

MAINTENANCE MATTERS



Managing Accessibility for Multi-Family Properties in British Columbia

Property owners are tasked with an obligation to ensure maintenance and safety are managed in a timely manner. Changes in weather conditions, failed building and operating systems, upgrades and renovations that do not consider accessibility, may all adversely impact accessibility, health and safety.

Physical, sensory, cognitive, audible or mental health related disabilities will at some time affect everyone and their families.

Every community must be open to requests, feedback, and the process of consultation with residents experiencing accessibility barriers.

- ▶ Many building entries, access systems, elevators, lifts, doorway designs and mechanisms, lighting, and switching systems do not meet adequate standards.
- ▶ Insufficient indoor air quality, including temperature, chemicals used in cleaning and renovations, exhaust systems that are not operational or insufficient, may create respiratory reactions.
- ▶ Governance bylaws that prohibit alterations to entry doors create a barrier for persons with cognitive conditions.
- ▶ Audible nuisance and failures compound a persons entitled use and enjoyment of their homes.



Maintenance Matters

This series of bulletins and companion videos is designed to provide practical information on maintaining residential buildings. Produced by BC Housing, this bulletin was prepared by *Condominium Home Owners Association of BC*, with research and collaboration from *Laura Pinchbeck* – Universal Design Researcher and Doctoral Student, University of Alberta and Human Ecologist and Accessibility Accessor, *Research into Design*.

This summary is an introduction to accessibility management to help develop a consultative process within your community. It aims to begin an evaluation and planning process to improve accessibility and identify limitations with your operating systems and governance that restrict or limit accessibility.

KEY FEATURES

When property owners and managers are planning for renewals and maintenance to multi-unit residential buildings in British Columbia, accessibility needs are an important and essential consideration. Following are some key features of this guide:

- ▶ Overview of legal responsibilities to accommodate special requests for accessibility and alterations.
- ▶ A planning process for improving accessibility and accommodations in your building.
- ▶ Resource list for other information sources.

Understanding Disabilities

People **may** be disabled in more than one way. A person may have a chronic illness or have sensitivities and allergies. Others may have physical, sensory, cognitive, audible, or mental health related disabilities. Conditions for accessibility and accommodations for occupants will change over time and there needs to be planning for residents to remain in their home, safely and comfortably for longer periods of time. The following definitions provide further clarification to understanding disabilities:

Definitions

- **Disability:** Any impairments, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation whether permanent, temporary, or episodic or situational in nature or evident or not, that in interaction with a barrier hinders a person's full and equal participation in society.
- **Barrier:** Anything that hinders the full and equal participation of people with disabilities. Barriers can be caused by environments, attitudes, practices, policies, information, communication, or technologies.
- **Accommodations / Barrier-free:** The removal of physical, societal, systemic and policy barriers from the built and natural environment for people with disabilities.
- **Accessible:** Focuses on building design features to increase inclusivity, responding to the lived experiences of people with disabilities.

“Property owners must be prepared to accommodate requests up to a point of undue hardship to the collective owners in a multi-family setting.”

BC Human Rights Tribunal

“The goal of human rights legislation is transformative. It is intended to foster an equitable society... Likewise accommodation is the process of fine tuning society so that its structures and assumptions do not result in the relegation and banishment of disabled persons from participation, which results in discrimination against them.”

BC Human Rights Tribunal: Biggings v Pink, access to a rental unit



NOTHING FOR US WITHOUT US

Nothing for us without us is an essential understanding of the lived experiences of persons with disabilities and their families. Identifying the many classifications of barriers that challenge safe access to residences and common facilities is a beginning in the development of safe spaces for all. Direct engagement and consultation with residents with disabilities is essential in the planning and review process.

Did you know?

