

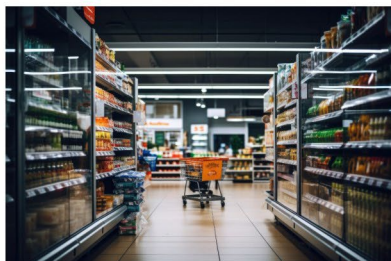
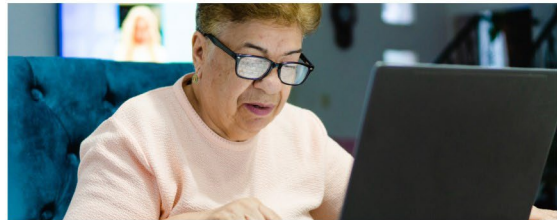


**CCDA**

California Commission  
on Disability Access

# 2023 ANNUAL REPORT TO THE LEGISLATURE

## California Commission on Disability Access



January 31, 2024



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**Any questions regarding the following report can be directed to the California Commission on Disability Access (CCDA).**



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## A Letter From CCDA Chair Commissioner Chris Downey

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Dear Legislators:

2023 was a big year for CCDA! We welcomed two new commissioners, Sarahann Shapiro and Dr. Luciana Profaca. Both are strong voices within the business and disability communities, respectively. We also took our mission of increasing disability access out on the road by holding our first regional listening forum since 2019. The forum, which was held in August at San Jose City Hall, brought together over 50 participants from local government, the disability community, and local business owners to learn about disability compliance resources and build relationships with one another. CCDA's data collection continues to drive our approach to our development of educational materials and targeted outreach efforts. By identifying the top 10 alleged disability access violations by region, CCDA can dedicate our resources where they are most needed. I hope our 2023 Annual Report sparks further conversation about business access compliance for people with disabilities across California.

Sincerely,

*Chris Downey*

Chris Downey  
CCDA Chair



## A Letter From CCDA Executive Director April Marie Dawson

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Dear Legislators:

Thank you for taking the time to view our 2023 Annual Report. This report gives valuable insights into the progress being made to ensure accessibility to businesses for people with disabilities. The data captured in our legal portal represents trends in disability access litigation across California. By analyzing this data, our stakeholders (which include businesses, people with disabilities, and all levels of government) can be better educated on the barriers to business access that exist and brainstorm ways to address them within their respective communities. CCDA continues to be a connector between these groups through our regular meetings, regional forums, online trainings, and technical materials. In addition to our data analysis, the following pages reflect how CCDA lived our mission in 2023 by bringing in new voices, expanding our partnerships, and exploring new approaches to outreach and education. I look forward to CCDA continuing this work for years to come.

Best,

*April Marie Dawson*

April Marie Dawson

CCDA Executive Director

## Introduction

### Mission

The mission of the California Commission on Disability Access (CCDA) is to promote disability access in California through dialogue and collaboration with stakeholders including, but not limited to, the disability and business community and all levels of government.

In order to achieve this mission, the CCDA is authorized by California Government Code Sections 14985 – 14985.11 to act as an information resource; to research and prepare advisory reports of findings to the Legislature on issues related to disability access, compliance inspections and continuing education; to increase coordination between stakeholders; to make recommendations to promote compliance with federal and state laws and regulations; and to provide uniform information about programmatic and architectural disability access requirements to the stakeholders.



### Vision

The commission, together with key partners, adopted a vision statement to reflect the ideal future state when the commission's mission is accomplished:

**An Accessible, Barrier-Free California**

**=**

**Inclusive and Equal Opportunities and Participation for All Californians!**



## History

In 2008, the California State Legislature concluded that in many instances, persons with disabilities continued to be denied full and equal access to public facilities even though that right was provided under state and federal law. The Legislature further concluded that businesses in California have the responsibility to provide full and equal access to public facilities as required in laws and regulations, but that compliance may be impeded, in some instances, by conflicting state and federal regulations, resulting in unnecessary litigation.

[Senate Bill 1608](#) (Corbett, Chapter 549, Statutes of 2008) established the California Commission on Disability Access (Commission) with a vision toward developing recommendations to the Legislature. These recommendations would help enable persons with disabilities to exercise their right to full and equal access to public facilities while facilitating business compliance with applicable laws, building standards and regulations to avoid unnecessary litigation.

In September 2012, [Senate Bill 1186](#) (Steinberg, Chapter 383, Statutes of 2012) revised and recast the Commission's duties by making it a priority to develop and disseminate educational materials and information to promote and facilitate disability access compliance. [Senate Bill 1186](#) also established annual reporting of prelitigation letters and complaints to the Legislature by the Commission.

In October 2015, [Assembly Bill 1521](#) (Committee on Judiciary, Chapter 755, Statutes of 2015) was signed into law as an urgency measure and required the Commission to collect, study, and report on case outcomes.

In September 2016, [Senate Bill 1406](#) (Mendoza, Chapter 892, Statutes of 2016) added review and reporting on prelitigation letters and complaints served on educational entities to the Commission's existing obligation to review those served on public accommodations. Also, [Assembly Bill 54](#) (Olsen, Chapter 872, Statutes of 2016) was enacted, giving the Commission the authority to establish a standard report format for receiving complaints and prelitigation letters.

On July 1, 2017, the Commission became incorporated with the Department of General Services (DGS), resulting in the Commission's initial governing statutes, Government Code 8299 – 8299.11, being replaced by Government Code 14985 – 14985.11 ([Assembly Bill 111, Committee on Budget, Chapter 19, Statutes of 2017](#)).

In 2022, [Assembly Bill 2917](#) (Fong, Chapter 897, Statutes of 2022) expanded the Commission's existing requirement for reviewing and reporting construction-related physical access violations served on places of public accommodations to include prelitigation letters and complaints about website accessibility violations. Furthermore, Assembly Bill 2917 expanded the Commission's priority to develop and disseminate educational materials and information relating to a business' obligations for website accessibility compliance, such as their obligations and how to facilitate compliance from a business perspective.

## Reporting Requirements

This report outlines the Commission’s ongoing efforts to implement [Government Code Sections 14985.5 and 14985.6](#). In general, these sections mandate the Commission to provide information to businesses on compliance with disability access requirements; recommend programs to enable persons with disabilities to obtain full and equal access to public facilities; provide information to the Legislature on access issues and compliance; develop and disseminate educational materials and information to promote and facilitate disability access compliance.

### This report also provides tabulated data, including:

- The various types of construction-related physical access violations alleged in prelitigation letters and complaints
- The number of complaints alleged for each type of violation
- A list of the 10 most frequent types of accessibility violations alleged
- The numbers of alleged violations for each listed type
- The number of complaints received that were filed in state or federal court
- Filing frequencies and location frequencies
- The ZIP codes of complaints received
- The percentage of attorney, plaintiff, and defendant filings
- The resolution reached on complaints submitted



### CCDA Staff

Executive Director – April Dawson

Operations Manager – Phil McPhaul

Administrative and Legislative Analyst – Abigail Ridge

Marketing and Outreach Analyst – Presley Strother

Data and Research Analyst – Stephanie Groce

## Why This Report Matters

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The purpose of this report is to illustrate trends in alleged disability access violation court filings, so that CCDA can better target our education and outreach efforts. The Top 10 Alleged Disability Access Violations published in this report provide a valuable resource for businesses as they assess how to achieve and maintain disability access compliance.

## Complaints and Prelitigation Letter Data Collection

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### Data Overview - Complaints and Prelitigation Letters

[California Civil Code Section 55.32](#) requires attorneys to submit construction-related disability access complaints and prelitigation letters received by entities in California to the CCDA within five business days of a court filing. While complaints are the plaintiff's attorney's plea to the court, prelitigation letters are sent with demands to resolve the dispute prior to litigation.

In 2023, CCDA received approximately 4,066 state and federal complaints. This represented an increase in overall submissions of state and federal complaints to the CCDA Legal Portal from 2,957 submissions in 2022. Additionally, CCDA received 555 prelitigation submissions in 2023. This was a significant increase from the 10 received in 2022.

*Table 1* outlines the total number of complaints and prelitigation letters submitted to CCDA over the past three years. See *Appendix A* for further information on complaints and prelitigation letters received by CCDA from 2018 to 2023.

**Table 1: Complaints and Prelitigation Letters Received by Year (2018-2023)**

Year	Complaints (State & Federal)	Prelitigation Letters	Total
2023	4,066	555	4,621
2022	2,957	10	2,967
2021	3,835	15	3,850
<b>Total:</b>	<b>10,858</b>	<b>580</b>	<b>11,438</b>

## Federal and State Court Filing Trends

In 2023, CCDA received 362 federal court case filings and 3,704 state court case filings. This continued the trend from 2022 of state court case filings making up most of the complaints submitted to the CCDA Legal Portal. Prior to 2022, federal court case filings made up the majority of submissions, as seen in the graph and table for *Appendix A*.

*Table 2* outlines the number of federal and state court filings submitted from 2021 to 2023. For more information on the outcome of these filings, refer to the *Case Resolution Reports* section.

**Table 2: 2021-2023 Filings Received by Commission (Federal vs. State)**

Type of Filing Received	2023 Total	2023 Percent	2022 Total	2022 Percent	2021 Total	2021 Percent
Federal	362	9%	788	27%	3,176	83%
State	3,704	91%	2,170	73%	659	17%
<b>Total:</b>	<b>4,066</b>	<b>100%</b>	<b>2,958</b>	<b>100%</b>	<b>3,835</b>	<b>100%</b>

## Alleged Construction-Related Physical Access Violations

CCDA received 10,591 alleged construction-related access violations from 4,624 complaints and prelitigation letters in 2023. The number of alleged construction-related violations represented a 52% increase compared to the 6,981 received in 2022.

