

FORM

DS-2123

June 2024

# Determination of Unreasonable Hardship Exception to Accessibility Requirements

Project Address: \_\_\_\_\_

Project Number: \_\_\_\_\_

Accessibility Elements	Does Element Comply with Accessibility Requirements? (Yes), (No)	Will This Element be Made Accessible? (Yes), (No)	What is the Cost of Making This Element Accessible?	What is the Amount Will Spend on Making Element Accessible?	Will This Element Comply by Equivalent Facilitation? (Yes), (No)
<b>1. Entrance</b> Doors, Doorways, Gates, Ramps, etc.	_____	_____	\$ _____	\$ _____	_____
<b>2. Route to the Altered Area</b>	_____	_____	\$ _____	\$ _____	_____
a. Doors, Doorways, Gates	_____	_____	\$ _____	\$ _____	_____
b. Corridor	_____	_____	\$ _____	\$ _____	_____
c. Elevator/Platform Lift	_____	_____	\$ _____	\$ _____	_____
d. Ramps	_____	_____	\$ _____	\$ _____	_____
e. Stairways	_____	_____	_____	_____	_____
<b>3. Toilet Facilities</b>					
a. Men	_____	_____	\$ _____	\$ _____	_____
b. Women	_____	_____	\$ _____	\$ _____	_____
c. Unisex	_____	_____	\$ _____	\$ _____	_____
<b>4. Telephones</b>	_____	_____	\$ _____	\$ _____	_____
<b>5. Drinking Fountains</b>	_____	_____	\$ _____	\$ _____	_____
<b>6. Parking</b>					
a. Removal of Ramp on Aisle	_____	_____	\$ _____	\$ _____	_____
b. New Curb Ramp	_____	_____	\$ _____	\$ _____	_____
c. Re-Striping	_____	_____	\$ _____	\$ _____	_____
d. Detectable Warnings	_____	_____	\$ _____	\$ _____	_____
<b>7. Fire Alarm System</b>	_____	_____	\$ _____	\$ _____	_____
<b>8. Signs</b>	_____	_____	\$ _____	\$ _____	_____
<b>9. Pedestrian walk</b>	_____	_____	\$ _____	\$ _____	_____
<b>Additional Building Elements (specify):</b>					
10. _____	_____	_____	\$ _____	\$ _____	_____
11. _____	_____	_____	\$ _____	\$ _____	_____
12. _____	_____	_____	\$ _____	\$ _____	_____
13. _____	_____	_____	\$ _____	\$ _____	_____
14. _____	_____	_____	\$ _____	\$ _____	_____

I. EQUIVALENT FACILITATION

For the following elements the cost of compliance with Section 11B-202.4 is an unreasonable hardship. However, accessibility compliance of such elements will be provided by equivalent facilitation as specified below for the cost noted:

II. COST

Total amount will spend on making the noted elements accessible... (A) \$

III. PRECEDING THREE-YEAR ALTERATIONS

List the project number of all improvements to the proposed area and all areas on the same path of travel with their construction cost for the preceding three years<sup>1</sup>:

IV. ADJUSTED CONSTRUCTION COST

Total cost of alterations (preceding 3-year period)<sup>1</sup>..... (B) \$

Construction cost of this project,<sup>2, 3</sup> ..... (C) \$

Adjusted construction cost of this project, (B + C)\$ > ≤

\$200,399.00  
2024 Valuation Threshold<sup>4</sup>

Total Cost of Compliance in Percentage of the Adjusted Construction Cost, [(A) ÷ (B+C)] x 100= %

Footnotes

1.

The cost of alterations for the preceding three years includes the cost of construction of all alterations which did not provide an accessible path of travel to the area of the proposed alteration.
2.

For this exception, the adjusted construction cost of alterations, structural repairs or additions shall not include the cost of alterations to the path of travel elements required to comply with Section 11B-202.4.
3.

The cost of making the area of alterations or remodel accessible is not allowed to be excluded.
4.

The dollar valuation threshold is valid for the duration of one calendar year only and will be adjusted on the first of January of each year.

I, the undersigned, hereby request that the above-referenced project be granted exception from the accessibility requirements of the California Building Code, Chapter 11B, Section 11B-202.4, Exception 8. I certify that the information provided on this application is true and correct.

Name (print): ☐Owner ☐Architect ☐Design Professional

Signature: Date:

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☐ **The adjusted construction cost is less than or equal to the current valuation threshold.**

The elements noted in this application shall comply with accessibility requirements of California Building Code Chapter 11B and shown on the approved construction plans. The cost of compliance with Section 11B-202.4 need not exceed 20 percent (20%) of the adjusted construction cost of alterations, structural repairs or additions.

☐ **REQUEST DENIED.**

The adjusted construction cost exceeds the current valuation threshold. **The cost of compliance is determined NOT to be an unreasonable hardship.** The elements noted in this application shall comply with accessibility requirements of California Building Code Chapter 11B and shown on the approved construction plans.

☐ **REQUEST GRANTED.**

The adjusted construction cost exceeds the current valuation threshold. **The cost of compliance is determined to be an unreasonable hardship.** Compliance will be provided as noted on this application by equivalent facilitation and full compliance. This finding shall be ratified through the appeals process prior to the approval of this project.

Please submit a copy of the construction plans showing how the accessibility of noted elements is provided for the appeals process.

**Name (*print*):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

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**Appeals Action Ratification Ruling**

The Appeals Action Ratification process took place on \_\_\_\_\_ (date)

☐ **APPROVED**

☐ **NOT APPROVED**

**NOTE:** The elements noted on this application shall comply with accessibility requirements of California Building Code, Chapter 11B and shown on the approved construction plans.

**Name (*print*):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_