- Close to 25 percent of BC's population over the age of 15 are disabled.¹
- Under our *Human Rights Code*, all British Columbians have the right to access housing free from barriers and discrimination.
- The lack of proper design to consider the diversity of human needs creates a barrier. Incorporating accessible building features helps in removing this barrier.
- In addition to building features, air quality, noise, seasonal weather conditions and other environmental factors can present barriers for people with disabilities, those suffering from chronic illnesses and our aging population. Planning for improving accessibility as part your building upgrades will assist in removing these barrier.

What are the legal responsibilities?

It is important to consider the legal obligations of accommodation requests. While the Accessible British Columbia Act was passed in June 2021 with the intention that public spaces are accessible, accommodation for individual residential units must also be considered. For accommodation requests, the Human Rights Code may override other provincial laws.



Nothing for us without us is an essential understanding of the lived experiences of persons with disabilities and their families.

¹ Canadian Survey on Disability 2017 (as cited with Learning Disabilities Association of Canada (ldac.acta.ca)).

A KEY TO TRANSFORMATION: A successful planning process to manage accessibility

These guidelines can be applied to different building types including townhouses, single family dwellings, mid and high-rise residential buildings. Property owners and managers are provided with a roadmap that outlines the steps to improving accessibility and accommodation in and around the building including:



1. Gathering background information from agencies and governing sources responsible for accessibility and accommodations.
2. Developing a list of property and building conditions that pose accessibility barriers.
3. Consult with occupational support persons to identify potential barriers to accessibility and include a consultative process of the residents in your community.
4. Prioritize the work for achievable short-term and longer-term projects.
5. Monitoring and updating the plan annually or as required.

How to get started

1. Gather background information:
 - Does the strata corporation have requests from residents for accommodations? Conduct an informal survey of residents to gather feedback on current restrictions and future accessibility needs.
 - Research local governing authorities on covenants, bylaws and policies for accessibility.
 - Confirm all Building Code requirements for the possible upgrades under consideration.
2. Develop a list of building and property features:
 - List all building and property features within and around the building where potential accessibility barriers exist or can be improved (e.g., parking, elevators, building entrance, landscaping, etc.). Refer to the checklists at the end of this guide for suggestions on what to review in terms of building features and possible accommodations.
3. Identify potential barriers to accessibility & engage residents:
 - Within each of the building or property features, list possible barriers to accessibility (e.g. does the building entrance have a ramp; does the elevator have flooring that is easy for mobility devices to roll on?).



4. Make a plan; identify short-term and longer-term projects:
- Are there some quick wins that are relatively easy to upgrade and will meet local regulations and Building Code standards?
 - What are longer-term upgrades that can be planned and budgeted for down the road? Not everything can be done immediately. Plan, budget and prioritize as part of the overall maintenance and renewals strategy for your building.



Planning for building upgrades that include HVAC replacement presents an opportunity to improve conditions for those suffering with chronic illnesses affected by air quality.

5. Continue to monitor and update the plan annually:
- As projects are completed, update the plan.
 - Continuously check-in with governing authorities on any updated guidelines or regulations for accessibility.
 - Create a formal feedback process for residents to provide input on accessibility requirements.
 - Monitor the building and surrounding property for any additional barriers to accessibility and build these into the plan.

Begin with short-term, easier upgrades

As you start to assess your building and surrounding property for potential barriers to accessibility, identify any building upgrades, modifications or maintenance requirements that can be completed in the short-term.

- ▶ Trim overgrown trees and shrubs that currently obstruct views and access to the building
- ▶ Repair broken sidewalks
- ▶ Replace lighting fixtures for improved visibility
- ▶ Replace the number address of the building so it is easily identified upon approach
- ▶ Plan for extreme weather conditions. Ensure there is a seasonal maintenance plan in place to clear entry paths of ice, snow, leaves, gravel, or other debris

Cold weather conditions that result in snow accumulations, icing, heavy rain and water pooling are significant hazards for any person with a disability. It is essential for strata corporations and property owners to proactively maintain the building exterior and grounds for the safe access of all residents and visitors.