*Table 3* outlines the total number of alleged construction-related access violations received by CCDA between 2018-2023.

**Table 3: Total Number of Alleged Construction-Related Physical Violations Received (2018-2023)**

Year	Number of Alleged Construction-Related Physical Violations
2023	10,591
2022	6,981
2021	8,596
2020	9,533
2019	7,507
2018	11,197
<b>Total:</b>	<b>54,405</b>

## Alleged Non-Construction-Related Physical Access Violations

[Assembly Bill 2917](#) was chaptered in September 2022 and required complaints alleging website inaccessibility be submitted to the CCDA Legal Portal. As a result, CCDA saw a sharp uptick in submissions regarding alleged inaccessible websites in 2023, with over 400 selections of “Websites” for the location where the barrier was encountered. For more information, see the section titled *CCDA’s Response to Assembly Bill 2917 and Inaccessible Websites Violations Received*.

Other non-construction-related violations CCDA received were two submissions in which the plaintiff was refused service due to their service animals. There were also 16 instances in which staff or policy created a barrier. Combined with the number of submissions referencing inaccessible websites, there were 464 submissions for non-construction-related barriers received in 2023.

*Table 4* outlines the total number of alleged non-construction-related violations received in 2023.

**Table 4: Total Number of Alleged Non-Construction-Related Physical Violations Received (2023)**

Non-Construction-Related Physical Violation	Number of Instances
Website Violation	446
Mobile Application Violation	0
Service Animal Violation	2
Program Access (Rideshare, Hand-control, Rental Bike Service)	0
Program Access (Company Policy)	16
<b>Total:</b>	<b>464</b>

## CCDA’s Response to Assembly Bill 2917 and Inaccessible Websites Violations Received

Assembly Bill 2917, in addition to requiring law firms to submit complaints and prelitigation letters that featured an inaccessible website, also required ongoing action from CCDA including providing educational materials and a checklist.

While CCDA’s Legal Portal had a drop-down option for inaccessible websites before Assembly Bill 2917 was enacted, the option “website inaccessibility” did not allow law firms to express exactly why a website was inaccessible. Therefore, CCDA created a new category specifically for websites with drop-down options that corresponded with inaccessible features of websites. Once these were created and reviewed, CCDA worked with DGS’ Enterprise Technology Solutions (ETS) to update the portal to include this category. Through the combined work of CCDA and ETS staff, this update went live in the second half of 2023 and allowed CCDA to collect more comprehensive data on alleged website barriers. The update was made with the intention of focusing future educational materials on the most common website barriers that are reported to the CCDA Legal Portal. Websites were previously classified as "Other" because they were not recognized as a Place of Public Accommodation, but they were separated into their own category due to increased interest in inaccessible websites. Assembly Bill 2917, enacted in 2022, requires attorneys to submit to CCDA a copy of their complaint alleging inaccessible websites.

*Table 5* illustrates the top alleged website barriers submitted to CCDA since the website category went live. The total of these website barriers outnumbers the number of selections of “Websites” as the location as seen in *Table 4* because multiple barriers could be alleged in one complaint or prelitigation letter.

**Table 5: Top Website Barriers Submitted: July – December 2023**

Website Barrier	Number of Instances
Text alternatives were not provided for non-text content on website (e.g., alt text for images and form buttons were not provided, text labels for form inputs were not provided, etc.).	259
Hyperlinks not meaningful on website (e.g., link's purpose can't be inferred by link text, it is not clear links with same text go different places, external hyperlink doesn't say it leaves page, etc.).	164
Navigation order is not logical on website (e.g., navigation order of links, form elements, etc. is not logical and intuitive, etc.).	142
Website: Form elements don't help avoid/correct mistakes (e.g., input error not detected/no suggestion given, insufficient instruction for interactive elements, validation errors inaccessible, etc.).	117
Content not appropriately/logically marked on website (e.g., semantic markups not used, tables not used for tabular data, only visual/auditory cues, content restricted to portrait/landscape, etc.).	113
<b>Total:</b>	795

## Top 10 Alleged Construction-Related Physical Access Violations

In 2023, the total number of reported alleged construction-related access violations was approximately 10,591. The top 10 of reported alleged construction-related access violations totaled 8,140, or 77% of all alleged construction-related access violations reported in the CCDA Legal Portal in 2023. The highest reported alleged violation was “**Access to Goods, Support, Services, and Equipment: Surface heights and space requirements for counters, tables, bars, or seating are not compliant,**” with 1,567 reports. This alleged violation moved to first place in 2023 from third place the previous year.

In second place, “**Parking: Existing spaces are noncompliant (e.g., excessive slopes/cross-slopes, improper dimensions, striping, etc.)**,” had 1,566 reports. This was only one less than the first-place alleged violation. This alleged construction-related access violation moved to second place in 2023 from first place the previous year.

Of the top alleged construction-related access violations, three were in the “Parking” category, one was in the “Access to Goods, Support, Services, and Equipment” category, three were in the “Path of Travel – Exterior” category, two were in the “Path of Travel – Interior” category, and one was in the “Toilet, Lavatory, and Bathing Facilities” category. For more information on the top alleged construction-related access violations in 2023, refer to *Appendix B*.

## Top Frequent Businesses Featured in Complaints and Prelitigation Letters

From the submissions received in 2023, five of the top businesses were franchise gas stations. Establishments serving food and drink were the next most frequent, with three fast food franchises and one café franchise. The throughline for all these businesses is that they were places that the public can patronize to receive goods and/or services. Eleven businesses were included in *Table 6* below because there was a tie for the final spot.

For more information on the number of each type of public accommodation in complaints and prelitigation letters submitted to the CCDA in 2023, please refer to *Appendix D*.

**Table 6: Top Defendants' Businesses (2023)**

Rank	General Description of Business and Place of Public Accommodation Category	Number of Filings Received
1	Franchise Gas Station (Service Establishment)	40
2	Franchise Café (Establishments Serving Food or Drink)	27
3	Franchise Gas Station (Service Establishment)	26
4	Franchise Gas Station (Service Establishment)	25
5	Franchise Gas Station (Service Establishment)	24
6	Franchise Car Parts and Accessories (Sales or Rental Establishment)	24
7	Franchise Fast Food Restaurant (Establishments Serving Food or Drink)	24
8	Franchise Gas Station (Service Establishment)	23
9	Franchise Fast Food Restaurant (Establishments Serving Food or Drink)	17
10	Franchise Fast Food Restaurant (Establishments Serving Food or Drink)	13
11	Franchise Retail Store (Sales or Rental Establishment)	13
<b>Total:</b>		256



## Top ZIP Codes

In 2023, CCDA reviewed the top ZIP codes in which alleged access violations occurred in complaints and prelitigation letters submitted to the CCDA Legal Portal. The top ZIP code in complaint and prelitigation letters was 90046 in the Hollywood Hills area of Los Angeles.

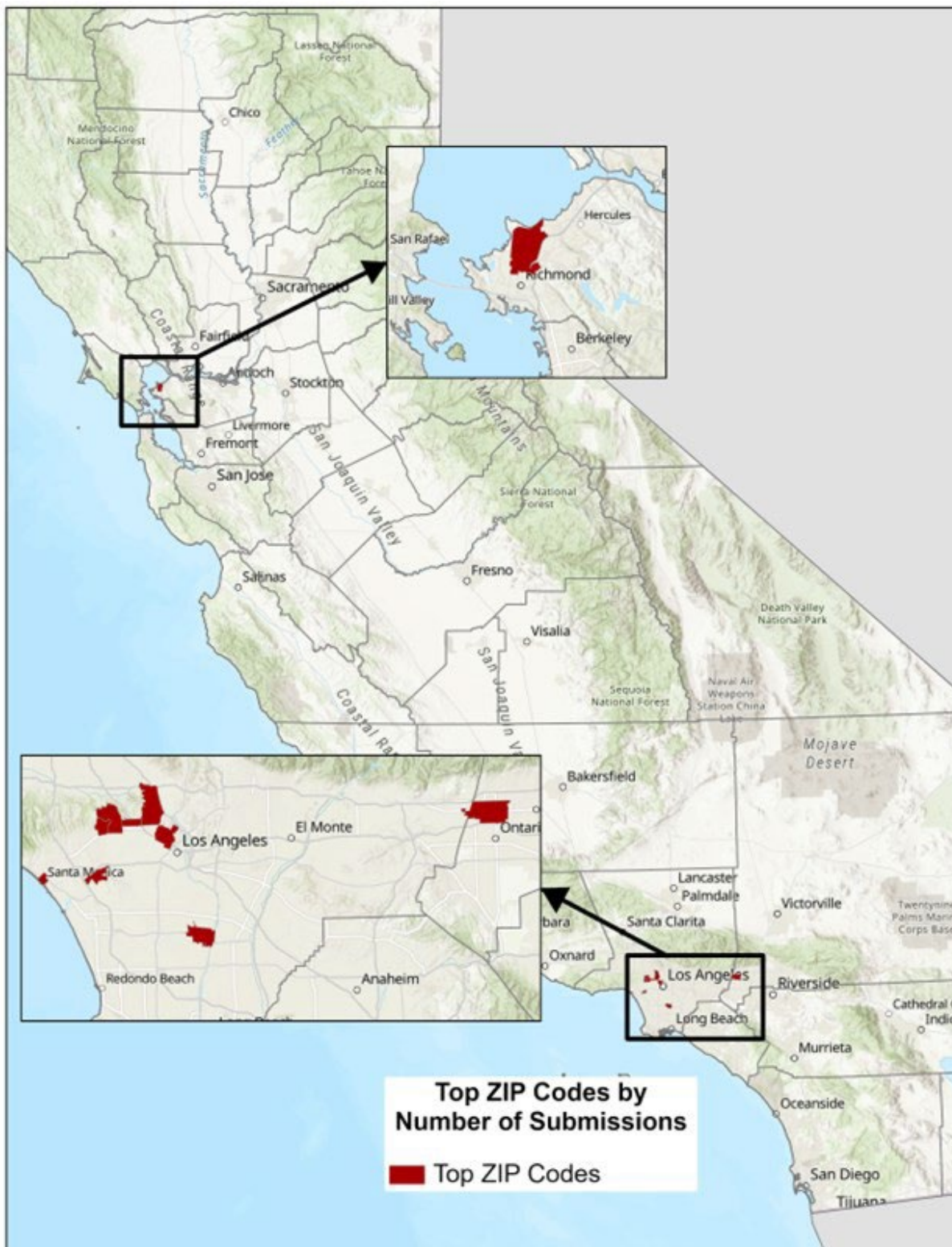
*Table 7* outlines these ZIP codes as well as their corresponding neighborhoods, if applicable.

