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To: OHFA Design and Architectural Standards; Arch, OHFA
Cc: Sutter, Matthew
Subject: Comments on draft 2027 DAS

Community Housing Network has utilized Ohio Housing Finance Agency's (OHFA) multifamily housing program financing for more than two decades to develop housing for persons with disabilities and extremely low-incomes, many of whom have experienced homelessness. CHN has been a witness to and a participant in the process of creating housing policy for Ohio through OHFA's public comment process. We are grateful to once again be invited to offer comments specific to the Draft 2027 Design and Architectural Standards (2027 DAS).

CHN participated in two stakeholders' meetings that OHFA hosted to offer perspectives on the current DAS. Our understanding was that the 2027 DAS would be generated with the input of those who are experiencing the impact of these standards. During the stakeholders' meetings, CHN heard themes that were in alignment with its experience with the current DAS and we were hopeful that the comments would lead to significant changes in the 2027 DAS. Some of the themes included that the DAS created standards that were above and beyond building code, surpassed sustainability requirements, exceeded accessibility requirements and that these excessive standards were adding significant costs and challenges to developers, builders, and property management. These challenges are exacerbated by a sagging LIHTC market and Federal resources being tied to Build America Buy America obligations, making it more difficult to deliver the affordable housing that Ohioans are eager to see in their communities.

The Draft 2027 DAS did make some changes to the current DAS, including deletion of the Operations & Maintenance Manual requirement. CHN appreciates these changes and does believe that these changes are improvements; however, CHN would encourage OHFA staff to go further in making changes in the 2027 DAS based on the feedback provided by industry practitioners. Broadly speaking, many of the themes expressed in the meetings were not addressed adequately in the Draft 2027 DAS.

Recognizing that OHFA is attempting to address many different voices in the discussion, we would like to provide specific targeted comments to the Draft 2027 DAS. CHN hopes that despite the 2027 DAS going to the Multifamily Committee of OHFA's Board on June 11 (before the public comment period is concluded) these comments will be considered as OHFA revises the 2027 DAS.

Specifically, CHN's primary concern with the Draft 2027 DAS is the addition of "Additional Features for 504 Mobility Units" table on page 11. As currently written in the Draft 2027 DAS, every project, both new construction and rehab, will be required to include these components. Many of these items are expensive, duplicate less costly alternatives, and may be considered excessive to the public. The expense of these additional features would add both construction and ongoing maintenance costs. For example, CHN has obtained construction costs for Column A2:

Additional elevator	\$276,000
Perm generator to power elevator	\$285,000
Playground	Not priced, as CHN serves adult populations, and therefore not an option for our projects
Casement Windows	\$75,000

Elevators, generators, and casement windows (which typically open with a crank handle) all add significant maintenance costs.

CHN believes that other elements of the “Additional Features for 504 Mobility Units”, including Columns A1, B, and C, are also problematic and expensive and should be reviewed with a clear standard related to cost increases that are acceptable for this purpose.

CHN has many residents who are physically impaired and we recognized that the majority of the accessibility standards in Section 504 have had broad benefits to both those who are abled bodied and those who have different abilities physically. CHN also knows that there are limits on the resources currently available for creating affordable housing and having standards that go above and beyond Section 504 should be balanced with the desperate need for additional affordable housing. The draft 2027 DAS already exceeds the requirements for Section 504 mobility requirements. For example:

1. The 2027 DAS requires that 10% of the units must meet accessibility requirements while HUD (Section 504) only requires 5% of the units must meet accessibility requirements.
2. Universal Design features that enhance the livability of impaired individuals had been optional for points in the past but have been incorporated into the 2027 DAS as mandatory.

In the Draft 2027 DAS, OHFA implies that the Section 504 standards, adopted in 1973, have not stayed current to the characteristics of wheelchair users of today and OHFA therefore is implementing its own standards to help address the resulting gap. The reality in practice is that the building standards created by Section 504 are more complex than the 2027 DAS implies. The American National Standards Institute (ANSI) A117.1 *Making Buildings Accessible to and Usable by Physically Handicapped* was the first national accessibility design standard in the U.S. and this standard has been widely adopted to establish a uniform set of standards for policies related to design of buildings to meet the needs of persons with physical disabilities. Contrary to what OHFA implies in the draft 2027 DAS, the ANSI A117.1, which is the accessibility code used by the Ohio Building Code, has been regularly updated since its original publication to update requirements for the physically handicapped – see summary below:

1961 ANSI A117.1	First national accessibility standard in the U.S.
1971 ANSI A117.1 (reaffirmed)	Reaffirmation of 1961 edition with limited changes.
1980 ANSI A117.1-1980	Major modernization following HUD-sponsored research. Expanded technical accessibility criteria.
1986 ANSI A117.1-1986	Significant restructuring; attempted to separate technical criteria from "scoping" provisions.
1992 CABO/ANSI A117.1-1992	First edition under the Council of American Building Officials (CABO). Better alignment with model building codes.
1998 CABO/ANSI A117.1-1998	Expanded technical provisions and coordination with Fair Housing requirements.
2003 ICC/ANSI A117.1-2003	First edition published after CABO became the International Code Council (ICC).
2009 ICC A117.1-2009	Major coordination with IBC and ADA-era standards; widely adopted by jurisdictions.
2017 ICC A117.1-2017	Current widely used <u>edition</u> ; expanded provisions for modern mobility devices, acoustics, EV charging, bottle filling stations, and more.

ANSI's standards for barrier-free design are developed by a committee made up of 52 organizations representing associations of handicapped people, rehabilitation professionals, design professionals, builders, and manufacturers. These subject matter experts and advocates literally set the standard for barrier free living. Compliance with ANSI A117.1 is required by the Ohio Building Code.

Additionally, it is worth noting there are other entities involved in the development of affordable housing which mandate inclusion of what is necessary for a mobility impaired person to live an equitable life such as HUD, the U.S. Access Board, the US. Department of Justice (DOJ), who enforces the ADA, and the Ohio Civil Rights Commission.

Considering the extensive number of governing entities having jurisdiction over accessibility standards and the continuing evolution of these standards CHN believes that OHFA is overstepping with increasing the building requirements with the “Additional Features for 504 Mobility Units”.

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