Identifying barriers to accessibility in parking, elevators, and the main building entrance

While there are many areas within and around your building that will be reviewed and assessed for barriers to accessibility, we begin with three possible areas – parking, elevators, and the main building entrance as examples for starting the planning process for your building.

Parking

Accessible parking spaces, located within underground parkades or at street level, have specific features to accommodate people using wheelchairs or other mobility devices when they are transferring in and out of a vehicle. Where parking is designated for exclusive use, a property owner such as a strata corporation, may not have the flexibility to reallocate property to accommodate persons with disabilities.

Some key features that make parking accessible include:

- ▶ Easy to find location
- ▶ Well lighted area
- ▶ Adjacent dedicated access aisles
- ▶ Identification and signage
- ▶ Clearly marked lines
- ▶ Stable, level and slip-resistant parking surfaces
- ▶ Connection to accessible paths of travel, including access to a sidewalk via a curb cut
- ▶ Protection from outdoor elements

How does your building compare?

There are many other features that can be incorporated into the design for accessible parking. See Appendix D – Checklist for Accessible Parking which includes more information and guidance to getting started. Assess the current situation of your building for any barriers and start to develop a plan. As always, check with local governing authorities on covenants, bylaws and policies for accessibility.



Elevators

Elevators are an important building component that assist people with disabilities to access floors of the building. Ideally, elevators are located near accessible stairs or ramps so that occupants have options for easy movement throughout the building.

There are many features that are part of an accessible elevator design. Some highlights are listed below:

- Easy to find, central location
- Clear identification and signage
- Barrier-free access route
- Easy to use call buttons or call system
- Elevator door opening accommodates wheelchairs or other mobility devices
- Flooring that is firm, slip-resistant, and easy for mobility devices to roll on
- Two-way, hands-free emergency communication in the elevator cars
- Well lighted areas – inside the elevator and at the elevator lobby

How does your building compare?

Further guidance on the design or upgrades for accessible elevators in your building can be found in Appendix E – Checklist for Accessible Elevators. Review and assess the current situation of your building and start developing a plan. Be sure to check with local governing authorities on covenants, bylaws and policies for accessibility.



Main Building Entrance

A well maintained and accessible entrance is an important component of a building. This is the main point of entry for people with disabilities which includes the route from the street level or other public space to the front door of the building. Sufficient lighting in public areas is critical to ensure persons with visual disabilities can access entries, corridors, facilities and services.

Some features of an accessible building entrance include:

- ▶ Entrance is clearly visible from the rest of the building
- ▶ Number address of the building is easily identified upon approach
- ▶ A ramp is available to access the main entrance
- ▶ Connection to accessible paths of travel, including access to a sidewalk
- ▶ Entrance is well maintained from seasonal elements as well as debris, cracks, and holes on the pavement or other surfaces
- ▶ Adequate lighting on the route to the main entrance and at the main entrance
- ▶ Protection from outdoor elements, such as an overhang structure over the entrance
- ▶ Enterphone systems are at accessible heights and sight impaired equipped with either voice activated or keypad braille buttons.

How does your building compare?

When considering the design and any upgrades for an accessible main entrance, refer to Appendix C – Checklist for an Accessible Main Building Entrance. It will help you evaluate the current situation in your building. Check with local governing authorities for the bylaws and covenants required for your building.

A ramp itself may not necessarily be safe or accessible. The grade, safety rails, turn areas and rest platforms, lighting and access to the ramp are all important parts of functional safe ramp.