**Table 7: Top ZIP Codes (2023)**

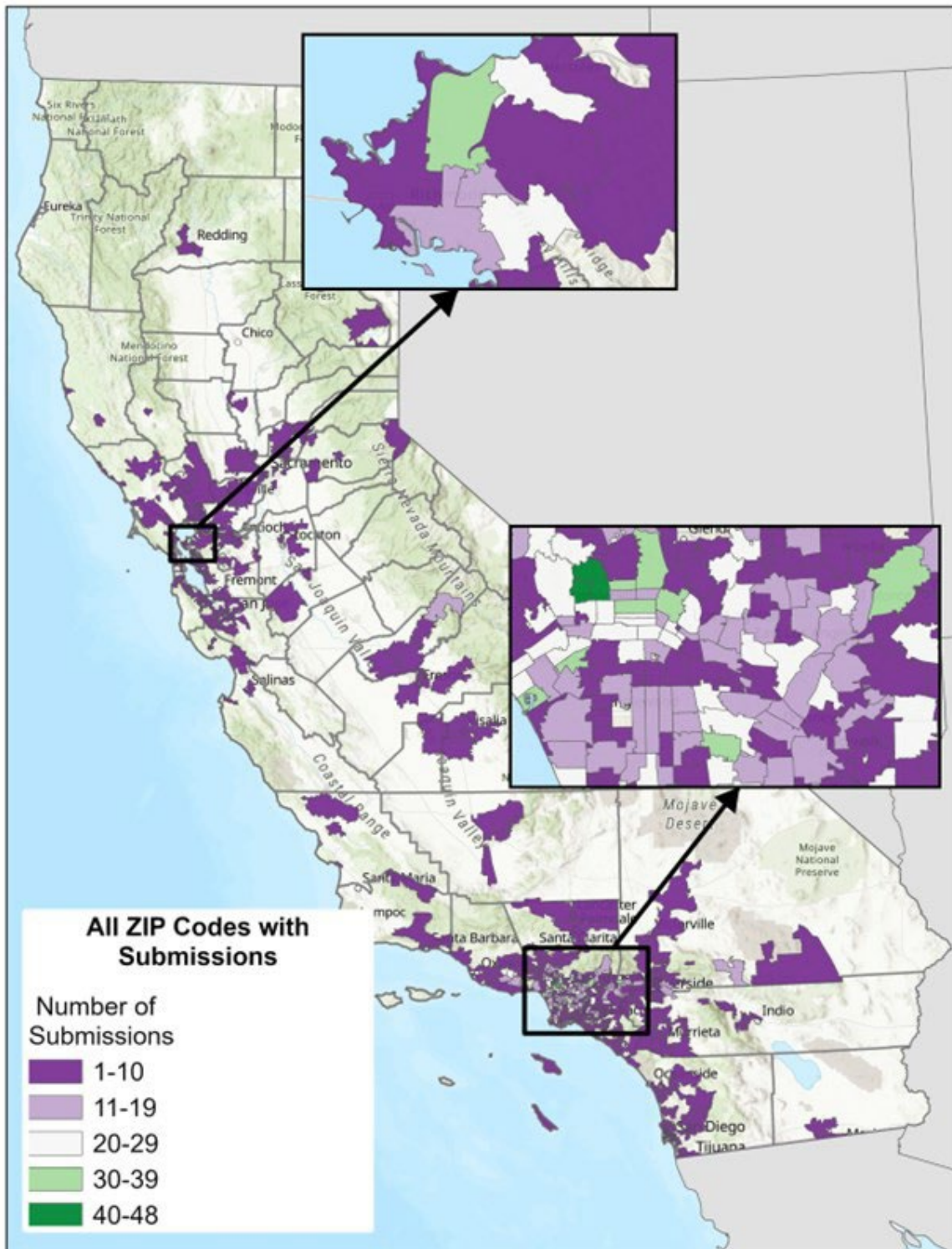
Ranking	ZIP Code	City (Region)	Corresponding Local Neighborhoods (Districts)	County
1	90046	Los Angeles	Hollywood Hills	Los Angeles County
2	90069	West Hollywood	Beverly Crest	Los Angeles County
3	90028	Los Angeles	Los Angeles	Los Angeles County
4	90262	Lynwood	Lynwood	Los Angeles County
5	90027	Los Angeles	Griffith Park	Los Angeles County
6	91786	Upland	Upland	San Bernadino County
7	90026	Los Angeles	Los Angeles	Los Angeles County
8	90401	Santa Monica	Echo Park	Los Angeles County
9	90232	Culver City	Culver City	Los Angeles County
10	94806	San Pablo	San Pablo	Contra Costa County

The map located below, *Inset 1*, depicts the top ZIP codes by number of submissions received in 2023 as seen in *Table 7*. The submissions, in this instance, refer to complaints and prelitigation letters.

### **Inset 1: Map of Top ZIP Codes by Number of Submissions to the CCDA Legal Portal – 2023**



## Inset 2: Map of Number of Submissions to the CCDA Legal Portal by ZIP Code – 2023



The map for *Inset 2* has highlighted areas to show that at least one case listing that ZIP code was submitted to CCDA in 2023. The ZIP code 90046 in Los Angeles was the most-referenced ZIP code in submissions received in 2023. Four of the top 10 ZIP codes were in Los Angeles and five more were from surrounding cities. Only one ZIP code – 94806, in San Pablo – was in Northern California.

## Volume of State and Federal Complaints Received from Law Firms

There were approximately 4,621 state and federal complaints and prelitigation letters submitted in 2023. The law firm that submitted the most complaints and prelitigation letters submitted 30.9% of these submissions. Altogether, the top 10 law firms were responsible for 95.3% of all complaints and prelitigation letters received in 2023.

Three of these top-submitting law firms were located in Northern California while five were located in Southern California. Two law firms of our top submitters were located out of state.

For a breakdown of the percentage of complaints and prelitigation letters submitted by law firms in 2023, refer to *Table 8*.

**Table 8: Volume of Submissions by Top 10 Law Firms (2023)**

Law Firm (Rank Based on Numbers of Submissions)	Percentage of 2023 Filings Received by that Law Firm
Law Firm (1st)	30.9%
Law Firm (2nd)	18.2%
Law Firm (3rd)	15.6%
Law Firm (4th)	9.1%
Law Firm (5th)	8.2%
Law Firm (6th)	4.0%
Law Firm (7th)	3.5%
Law Firm (8th)	3.2%
Law Firm (9th)	1.3%
Law Firm (10th)	1.2%
Volume of Submissions From All Other Law Firms	4.7%
<b>Total:</b>	100.0%

## Case Resolution Reports

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### Data Overview – Case Resolution Reports

As part of [California Civil Code Section 55.32](#), attorneys are required to submit a report of the resolution of the construction-related disability access complaints and prelitigation letters they filed in CCDA's Legal Portal. These Case Resolution Reports (CRRs) allow the CCDA to collect data on the outcome of the construction-related disability access complaints and prelitigation letters previously submitted to the CCDA Legal Portal by attorneys.

In 2023, CCDA received approximately 5,310 CRRs, representing 728 more CRRs than received in 2022. The majority of CRRs received were for complaints filed in the State Superior Court, which correlates with the rise of complaints filed in state courts that CCDA received in 2023 and 2022.

While federal complaints being submitted to the CCDA Legal Portal have fallen in 2022 and 2023, complaints at the federal level can take longer than a year to resolve. Due to the volume of federal complaints received collectively in past years and given how long it can take to resolve, federal CRRs made up almost half of those received in 2023.

Finally, there was a rise in CRRs that did not state the name of the corresponding court. The number of CRRs for prelitigation letters rose from four in 2022 to 91 in 2023, a significant increase. As seen in Table 9, CRRs for prelitigation letters had not been above 16 since 2018, so this represented a reversal in previously seen trends.

Table 9 provides further information on CRRs received from 2018 to 2023.

**Table 9: Case Resolution Reports Received by Type of Court Filing (2018-2023)**

Type of Complaint	2023	2022	2021	2020	2019	2018
Federal	2,559	2,917	1,979	954	1,397	1,403
State	2,660	1,587	275	341	276	413
Not Stated	91	4	7	15	12	16
Not Processed	N/A	74	63	N/A	10	57
<b>Total:</b>	<b>5,310</b>	<b>4,582</b>	<b>2,324</b>	<b>1,310</b>	<b>1,695</b>	<b>1,889</b>

## Manner of Resolutions Reported for Cases

The CCDA routinely examines three types of case resolution categories: settlements, judgments, and dismissals.

