

PURCHASING AN EXISTING BUILDING?

There are many facilities in our great State which did not have an emphasis on TAS compliance when constructed. It's kind of like buying a used car—you don't want someone else's problem. Always keep in mind that it is the responsibility of the **owner** to comply, whether you built it or bought it.

It's a great idea to ask the prospective seller for an accessibility compliance certificate when dealing with facilities constructed after September 1, 1993.

REMODELING AN EXISTING BUILDING?

Alterations performed on subject buildings and/or facilities must comply with the Act (i.e. plans must be reviewed and final work inspected), as applicable. In general, whatever is being altered (or added) must comply as if it were new construction. In addition, existing accessible routes, parking, restrooms, telephones, and drinking fountains servicing the altered (or modified) areas must also be brought into compliance.

WHAT HAPPENS IF I DON'T REGISTER MY FACILITY?

If the facility is subject to the Act, then an immediate registration of the facility will be required with "late fees" and/or administrative penalties potentially assessed by TDLR.

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TEXAS ACCESSIBILITY STANDARDS AND YOU

General Information for those:

- *Building a new facility*
- *Remodeling an existing facility*
- *Buying an existing facility*



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INTRODUCTION

By now everyone has heard of the Americans with Disabilities Act of 1990. Its effects can be seen everywhere from the local mall to your place of work.

Many of us, however, did not know that the State of Texas has implemented their own accessibility law—the **Texas Architectural Barriers Act** was first adopted by the state legislature in 1969.

Compliance with the Texas Architectural Barriers Act is administered by the Texas Department of Licensing and Regulation (**TDLR**).

PLANNING ON A NEW BUILDING (or remodeling an existing one)?

Subject facilities with an estimated construction cost of \$50,000 or more must be submitted for TDLR compliance review and inspection.

Often referred to as **TAS Reviews** or **TAS Inspections** as they predominately review for compliance with the **Texas Accessibility Standards (TAS)**, they are independent of local municipal building permit reviews and inspections.

Coordinating TAS reviews and inspections early on will make the development process much smoother.

TAS PLAN REVIEWS

State law requires that applicable building/facility construction plans be submitted for compliance review. Responsibility for submitting construction documents lies with architects, engineers, interior designers and landscape architects. **In the absence of a registered design professional, the owner is responsible.**

While TAS plan reviews are independent of building permit reviews conducted by your local municipality, state law prohibits municipalities from accepting building permit applications without proof of TAS plan review submittal (*effective June 17, 2001*).

TAS INSPECTIONS

Buildings and facilities required to comply are subject to an on-site inspection after construction is complete. **Inspections are not associated with the certificate of occupancy issued by your local municipality. It is totally independent and will most likely occur many months after you are open for business.**

Failure on the part of a building owner to comply may result in administrative penalties not to exceed \$5,000 for each violation, per day, to the owner (not the engineer, architect, contractor, etc.).

It is becoming more common for facility owners/developers to withhold partial payment from their contractor until certification is achieved.

WE CAN HELP !!!

TDLR plan reviews and inspections are third party services. In that capacity, no reviewer/inspector is truly a “consultant” as we are working on behalf of the Texas Department of Licensing and Regulation when performing these tasks.

When looking for a reviewer/inspector, the defining factors should be commentary quality, turn around time, and professional service. Our firm prides itself on our professionalism, quality, and response time.

Whether your development encompasses a small office building to a large shopping mall, we can help. Our experience includes work on multi-story professional buildings, restaurants, dental offices, even public school building alterations. No matter what sort of development is on your horizon, ADA Consulting Group, Inc. can be of assistance.

Our firm provides the following schedule of services:

1. **TDLR Plan Reviews**
2. **TDLR Inspections**
3. **Variance Applications**
4. **General Consulting**
5. **Custom Seminars**

We can be reached via:

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