

U.S. Justice Department Issues Final Rules on ADA Standards

The U. S. Department of Justice (DOJ) has amended its regulations implementing Title III of the Americans with Disabilities Act (ADA), which applies to commercial buildings and public accommodations. This is the first comprehensive revision since the 1991 *ADA Accessibility Guidelines* (ADAAG) went into effect.

In making this long-anticipated change to the ADA regulations, DOJ adopted standards contained in the U.S. Access Board's 2004 *ADA/ABA Accessibility Guidelines* impacting a broad array of commercial building types. The new standards address a variety of building elements, including new requirements for restrooms, reach ranges, sales and service counters, employee work spaces, telephones and stairways. The revised rules also impact power-driven mobility devices such as Segways, communication services such as remote interpreting of video conferencing, and lodging reservation systems.

BOMA and its industry coalition partners, including the Self Storage Association (SSA), were successful in securing major concessions in the revised regulations for the

commercial real estate industry on the two major issues that facilitate a less problematic and more cost-effective transition to the new rules.

The first is a broad "grandfather" clause that exempts all building elements that were constructed or altered in compliance with the 1991 rules. This grandfather exemption is in effect until those elements are subject to a planned alteration and also applies to the "path of travel" to an altered area. The second is the inclusion of a reasonable time within which to comply with the new rules. The revised regulations do not become effective until six months after July 27, 2010 but are not mandatory for new construction and alterations and barrier removal until 18 months after publication. During the period from late January, 2011 and January 2012, projects may be designed and constructed in compliance with the current ADAAG (1991 regulations) or the revised 2010 regulations.

More information on the new ADA standards and any affect on the self storage industry will be released in the near future. ❖



LOCKE Acquisition Group
Expert Transaction Advisors

We Get Deals Done
Regardless of the Economic Environment

- \$45 million closed in 2010
- \$40 million closed in 2009
- \$200 million closed in 2008

Call today to discuss your property or the current state of the industry

Call: (716) 633-3271

www.lockeacquisition.com