In 2023, CCDA received 4,178 CRRs stating they were settled, including settlements, settlement/dismissals, judgment/settlement, and judgment/settlement/dismissal. The majority of CRR submissions featured settlements as part of the process of resolving cases either as “only settlements” with 2,135 or “settlement/dismissals” with 2,035.

Additionally, there were 2,908 dismissals reported to the CCDA in 2023, including CRRs reporting dismissal, settlement/dismissal, judgment/dismissal, and judgment/settlement/dismissal. Over half of the CRR submissions listed dismissals in the process of resolving cases with 864 listing their manner of resolution as “only dismissal” and 2,035 were “settlements/dismissals.”

Lastly, CRRs reporting 275 judgments were received by the CCDA in 2023. This includes judgments, settlement/judgments, judgment/dismissals, and judgment/settlement/dismissals. Overall, a judgment was the least submitted manner of resolution.

*Table 10* illustrates the total number of settlements, dismissals, and judgments. Note that the total number in *Table 10* does not equal the total in *Table 9* because one CRR was filed in both state and federal court and counted for both totals.

**Table 10: Percentage of Resolutions Reported for Cases (2023)**

Manner of Resolution	Instances	Percentage
Only Settlement	2,135	40.2%
Only Dismissal	864	16.3%
Only Judgment	261	4.9%
Settlement/Dismissal	2,035	38.3%
Judgment/Dismissal	6	0.1%
Judgment/Settlement	5	0.1%
Judgment/Settlement/ Dismissal	3	0.1%
<b>Total:</b>	<b>5,309</b>	<b>100.0%</b>

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## **Construction-Related Access Barrier Remediation**

In 2023, CCDA identified 3,212 CRRs reporting that the plaintiff received injunctive relief compared to the 1,685 received in 2022. Additionally, in 2023, most CRRs listed that the plaintiff received injunctive relief at 61% as opposed to the trend in 2022, in which only 38% of plaintiffs received injunctive relief. Information on the data from remediations from 2022 and 2023 can be found in *Appendix E*.

## **Supplemental Case Resolution Report Information**

In 2023, 31 defendants requested an early evaluation conference while in 2022, 20 defendants made that request in resolutions received by the CCDA Legal Portal. Additionally, 62 defendants requested a site inspection by a Certified Access Specialist (CAsp) as opposed to the 57 that did so in 2022. While both options show a small increase from submissions received in 2022, 99% of all submissions do not have the defendant requesting an early evaluation conference or a site inspection by a CAsp.

For further comparisons between CRRs received in 2022 and 2023, refer to *Appendix E*.

## Data Conclusions

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Through analyzing data submitted to the CCDA Legal Portal, some notable trends could be observed.

First, state complaints continue to make up the majority of submissions, a trend that continues from last year. This is noteworthy as federal complaints had been the majority of submissions from 2016 until 2022.

Additionally, there has been an increase in prelitigation letters being submitted to the CCDA Legal Portal. From 2018 to 2022, the number of prelitigation letters submitted to the CCDA had never been above 50. In 2023, the number of prelitigation letters received sharply increased to 555, compared with 10 in 2022. Furthermore, the number of CRRs that have “Not Stated” for the court in which they filed should rise in 2024 to correspond to the rise in prelitigation letters submitted.

Finally, with Assembly Bill 2917 chaptered last year, CCDA prepared for an increase in complaints and prelitigation letters with website barriers being submitted to the CCDA Legal Portal. The increase from one inaccessible website reported in 2022 to 446 inaccessible websites reported in 2023 shows the impact of Assembly Bill 2917 on submissions.

## How the Data Shapes Our Work

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CCDA is committed to applying a data-driven approach to fulfilling our mission. The data received through our Legal Portal produces information about trends in alleged construction- and website-related disability access violation claims. CCDA gathers data with the goal of assisting businesses in achieving access compliance for people with disabilities by analyzing the nature of the alleged violations, the types of businesses where the complaints are alleged, and the region where the complaints allegedly occurred. For example, this year CCDA committed resources to the Silicon Valley region because the 2021 CCDA Annual Report data indicated that a significant number of alleged disability access violations were being filed there. As described elsewhere in this report, CCDA partnered with the city of San Jose to conduct a listening forum and follow-up webinar with regional partners to educate small businesses about local, state and federal resources. These resources are available to help small business owners improve access and avoid costly litigation. By analyzing the Legal Portal data, CCDA can deploy access education to the communities in California that need it most.



## Commission and Subcommittee Breakdown

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### Overview

The CCDA delegated its subcommittees a specific scope to accomplish its mandates and to help determine how the commission will use data for projects.



Each committee member brings their unique voice and background to the table while keeping Title III of the Americans with Disabilities Act (ADA), architectural barrier removal, and the built environment at the forefront of their minds and discussions.

Members of the CCDA were selected as specified by the provision of Government Code Section 14985.1. The CCDA membership is as follows:

- Two (2) public members were appointed by the Senate Committee on Rules, with one appointee from the business community and one from the disability community.
- Two (2) public members were appointed by the speaker of the Assembly, with one appointee from the business community and one from the disability community.
- Seven (7) public members were appointed by the governor, with the consent of the Senate. Four (4) of the appointees must be from the disability community, and three (3) of the appointees must be from the business community.
- The state architect, or their representative, as a nonvoting ex officio member.
- The attorney general, or their representative, as a nonvoting ex officio member.
- Two members of the Senate, appointed by the Senate Committee on Rules as nonvoting ex officio members.
- One member shall be from the majority party, and one member shall be from the minority party.
- Two members of the Assembly, appointed by the speaker of the Assembly, as nonvoting ex officio members.
- One member shall be from the majority party, and one member shall be from the minority party.

The goal of the CCDA is to select public members who shall participate in and contribute to the activities of the CCDA committees and subcommittees to ensure the timely delivery of committee deliverables.

**CCDA Commissioners**

Name & Photo	Appointment Type (Governor, Speaker of the Assembly, Senate Committee on Rules)	Commission Role	Term Dates (Start – End)
<p>Drake Dillard</p> 	<p><b>Governor</b> Business Community</p>	<p>Chair of Checklist Committee  Member of Executive Committee</p>	<p>2022 – 2025</p>
<p>Chris Downey</p> 	<p><b>Governor</b> Disability Community</p>	<p>Chair of Commission  Chair of Executive Committee</p>	<p>2021 – 2024</p>
<p>Dr. Souraya Sue ElHessen</p> 	<p><b>Governor</b> Disability Community</p>	<p>Chair of Education and Outreach Committee  Member of Executive Committee</p>	<p>2022 – 2025</p>



**CCDA Commissioners (Continued)**

Name & Photo	Appointment Type (Governor, Speaker of the Assembly, Senate Committee on Rules)	Commission Role	Term Dates (Start – End)
<p>Brian Holloway</p> 	<p><b>Senate Committee on Rules</b> Business Community</p>	<p>Vice Chair of CCDA</p> <p>Member of Executive Committee</p>	<p>2023 – 2026</p>
<p>Jacqueline Jackson</p> 	<p><b>Governor Disability Community</b></p>	<p>Member of Legislative Committee</p>	<p>2022 – 2025</p>
<p>Guy Leemhuis</p> 	<p><b>Senate Committee on Rules</b> Disability Community</p>	<p>Immediate Past Chair</p> <p>Member of Executive Committee</p>	<p>2021 – 2024</p>


**CCDA Commissioners (Continued)**

Name & Photo	Appointment Type (Governor, Speaker of the Assembly, Senate Committee on Rules)	Commission Role	Term Dates (Start – End)
<p>Ashley Leon-Vazquez</p> 	<p><b>Speaker of the Assembly</b> Business Community</p>	<p>Member of Education and Outreach Committee</p>	<p>2021 – 2024</p>
<p>Scott Lillibridge</p> 	<p><b>Governor</b> Business Community</p>	<p>Chair of Legislative Committee  Member of Executive Committee</p>	<p>2021 – 2024</p>
<p>Dr. Luciana Profaca</p> 	<p><b>Governor</b> Disability Community</p>	<p>Member of Education and Outreach Committee</p>	<p>2023 – 2026</p>




**CCDA Commissioners (Continued)**

Name & Photo	Appointment Type (Governor, Speaker of the Assembly, Senate Committee on Rules)	Commission Role	Term Dates (Start – End)
<p>Héctor Ramírez</p> 	<p><b>Speaker of the Assembly</b> Disability Community</p>	<p>Member of Education and Outreach Committee</p>	<p>2023 – 2026</p>
<p>Sarahann Shapiro</p> 	<p><b>Governor</b> Business Community California Business Properties Association (CBPA) Representative</p>	<p>Member of Legislative Committee</p>	<p>2023 – 2026</p>

**CCDA Ex officio Members**

Name & Photo	Office
<p data-bbox="282 352 402 386">Ida Clair</p> 	<p data-bbox="797 569 1276 638"><b>State Architect</b> The Division of the State Architect</p>
<p data-bbox="250 928 435 961">Ben Conway</p> 	<p data-bbox="764 1119 1308 1224"><b>Deputy Attorney General</b> Commissioner Representing California Attorney General Rob Bonta</p>
<p data-bbox="123 1486 561 1520">Assembly Member Juan Alanis</p> 	<p data-bbox="894 1690 1179 1795"><b>Assembly Member</b> <b>District 22</b> Republican Party</p>

**CCDA Ex officio Members (Continued)**

<b>Name &amp; Photo</b>	<b>Office</b>
<p data-bbox="224 348 659 382">Assembly Member Matt Haney</p>  A portrait of Assembly Member Matt Haney, a man with a beard and mustache, wearing a dark suit, white shirt, and a yellow patterned tie. He is smiling and looking directly at the camera.	<p data-bbox="987 562 1269 663"><b>Assembly Member District 17</b> Democratic Party</p>
<p data-bbox="269 894 617 928">Senator Melissa Hurtado</p>  A portrait of Senator Melissa Hurtado, a woman with dark hair, wearing a teal-colored top. She is smiling and has her arms crossed, standing in front of a light-colored wall.	<p data-bbox="1010 1066 1247 1167"><b>Senate Member District 14</b> Democratic Party</p>
<p data-bbox="230 1383 652 1417">Senator Rosilicie Ochoa Bogh</p>  A portrait of Senator Rosilicie Ochoa Bogh, a woman with long brown hair, wearing a red top. She is smiling and has her arms crossed, standing in front of a brick wall.	<p data-bbox="1010 1633 1247 1734"><b>Senate Member District 23</b> Republican Party</p>

## CCDA Subcommittees

### Executive Committee

#### Purpose

The *Executive Committee* was created to discuss and act on operational and management-level topics regarding the commission. The *Executive Committee* is composed of the CCDA chair, vice chair, immediate past chair, and the current chair from each subcommittee.