What to check for before deciding on a course of action:

- ☐ Confirm all Building Code requirements
- ☐ Check on the bylaws and covenants specific to your municipality/district
- ☐ Hire qualified consultants and contractors that have expertise in developing functionally inclusive/ accessible environments
- ☐ Determine what maintenance is required after the job is done

More Information:

- Accessible British Columbia Act, visit www2.gov.bc.ca
- Americans with Disabilities Act (ADA), visit www.ada.gov
- BC Housing, visit www.bchousing.org
- BC Human Rights Code visit www.bclaws.gov.bc.ca
- Canadian Mortgage and Housing Corporation (Accessibility and Seniors): www.cmhc-schl.gc.ca/en
- Centre for Accessible Environments: www.cae.org.uk
- Centre for Excellence in Universal Design: www.universaldesign.ie
- Center for Inclusive Design and Environmental Access, University of Buffalo: <https://idea.ap.buffalo.edu/>
- Condominium Home Owners Association (CHOA), visit www.choa.bc.ca
- Home Modification Resources: www.homemods.info/
- SAFERhome Standards Society, visit www.saferhomestandards.com
- Review your building's maintenance manual.

List of Appendices

Please visit the CHOA website – www.choa.bc.ca – to access the following checklists:

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| A. Checklist for Accessible Landscaping and Outdoor Signage | K. Checklist for Accessible Washrooms in Common Areas |
| B. Checklist for Accessible Outdoor Seating and Amenities | L. Checklist for Accessible Seating in Indoor Common Areas |
| C. Checklist for an Accessible Main Building Entrance | M. Checklist for Accessible Signs and Signage |
| D. Checklist for Accessible Parking | N. Checklist for Preventing Noise |
| E. Checklist for Accessible Elevators | O. Checklist for Controlling Indoor Air Quality |
| F. Checklist for Accessible Stairs (Indoor and Outdoor) | P. Checklist for Lighting |
| G. Checklist for Accessible Ramps (Indoor and Outdoor) | Q. Checklist for Accessible Interior Common Amenities |
| H. Checklist for Handrails for Stairs, Ramps and Corridors | R. Checklist for Accessible Doors |
| I. Checklist for Accessible Indoor Surfaces | S. Checklist for Accessible Corridors and Lobbies |
| J. Checklist for Accessible Residential Dwelling Units | T. Checklist for Guidelines for Clear Paths of Travel for Accessibility |
| | U. Checklist for Accessible Building Controls |

Notice to Readers

This bulletin is intended to provide readers with general information only. Issues and problems related to buildings and construction are complicated and may have a variety of causes. Readers are urged not to rely simply on this bulletin and to consult with appropriate and reputable professionals and construction specialists before taking any specific action. The authors, contributors, funders, and publishers assume no liability for the accuracy of the statements made or for any damage, loss, injury or expense that may be incurred or suffered as a result of the use of or reliance on the contents of this bulletin. The views expressed do not necessarily represent those of individual contributors or BC Housing. The regulations under the Homeowner Protection Act contain specific provisions requiring owners to mitigate and restrict damage to their homes and permitting warranty providers to exclude coverage for damage caused or made worse by negligent or improper maintenance. These apply to both new and building envelope renovated homes covered by home warranty insurance. Failure to carry out proper maintenance or carrying out improper maintenance either yourself or through qualified or unqualified personnel may negatively affect your warranty coverage. It is important for the property owner to read and review their warranty documents to understand how to file any claims and correspondence in the proper written form directly with the warranty company. Refer to your home warranty insurance documentation or contact your warranty insurance provider for more information.

We gratefully acknowledge all people facing accessibility barriers, who have responded to the surveys and have participated so diligently throughout this process.

About BC Housing's Research Centre

BC Housing's Research Centre collaborates with industry, non-profit, and public sector partners to foster excellence, innovation, and affordability in British Columbia's housing sector. We share leading-edge research, advance science and technologies to encourage best practices, and provide data analysis to understand and find solutions to housing issues across the province. The Research Centre identifies and bridges research gaps in the following topic areas: populations & communities, built environment & design, sustainable & resilient housing, housing assistance & policy, housing & wellbeing. Mobilizing knowledge and research expertise accelerates innovation and facilitates the adoption of new housing models, building methods, and standards. Housing studies and program evaluations drive policy changes and support access to affordable housing in British Columbia. Sign up to receive the latest news and updates from BC Housing's Research Centre at www.bchousing.org/subscribe.