Accessible design and construction of multifamily dwellings is the Law under the Fair Housing Act.

The Virginia Fair Housing Office
3600 West Broad Street
Fifth Floor
Richmond, Virginia 23230

If your multifamily housing isn't accessible under the Fair Housing Amendments Act of 1988, you could be liable for civil fines of up to $50,000.

Mother of 3.
PhD in Economics.
Can’t get into her own home.

Fair Housing Amendments Act requirements for multifamily dwellings.
What is the Fair Housing Amendments Act?

As a general overview, the Fair Housing Amendments Act of 1988 prohibits discrimination on the basis of race, color, religion, sex, handicap, familial status or national origin in the sale, rental, and financing of dwellings. Virginia’s law also prohibits discrimination on the basis of elderliness, which applies to anyone over 55.

More specifically, the 1988 Amendments also establish certain accessibility requirements in the design and construction of multifamily housing built for first occupancy on or after March 13, 1991. Covered multifamily dwellings are buildings that consist of four or more dwelling units — including apartments, condominiums, single-story townhouses, vacation time-sharing properties and other residential buildings.

Who must comply with the law?

Anyone involved in the design or construction of multifamily homes must adhere to specific features of accessible design as stated in the Fair Housing Amendments Act. Such individuals include:

- Architects
- Builders
- Building contractors
- Site engineers
- Any other person(s) involved in the design and construction of residential multifamily housing

What other requirements could apply?

In some instances, state and local laws require multifamily dwellings to be designed and constructed in a manner that affords persons with disabilities greater accessibility than the requirements of the Fair Housing Amendments Act. Further, the Fair Housing Amendments Act does not invalidate these laws. In addition, other Federal laws that require greater accessibility in certain housing are not invalidated or replaced by the Fair Housing Amendments Act. Two examples of these Federal laws include:


The economic consequences of non-compliance.

When the law has been violated, a judge’s relief order may include actual and compensatory damages, as well as attorneys’ fees and costs. In addition, civil penalties can range from $10,000 to $50,000. Structural changes may even be ordered in the case of buildings that have already been completed.

Where to get more information.

For more detailed design and construction requirements for multifamily housing, contact:

The Fair Housing Information Clearing House  
1-800-343-3442 • TTY/TDD: 1-800-290-1617

The Department of Housing and Urban Development (HUD)  
1-800-343-3442
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Sometimes, the distance between your design and the right design is this small.

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