#### Members

Commissioner Chris Downey – Chair

Commissioner Brian Holloway – Vice Chair

Commissioner Guy Leemhuis – Past Immediate Chair

Commissioner Drake Dillard – Chair of Checklist Committee

Commissioner Dr. Souraya Sue ElHessen – Chair of Education and Outreach Committee

Commissioner Scott Lillibridge – Chair of Legislative Committee

### Legislative Committee

#### Purpose

The *Legislative Committee* was created to discuss disability-related legislation and policy matters.

#### Members

Commissioner Scott Lillibridge – Chair of Legislative Committee

Commissioner Jacqueline Jackson

Commissioner Sarahann Shapiro

Commissioner Ben Conway

Dan Okenfuss – California Foundation for Independent Living Centers



## CCDA Subcommittees (Continued)

### Checklist Committee

#### Purpose

The *Checklist Committee* was created to work through technical documents and special projects related to the commission.

#### Members

Commissioner Drake Dillard – Chair of Checklist Committee

Commissioner Brian Holloway

Richard Halloran – City of San Francisco

Beth Maynard – California Building Standards Commission

Ike Nnaji – CASp

Mehdi Shadyab – City of San Diego, CASp

Bill Zellmer – Sutter Health, CASp

### Education and Outreach Committee

#### Purpose

The *Education and Outreach Committee* was created to discuss and advise on education and outreach topics for the business and disability communities.

#### Members

Commissioner Dr. Souraya Sue ElHessen – Chair of Education and Outreach Committee

Commissioner Ashley Leon-Vazquez

Commissioner Dr. Luciana Profaca

Commissioner Héctor Ramírez

Zeenat Hassan – Disability Rights California

Arnie Lerner – Fellow of the American Institute of Architects, CASp

Stephen Simon – City of Los Angeles, Department on Disability

## Commission Tributes

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### Rex Hime

CCDA's beginning was forged by the combined efforts of Rex Hime and the California Business Properties Association (CBPA), in collaboration with the California Foundation for Independent Living Centers. The goal was to establish a forum for collaboration and communication between the business community and the disability community. Hime proved his commitment to raising the voice of business over his 37-year term as president and CEO of CBPA. Notably, Hime was the driving force behind the establishment of the CCDA. We grieve his passing and will continue to commemorate his legacy by promoting disability access throughout the state of California.



### Judy Heumann

In 2023, Judith "Judy" Heumann, revered as the "Mother of the Disability Rights Movement," passed away, leaving behind a legacy of unwavering advocacy. Despite contracting polio at 18 months old and facing discrimination in school, Heumann became a resilient force for change. Her transformative impact extended beyond disability rights, advocating for broader human rights issues and serving in governmental roles. Though she is no longer with us, Heumann's legacy continues to inspire both the disability community and human rights advocates worldwide.



### 33rd Anniversary of the Americans with Disabilities Act

The ADA marked its 33rd anniversary on July 26, 2023, a law crucial in combating discrimination across various sectors. President Biden issued a proclamation on July 25 reflecting on the ADA's impact, while Vice President Harris and Secretary Buttigieg emphasized its significance on July 11 at a roundtable discussion on the ADA. Notably, Buttigieg's opening remarks at the roundtable discussion showcased commitment to accessibility in government. Both addresses underscored the ADA's historic importance and acknowledged ongoing challenges, while highlighting progress made under the current administration.



## Commissioners Making an Impact — A Year in Review

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### Overview

Throughout the year, CCDA commissioners make an impact in their communities. CCDA is making an impression across California, whether it is through commissioners developing relationships with community partners or bringing their expertise and experiences to the table in projects. Each of the projects highlighted below will be utilized by community members with disabilities, whether to access medical care, take pride in their community, or attend a school or an art show.

### Commissioner Sarahann Shapiro

Commissioner Sarahann Shapiro is one of CCDA's newly appointed commissioners and she is making an immediate impact. She served as the moderator at the CCDA Listening Forum held in San Jose, CA. In this role, she introduced the event, setting the stage for the forum and welcoming attendees. Commissioner Shapiro ensured that everyone was aware of the accessibility features in place, including American Sign Language interpreters, captioning, and language interpretation, making the event accessible to a diverse audience.

Throughout the listening forum, Commissioner Shapiro managed the flow of the event, ensuring that the discussions proceeded smoothly. She coordinated the panel discussion, prepared questions, and managed audience interaction. Also, she kept the event on track and ensured the objectives were met. Commissioner Shapiro's role as the moderator added to the CCDA Listening Forum's success. She not only guided the event, but also facilitated discussions about improving accessibility for all.



## Commissioner Dr. Souraya Sue ElHessen

Throughout the year, Commissioner Dr. Sue ElHessen has demonstrated unwavering dedication to fostering disability access and inclusion within her local community of Bellflower. As a vocal advocate, 2023 has been a critical year to accomplishing her vision of inclusion while also improving accessibility within the CCDA's jurisdiction.



Commissioner Dr. ElHessen is actively collaborating with the Bellflower City Manager to develop emergency evacuation plans tailored for individuals with disabilities. This includes collaboration with the local fire department through Community Emergency Response Training (CERT) to enhance emergency preparedness. She is also aiming to establish a Disability Advisory Committee for the Bellflower community to promote access and inclusion at city activities and services. Commissioner Dr. ElHessen's advocacy demonstrates a genuine commitment to creating an inclusive and equitable society for people with disabilities. She works to bridge gaps and effect meaningful change for people with disabilities, fostering a more inclusive and accessible community for all.

## Commissioner Scott Lillibridge

Commissioner Lillibridge's career as a civil engineer requires him to attend conferences around California on a regular basis to learn about new technologies, techniques and trends that are influencing various industries. For example, in 2023, Commissioner Lillibridge attended the Sacramento Multifamily and Affordable Housing Conference. The conference attracts architects and other design professionals, project developers, contractors and public officials, including Sacramento Mayor Darrell Steinberg. The conversation highlighted how stakeholders across industries are experiencing impacts to their projects due to market uncertainty. High interest rates can have a significant effect on developers' ability to complete projects in several ways, specifically when it comes to obtaining loans for funding. Commissioner Lillibridge observed that there is an intersection between market uncertainty and accessibility through the perspective of financial barriers and their impact on various stakeholders. High interest rates can create financial barriers that affect the accessibility of housing, loans and economic opportunities for both developers and individuals. The interconnect lies in how the cost of financing, driven by interest rates, can either facilitate or impede accessibility to essential services and resources within the real estate and economic landscape.



## Projects in Progress and CCDA's Path Forward

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### Legal Portal

Per California Civil Code Section 55.32, California law firms are required to submit complaints, prelitigation letters and CRRs associated with alleged construction-related physical access violations to CCDA. The CCDA Legal Portal was created as a vehicle for attorneys to submit this information to CCDA in lieu of emailed or mailed submissions. In 2019, CCDA's Data & Research team began a data migration project, in which historical alleged construction-related physical access violation complaints, prelitigation letters, and CRRs were entered into the portal. The project was completed in December 2022 as a joint effort between CCDA staff and a contracted vendor.

In 2022, [Assembly Bill 2917: Disability Access: Internet Websites, Parking Lots, and Exterior Paths of Travel](#) (Fong; Chapter 897, Statutes of 2022) was enacted and mandated CCDA to include attorney-submitted website accessibility violations data along with construction-related physical access violations. In response, CCDA added a new website category to the portal allowing law firms to specify how a website was inaccessible in 2023. For more information on CCDA's response to Assembly Bill 2917, refer to *CCDA's Response to Assembly Bill 2917 and Inaccessible Websites Violations Received in the Complaints and Prelitigation Letters Data Collection* section.

Additionally in 2023, CCDA made other improvements to the Legal Portal by adding search features for law firms so they could search their own submissions. Another added feature enables law firms to submit multiple CRRs for a single case, allowing them to report resolutions between different defendants, which can have different dates for resolutions and outcomes.



Submit a Complaint



Submit an Amended  
Complaint



Submit a Case  
Resolution Report



Ask a Question

Note: For optimal user experience, it is recommended to use this website with Google Chrome. If you have any questions or experience technical difficulties, please contact CCDA: (916)319-9974 or [CCDA@dgs.ca.gov](mailto:CCDA@dgs.ca.gov).

