” long clear floor space starting from the control wall. **Sheet A-2.41** and **Sheet ID-4.1.** The clear floor space will not be flush with the shower opening as required due to the shower being in an alcove. Shifting the shower to be flush with the adjacent wall would resolve this issue by providing the required clear floor space parallel to the shower.

3.2 *Control Location*

Transfer-type shower controls are required to be located between the centerline and open side of the shower. The shower elevations show the controls centered on the control wall, as opposed to offset towards the opening as required. **Sheet ID-4.2 / 3.**

4. Break Room Kitchenette

The break room kitchenette is considered an employee common area subject to the ADA. The 2010 ADA Standards require at least 50% of the shelf storage space in kitchenettes (measured linearly) to be located within the accessible reach range of 15” – 48” AFF. The current configuration of the storage in the break room kitchenette does not appear to meet this standard (upper shelving dimensioned at 54” AFF). **Sheet ID-4.3 / 3.**

5. Accessible Seating

Where table seating is provided in common areas / amenity spaces at least 5% (or at least one table) needs to be accessible. Accessible table seating consists of a maximum surface height of 34” AFF with complying knee and toe space for a forward, pull under approach. Confirm at least some accessible seating is provided in each common area / amenity space table seating is present. **Sheet L-1.1.**

II. INDIVIDUAL DWELLING UNITS

Because this is a pre-1991 existing building, the Fair Housing Act’s accessibility requirements do not apply. The Georgia Access law requires that 2% of the total units (including existing units in a permitted renovation) be complying ANSI Type A units. With 46 total units, one ANSI Type A unit is required. One ANSI Type A unit is provided, which is a complying number.

6. Unit 1B-4 ANSI Type A

6.1 *Bathroom Mirror Height*

Mirrors in the complying bathroom of an ANSI Type A unit must be no higher than 40” AFF, measured to the bottom of the reflective surface. Confirm the ANSI Type A unit bathroom mirrors will be no higher than 40” AFF (not dimensioned). **Sheet A-4.24.**

6.2 *Grab Bars – Keynote 11-14*

Keynote 11-14 indicates grab bars are to be installed at the toilet and bathing fixture in ANSI Type A units. **Sheet A-4.24.** Note that grab bars are not required to be installed at the time of construction in ANSI Type A units (only required upon resident request, as in FHA / ANSI Type B units). There is no issue with providing complying grab bars from construction, if desired.

I hope this is helpful to you. Please let me know if you have questions or need anything further.

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.

Project List

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PROJECT LIST

The following is a sampling of projects for which the firm has performed plan reviews, site inspections, or both within the last twelve months:

Durham Trinity Park – Durham, NC
267 units, general occupancy, private financing

Lincoln Apartments - New Haven, IN
240 units, general occupancy, private financing

Edmund Doraville – Doraville, GA
68 units, senior housing, LIHTC

Worthing Lawrenceville – Lawrenceville, GA
305 units, general occupancy, private financing

Tranquil Trails – Stockbridge, GA
318 units, general occupancy, private financing

University Gardens – Gainesville, Florida
253 units, general occupancy, private financing

Vitruvian Park Block 303 – Addison, TX
404 units, general occupancy, private financing

Declan Hermitage – Hermitage, TN
315 units, general occupancy, private financing

Choate Circle – NC
348 units, general occupancy, private financing

Crown Point Commons – Mathews, NC
112 units, general occupancy, private financing

Converse and Kennedy Street – SC
48 units, general occupancy, LIHTC

Central Avenue – Charlotte, NC
370 units, general occupancy, private financing

Mauldin Road – Greenville, SC
256 units, general occupancy, private financing

Aria Bradenton – Bradenton, FL
232 units, general occupancy, private financing

Broadstone Bellevue – Bellevue, WA
304 units, general occupancy, privately financing

Laguna College of Arts & Design – Laguna Beach, CA
186 units, student housing (including ADA transient), federally funded

Indigo – Orangeburg, SC
40 units, general occupancy, LIHTC

The Alliance – Laurens Road – Greenville, SC
100 units, general occupancy, LIHTC

Wheeler Apartments – Oklahoma City, OK
199 units, general occupancy, private financing

Parkside at Butler II – Mauldin, South Carolina
80 units, senior housing, LIHTC