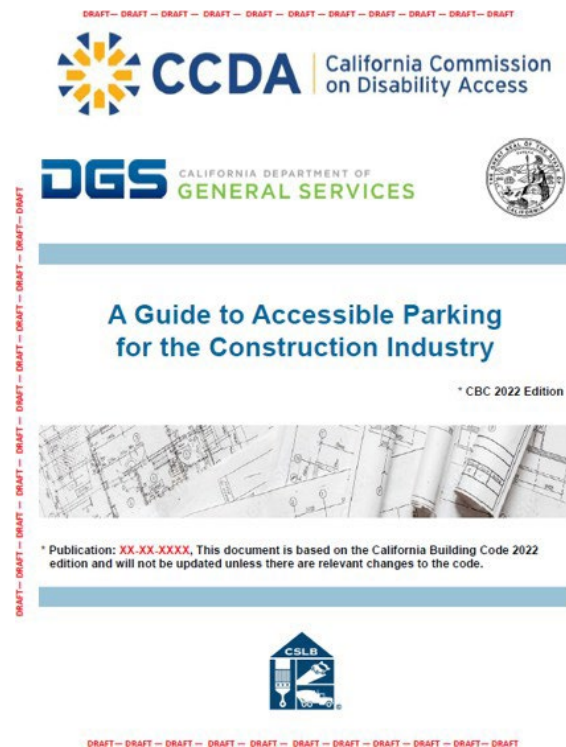
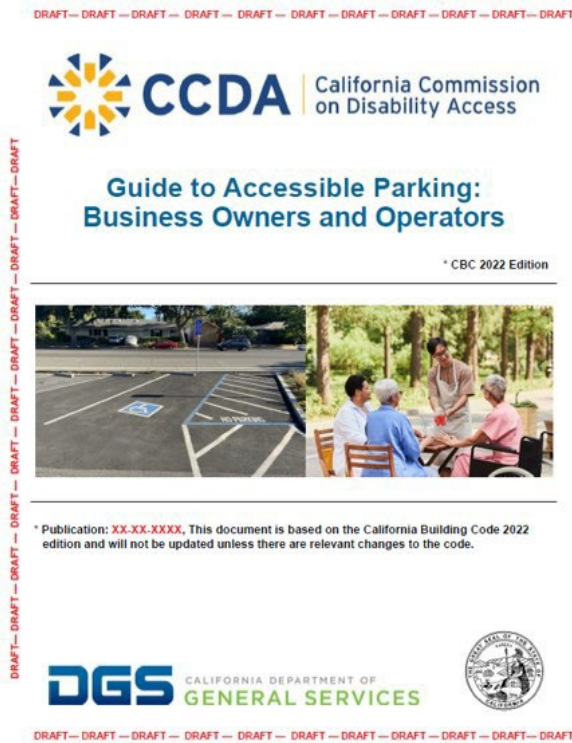
### Path Forward:

The CCDA will continue to improve the functionality of the CCDA Legal Portal in accordance with Civil Code sections to increase attorney compliance for the collection of accurate and representative data. Furthermore, the CCDA will continue to provide law firms and attorneys with educational and training opportunities regarding the CCDA Legal Portal, as well as ongoing outreach to raise awareness of the inclusion of reporting website violations.

## Accessible Parking Campaign

The Accessible Parking Campaign (APC) is an initiative to develop educational toolkits that provide guidance to California businesses and contractors on accessibility standards as they pertain to accessible parking and external paths of travel (accessible routes). This is done to support the commission's legislative mandate, as directed by Assembly Bill 2917 (Fong, Chapter 897, Statutes of 2022), to prioritize the development and dissemination of educational materials and information, and to carry out CCDA's DGS 2022-23 two-year strategic goals. APC's data comes from the CCDA's Top 10 Alleged Americans with Disabilities Act (ADA) construction-related access violations.

To produce the educational toolkits, CCDA formed two stakeholder work groups. CCDA commissioners led the Business Owners & Operators work group, which included ADA coordinators and business professionals from across the state. Contractor experts and individuals involved in construction industry regulation made up the Construction Industry work group. The toolkits were reviewed for technical guidance by the Division of the State Architect (DSA) in 2023, and revisions were received for both toolkits. CCDA worked with DGS' Real Estate Services Division to include the initial DSA adjustments, which were subsequently finalized by the stakeholder groups who worked on them.



### Path Forward:

Both toolkits are expected to be finalized in 2024 for a vote by the commission, which will commence the distribution phase. In 2024, the distribution logistics, marketing plan and outreach of the two toolkits will be prioritized.

## Disability Access and Education Revolving Fund

The Disability Access and Education Revolving Fund (DAER Fund) is an initiative focused on enhancing accessibility and compliance. The fund seeks to improve disability access and ensure compliance with construction-related accessibility standards in public spaces through locally tailored programs. It also supports local jurisdictions by facilitating the hiring or retention of CASPs, enabling them to provide expert consultation and vital permitting services. Lastly, the fund engages in outreach and education, offering resources to facility and business owners in the state of California.

[Senate Bill 1186 \(Steinberg, Chapter 383, Statutes of 2012\)](#), enacted in 2013, established Government Code Section 4467, which requires applicants for local business licenses or building permits to pay an additional fee. A percentage of this fee is sent to the [Division of the State Architect \(DSA\)](#) for deposit into the DAER Fund.

In 2018, [Assembly Bill 1379 \(Thurmond, Chapter 667, Statutes of 2017\)](#), increased the fee amount to \$4, and the revenue distribution changed to 90% for local governments and 10% for the DAER Fund. This fund aims to improve compliance with accessibility requirements by increasing the number of CASPs, maintaining DSA's oversight of the CASp program, and expanding education and outreach efforts. DSA is required to submit an annual report on funds received and their distribution, including administrative services, CASp program fees, oversight, and educational materials.

CCDA has created a [DAER Fund Quick Reference Guide \(QRG\)](#). This QRG provides an overview that covers the DAER Fund's purpose, DSA management, funding sources, and its impact on accessibility and compliance in construction. Cities and counties identified in the DSA's Annual Report as not paying the required fees have been contacted through the distribution of this QRG.



2023 Edition

### Disability Access and Education Revolving Fund Quick Reference Guide

The Disability Access and Education Revolving Fund (DAER Fund) is managed by the Division of State Architect (DSA), and established by the California Legislature for the purpose of increasing disability access and compliance with construction-related accessibility standards. The DAER Fund is authorized by Senate Bill 1186 (2012) which established the collection of a \$1 fee on each business license issued by a city or county, and Assembly Bill 1379 (2017) that increased the fee from \$1 to \$4, in addition to providing an option for collection of the fee on the issuance of a building permit if the local entity does not issue business licenses.

#### WHAT IS THE FUND'S PURPOSE?

The DAER Fund accomplishes three important objectives:

- Increase disability access and compliance with construction-related accessibility requirements at businesses and facilities that are open to the public, through locally-developed programs.
- Assists local jurisdictions with hiring or retaining CASPs to consult with the local agency, permit applicants, and members of the public on construction-related accessibility compliance, and to perform permitting and plan check services.
- Provides outreach and educational resources for facility owners and business owners to facilitate compliance with the Americans with Disabilities Act (ADA), Unruh Civil Rights Act (Civil Code section 51), and the California Building Code, as they relate to providing full and equal access for persons with disabilities to places of public accommodation.

#### What is a Certified Access Specialist (CASp)?

SB 262 (2003) authorized DSA to create the CASp program. A CASp is an individual who has been tested and certified by DSA as a specialist in state and federal construction-related accessibility standards.

The California Legislature through the Construction-related Accessibility Standards Compliance Act (Civil Code section 55.51) established a process where business owners can voluntarily hire a CASp to inspect their buildings to ensure compliance with applicable construction-related accessibility standards. By hiring a CASp to perform an inspection of their facility, a facility owner or business owner can ensure and maintain compliance with applicable construction-related accessibility standards and receive legal benefits if sued.

#### DAER Fund

### Path Forward:

CCDA is expanding its outreach efforts to promote awareness and compliance for the DAER Fund. The QRG serves to educate and facilitate adherence to the fund's requirements. To further its outreach efforts, CCDA plans to reach out to more California cities and counties to learn how they are using these funds. In the coming year there will be a webinar to educate stakeholders on the DAER Fund's objectives, eligibility and benefits, creating an approach to improve disability access and compliance in California for all.

## Listening Forums

The CCDA hosted a listening forum in August, in collaboration with the city of San Jose and local community leaders such as Councilmember Pam Foley, who opened the discussion by emphasizing the importance of accessibility in San Jose. CCDA Executive Director April Dawson discussed the CCDA's mission to increase disability access in California through collaboration and dialogue.

The listening forum included a panel discussion and an interactive Q&A session, where guests were able to ask questions and contribute thoughts, resulting in an open discussion aimed at promoting accessibility and inclusiveness. Panelists emphasized the necessity of education and collaboration between business owners and people with disabilities to promote accessibility.



### Path Forward:

CCDA intends to build on the momentum from 2023 and continue our regional work with stakeholders. We are slated to conduct listening forums in California's Central Coast, Southern, and Bay Area regions in 2024. These listening forums are in partnership with local municipal governments, people with disabilities, small business owners, and the California Business Properties Association. The listening forums are also an opportunity to promote our educational materials, such as the Accessible Parking Toolkit (slated for completion in early 2024) to our stakeholders.



## CCDA and Pacific ADA Webinars

The CCDA, in collaboration with the Pacific ADA Center, hosted a debut webinar on ADA compliance and opportunities for California small businesses in October. The webinar is the first in a series of collaborations with the Pacific ADA Center that will provide information and resources to small businesses throughout the state to assist in compliance with – and understanding of – the ADA and California laws.

The inaugural webinar's discussion focused on aspects of disability awareness, effective communication, and accessibility under the ADA. The webinar emphasized the necessity of inclusive language access and respectful treatment of people with disabilities. Specifically, the webinar demonstrated effective communication, such as sign language interpretation and real-time captioning.

The webinar discussed components of accessibility features for people with mobility disabilities, including accessible parking, entranceways, restrooms, and service animals. The webinar emphasized the importance of understanding and complying with ADA regulations to ensure that businesses and organizations are accessible and accommodating to individuals with disabilities.



### Path Forward:

In addition to our regional work with stakeholders, we are continuing our partnership with the Pacific ADA Center to bring more training content to our small business stakeholders. We are working with the Pacific ADA Center to develop content for three additional webinars, which will take place quarterly in 2024. The topics of the three webinars will include information about customer service accessibility tips, service animals, and recent court cases related to business accessibility. Each webinar will be captioned and interpreted in American Sign Language. Language interpretation will be available as well, based on the needs of the attendees. The webinars will be recorded and posted to CCDA's website and social media platforms. Our goal with these webinars is to create a training suite of videos and content that small businesses can use to educate their managers and employees about ways to increase access to customers with a variety of disabilities.

## CCDA and Website Accessibility

[Assembly Bill 2917](#) requires CCDA to develop modules or a toolkit geared toward educating businesses about the importance of website accessibility, and tips for ensuring that their websites meet accessibility standards. It also requires CCDA to begin collecting information on alleged website accessibility violations to our Legal Portal. CCDA updated the Legal Portal with more detailed drop-downs that attorneys can choose to describe the nature of the alleged website accessibility violation in each complaint reported to us. This will greatly assist CCDA with tailoring our approach to website accessibility education.

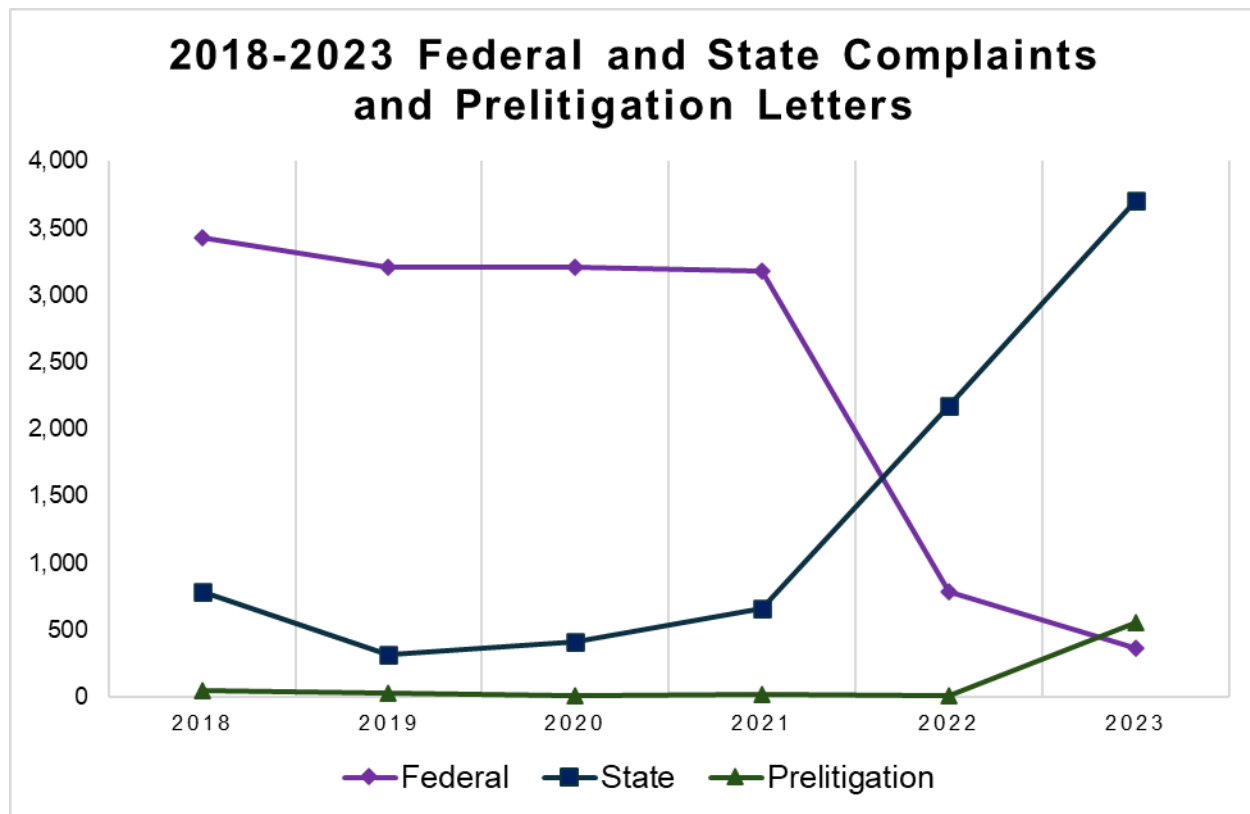
In April 2023, CCDA convened a conversation with commissioners about the challenges and opportunities of this endeavor. The conversation yielded feedback that will be used by staff to develop educational materials related to website accessibility in 2024. This will greatly assist CCDA with tailoring our approach to website accessibility education. CCDA is working on a website accessibility page for our website that will be a clearinghouse of information from partner agencies about website accessibility in general, and businesses specifically. This page is expected to launch in early 2024. Resources will continually be added to this page as they become available from partner agencies, such as the Department of Rehabilitation and the U.S. Department of Justice. In addition to the convening conversations and putting together existing resources about website accessibility for business, CCDA will develop a resource that details current recommendations from the U.S. Department of Justice on website accessibility and will create a training module on website accessibility tips for businesses that will be uploaded to our social media channels and website.

### **Path Forward:**

CCDA is committed to assisting businesses with understanding current recommendations related to web accessibility and how businesses can implement them. By utilizing the data generated from our Legal Portal about the nature of alleged website accessibility violations being reported, CCDA can generate programming with the topics about which businesses most need information. By gathering information about website accessibility in one place on our website, businesses will save time when seeking resources on how to ensure their websites meet recommended accessibility standards. By collaborating with partner agencies such as the Department of Rehabilitation and the Division of the State Architect to create original training content on website accessibility, businesses will learn how to apply website accessibility recommendations in a way that is straightforward and geared toward businesses specifically. By the end of 2024, CCDA will have positioned itself to be a clearinghouse of information and training about website accessibility for businesses.

## Appendices

### Appendix A: 2018-2023 Case Files and Prelitigation Letters Received by the Commission



Type of Filing	Year of 2018	Year of 2019	Year of 2020	Year of 2021	Year of 2022	Year of 2023
<b>Federal</b>	3,433	3,211	3,210	3,176	788	362
<b>State</b>	788	322	411	659	2,170	3,704
<b>Prelitigation Letters</b>	50	30	12	15	10	555

## Appendix B: 2023 Top 10 Alleged Violations

In 2023, there were 10,591 physical access barriers referenced in submissions of complaints and prelitigation letters to the CCDA Legal Portal. The top 10 violations represent 77% of all physical access barriers alleged.

Rank	Violation Description	Total Number of Violations	Percent of All Alleged Violations Received
1	<b>Access to Goods, Support, Services and Equipment:</b> Surface heights and space requirements for counters, tables, bars, or seating are not compliant.	1,567	15%
2	<b>Parking:</b> Existing spaces are noncompliant (e.g., excessive slopes/cross-slopes, improper dimensions, striping, etc.).	1,566	15%
3	<b>Path of Travel Exterior:</b> Vertical transitions (ramps and/or stairs) are not compliant (e.g., excessive slope/cross-slope; landings are noncompliant, lack of guardrails and/or wheel guard, etc.).	1,120	11%
4	<b>Path of Travel Exterior:</b> Routes to and from parking lot or public right of way are not accessible (e.g., noncompliant surfaces, excessive slope/cross-slope, lack of detectable warnings, not protected from traffic, etc.).	1,080	10%
5	<b>Parking:</b> Designated accessible directional and/or parking signage is missing or noncompliant.	766	7%
6	<b>Path of Travel Interior:</b> Path of travel is not accessible (e.g., noncompliant surfaces, excessive slope/cross-slope, circulation aisles are too narrow, etc.).	616	6%
7	<b>Path of Travel Exterior:</b> Doors are not accessible (e.g., the thresholds, handles, pulls, latches, locks, or clearances are noncompliant).	473	4%
8	<b>Parking:</b> Van-accessible and/or loading zones are noncompliant or nonexistent.	340	3%
9	<b>Path of Travel Interior:</b> Objects projecting into accessible path of travel (e.g., a rack, display, or boxes placed in the aisle).	332	3%
10	<b>Toilet, Lavatory and Bathing Facilities:</b> Access height/clearance of counters is noncompliant, plumbing not sufficiently covered or not located properly.	280	3%
<b>Total:</b>		8,140	77%

## Appendix C: Place of Public Accommodation Categories

According to the 2019 California Building Code, Title 24, Part 2, Volume 1 of 2, Chapter 2 (Section 202; Definitions), a place of public accommodation is a facility operated by a private entity whose operations affect commerce and fall within at least one of the following categories:

1. **Places of Lodging:** An establishment located within a facility that contains not more than five rooms for rent or hire and that is occupied by the proprietor of the establishment as the residence of the proprietor. For purposes of this code, a facility is a “place of lodging” if it is:
  - A) An inn, hotel or motel; or
  - B) A facility that
    - i. Provides guest rooms for sleeping for stays that primarily are short-term in nature (generally 30 days or less) where the occupant does not have the right to return to a specific room or unit after the conclusion of his or her stay; and
    - ii. Provides guest rooms under conditions and with amenities similar to a hotel, motel, or inn, including the following:
      1. On- or off-site management and reservations service.
      2. Rooms available on a walk-up or call-in basis.
      3. Availability of housekeeping or linen service; and
      4. Acceptance of reservations for a guest room type without guaranteeing a particular unit or room until check-in, and without a prior lease or security deposit.
2. **Establishments Serving Food or Drink:** A restaurant, bar, or other establishment serving food or drink.
3. **Places of Exhibition or Entertainment:** A motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment.
4. **Places of Public Gathering:** An auditorium, convention center, lecture hall, or other place of public gathering.
5. **Sales or Rental Establishments:** A bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment.
6. **Service Establishments:** A laundromat, dry cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy, insurance office, professional office of a health care provider, hospital, or other service establishment.
7. **Public Transportation:** A terminal, depot, or other station used for specified public transportation.
8. **Places of Public Display or Collection:** A museum, library, gallery, or other place of public display or collection.
9. **Places of Recreation:** A park, zoo, amusement park, or other place of recreation.

## Appendix C: Place of Public Accommodation Categories (Continued)

10. **Places of Education:** A nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education.
11. **Social Service Center Establishments:** A day care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center establishment.
12. **Places of Exercise or Recreation:** A gymnasium, health spa, bowling alley, golf course, or other place of exercise or recreation.
13. **Facility associated with the Regents of the University of California, the Trustees of the California State University and the California State University, the Office of the Chancellor of the California Community Colleges, a K–12 School District, or any Local Education Agency**
14. **Other (please specify):** cannabis dispensaries (not recognized federally) and any businesses that do not fall under the other categories provided.
15. **A Religious Facility**
16. **An Office Building**
17. **A Public Curb or Sidewalk**
18. **Website:** Covers websites that are not accessible (i.e., lack of screen reader support or image alt-text, no large print, unmodifiable websites for nonreadable text, etc.)

**Appendix D: Complaints and Prelitigation Letters Received by Places of Public Accommodation (2020-2023)**

Place of Public Accommodation Category	2023 Total	2023 Percent	2022 Total	2022 Percent	2021 Total	2021 Percent	2020 Total	2020 Percent
Sales or Rental Establishments	1,412	30.21%	970	32.3%	1,042	26.5%	1,358	35.7%
Establishments Serving Food or Drink	2,011	43.03%	1,282	42.7%	1,899	48.3%	1,317	35.7%
Service Establishments	552	11.81%	530	17.6%	746	19%	602	16.3%
Places of Lodging	205	4.39%	188	6.3%	208	5.3%	294	8.0%
Other <sup>[1]</sup>	8	0.17%	3	.1%	5	0.1%	23	0.6%
Public Transportation Terminals, Depots or Stations	0	0.00%	2	.1%	1	0.0%	7	0.2%
Place of Exhibition or Entertainment	14	0.30%	6	.2%	7	0.2%	9	0.2%
Places of Exercise or Recreation	10	0.21%	8	.3%	7	0.2%	2	0.1%
Places of Recreation	1	0.02%	2	.1%	5	0.1%	6	0.2%
An Office Building	3	0.06%	2	.1%	7	0.2%	31	0.8%

<sup>[1]</sup> This category includes business categories not listed under Title 24 of the California Building Standards, such as cannabis dispensaries.

**Appendix D: Complaints and Prelitigation Letters Received by Places of Public Accommodation (2020-2023) (Continued)**

Place of Public Accommodation Category	2023 Total	2023 Percent	2022 Total	2022 Percent	2021 Total	2021 Percent	2020 Total	2020 Percent
Places of Education (Non- Title II)	0	0.00%	1	0.0%	1	0.0%	4	0.1%
Places of Education (Title II)	1	0.02%	0	0.0%	0	0.0%	0	0.0%
Social Service Center Establishments	3	0.06%	0	0.0%	0	0.0%	2	0.1%
Places of Public Gathering	1	0.02%	2	0.1%	3	0.1%	10	0.3%
Places of Public Display or Collection	0	0.00%	1	0.0%	0	0.0%	1	0.0%
Public Curb or Sidewalk	7	0.15%	6	0.2%	3	0.1%	18	0.5%
Religious Facility	0	0.00%	0	0.0%	0	0.0%	0	0.0%
Websites <sup>[2]</sup>	446	9.54%	1	0.0%	N/A	N/A	N/A	N/A
<b>Total:</b>	<b>4,674</b>	<b>100%</b>	3,004	100%	3,935	100%	3,685	100%

<sup>[2]</sup> In the past, websites were included as part of the “Other” category as they were not recognized as a Place of Public Accommodation, but this category was added due to growing interest in inaccessible websites. In 2022, Assembly Bill 2917 was signed into law, requiring attorneys to send a copy of their complaint alleging inaccessible websites to the CCDA.



**Appendix E: Case Resolution Report Questions and Responses (2022-2023)**

**2023 Case Resolution Report Responses**

<b>Questions</b>	<b>Yes</b>	<b>Percent Yes</b>	<b>No</b>	<b>Percent No</b>
Defendant requested an early evaluation conference	31	1%	5,278	99%
Defendant requested a site inspection by a Certified Access Specialist	62	1%	5,247	99%
Plaintiff received injunctive relief	3,212	61%	2,097	39%
Another favorable result was achieved	637	12%	4,670	88%
Plaintiff received damages or monetary settlement	3929	74%	1,378	26%

**Appendix E: Case Resolution Report Questions and Responses (2022-2023) (Continued)**

**2022 Case Resolution Report Responses**

<b>Questions</b>	<b>Yes</b>	<b>Percent Yes</b>	<b>No</b>	<b>Percent No</b>
Defendant requested an early evaluation conference	20	1%	4,456	99%
Defendant requested a site inspection by a Certified Access Specialist	57	1%	4,419	99%
Plaintiff received injunctive relief	1,685	38%	2,791	62%
Another favorable result was achieved	4,401	90%	433	10%
Plaintiff received damages or monetary settlement	3,213	72%	1,263	28%

## Appendix F: Summary of Five-Year Strategic Goals

### 2020-2024 Goals

Goal	Purpose
<p><b>1.</b> Increase disability access awareness.</p>	<p>Many members of the disability community are not readily identifiable, and disability types come in all forms—visible and nonvisible. As California’s diverse population continues to grow and change, a greater percentage of society will need built environments that are barrier-free. Accessibility compliance is sometimes viewed as unnecessary and applicable to a very small minority of entities. Business owners, nonprofits, and other organizations are often unaware of applicable state and federal compliance requirements—or if they are aware, they may be unsure of what compliance looks like. This goal seeks to raise awareness of access issues and the availability of tools to support accessibility in the built environment.</p>
<p><b>2.</b> Continue to provide training programs and toolkits for targeted stakeholders.</p>	<p>This goal seeks to address the need for providers of places of public accommodation to learn about access issues, including available resources and support to make disability access modifications.</p>
<p><b>3.</b> Identify and promote revenue streams to fund physical access compliance.</p>	<p>There are limited resources available to offset the financial cost of access compliance issues. This goal speaks to the need to identify available programs that support efforts to mitigate accommodation costs and incentivize access compliance.</p>
<p><b>4.</b> Maintain data on status of access compliance.</p>	<p>Information on the status of access compliance will help stakeholders be more aware of ADA requirements and what compliance looks like. There are questions as to what information exists on compliance successes and where opportunities exist to create greater access, not to mention outcomes from state and federal accessibility lawsuits. The purpose of this goal is to provide relevant information and data on the status of access compliance throughout California.</p>

## Appendix G: Summary of 2022-2023 Two-Year Strategic Goals

Goal	Purpose
<p>Full Migration of Historical Data into CCDA's New Digital Records Portal</p>	<p>CCDA has maintained a manual database collecting alleged Title III case filings violations in state and federal court. The migration of the 2013-2019 Title III Historical records into the portal will create a robust tool for CCDA and its stakeholders.</p> <p>Completing the full migration of over 29,000 records will provide a complete picture of our research findings to internal and external stakeholders in real time.</p>
<p>CCDA launched an Accessible Parking Campaign.</p>	<p>CCDA launched the Accessible Parking Campaign to address the number one alleged disability access violation in California—violations concerning accessible parking. The focus of the Accessible Parking Campaign is to formulate and establish toolkits that will eventually be distributed to stakeholders and businesses across California.</p> <p>The toolkit will serve as an informational resource for California businesses and construction specialists to utilize for accessible parking.</p> <p>This will be accomplished through a dual approach: providing information to help with the initial construction of a business; and providing information to help businesses understand the complexities when determining their responsibility as a place of accommodation.</p>

## References

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### Table 7: Top ZIP Codes (2023)

ZIP Code: 90046 (Los Angeles) [Los Angeles, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/90046)

ZIP Code: 90069 (West Hollywood) [West Hollywood, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/90069)

ZIP Code: 90028 (Los Angeles) [Los Angeles, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/90028)

ZIP Code: 90262 (Lynwood) [Lynwood, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/90262)

ZIP Code: 90027 (Los Angeles) [Los Angeles, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/90027)

ZIP Code: 91786 (Upland) [Upland, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/91786)

ZIP Code: 90026 (Los Angeles) [Los Angeles, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/90026)

ZIP Code: 90401 (Santa Monica) [Santa Monica, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/90401)

ZIP Code: 90232 (Culver City) [Culver City, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/90232)

ZIP Code: 94806 (San Pablo) [San Pablo, CA – United States ZIP Codes.org](https://www.zipcodes.org/zip/94806)

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