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What Is Compliance?



Compliance is determined by the applicable standards.



Compliance to ADA

Facilities built before January 26, 1992:

- Must remove barriers that are readily achievable: "readily achievable barrier removal" (RABR)
- READILY ACHIEVABLE means easily accomplishable and able to be carried out without much difficulty or expense.
- Requirements less restrictive and assistive services must be provided where compliance has been determined to be not "readily achievable"

ADA states that an existing facility has a "continuous obligation for barrier removal." Readily achievable barrier removal is a continuing obligation for pre-ADA facilities. Barrier removal that was not readily achievable initially may later be required because you have more resources available; therefore, you must continually monitor its accessibility as well as its financial and other resources and engage in barrier removal as new measures become readily achievable.



Readily Achievable Barrier Removal

Factors to be considered include :

- **1**) The nature and cost of the action needed;
- 2) The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on expenses and resources; legitimate safety requirements that are necessary for safe operation, including crime prevention measures; or the impact otherwise of the action upon the operation of the site;
- 3) The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to any parent corporation or entity;
- 4) If applicable, the overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees; the number, type, and location of its facilities; and
- 5) If applicable, the type of operation or operations of any Parent Corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity.



Compliance to ADA

Facilities submitted for permit after January 26, 1993:

- Designed and constructed to the 1991 ADAS (ADA Standards)
- Assistive services are not permitted in lieu of compliance to the standards

Facilities submitted for permit after March 15, 2012:

- Designed and constructed to the 2010 ADAS (ADA Standards)
- Readily Achievable Barrier Removal for those items not covered in the 1991 ADAS
- Assistive services are not permitted in lieu of compliance to the standards



Compliance to CBC

California Building Code (CBC) Accessibility Requirements:

- Compliance to the standards required at time of permit submittal
- Places path of travel requirements on altered facilities
- No barrier removal provisions or no requirement to come into compliance with current CBC outside of a planned improvement

ADA and CBC requires maintenance of accessible features for compliance:

- Review operational and maintenance policies
- Educate employees



Am I Compliant? If not..... How Do I Get Compliant?

Hire A CASp.



Construction-Related Accessibility Standards Compliance Act CA CIV 55.51-55.545



Legal Benefits In Achieving Compliance Through CRASCA







CRASCA Determinations





CRASCA Determinations

"Meets Applicable Standards"

- Identification and description of inspected structures and areas of the site
- A signed and dated statement that the facility meets construction-related accessibility standards
- Indicate if the determination of the CASp includes an assessment of readily achievable barrier removal
- A signed and dated statement that indicates corrections were made as a result of a CASp inspection which includes a list of all corrections and dates of completion



CRASCA Determinations

"Inspected by a CASp"

- Identification and description of inspected structures and areas of the site
- A signed and dated statement that correction is needed to meet constructionrelated accessibility standards
- Indicate if the determination of the CASp includes an assessment of readily achievable barrier removal
- An identification and description of the structures or areas of the site that need correction and the correction needed
- A schedule of completion for each of the correctons within a reasonable timeframe



If You're Not Compliant.....

Violations should be corrected as quickly as possible because a claim can be filed against you while you are making improvements towards compliance. A claimant is entitled to \$4000 statutory damages per occasion if owner is found liable.



If the owner elects to achieve compliance in 120 days, they are eligible for a grace period from liability for minimum statutory damages. Applies to businesses of less than 50 employees over past 3 years.

Disability Access Inspection Certificate

Certificates are a record of inspection and not a certificate of compliance

"This certificate does not imply that this facility meets design and construction requirements for accessibility for individuals with disabilities."





Applicable Standards

While state and federal standards may be updated periodically, the applicable standards of your facility do not change unless you make physical improvements to your facility.

CRASCA inspection report does not expire. Legal benefits remain in place provided you do not perform an alteration to the inspected area after compliance.



Finding a CASp

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Ensuring Equal Access: Open Air Dining and Curbside Pick-up Webinar

DIVISION OF THE STATE ARCHITECT

CASp Property Inspection

Certified Access Specialist List

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	Abarquez, Joey	714-848-0487	abarquez@aol.com	CASp-315	9/15/2025								
	Abbott, Ron	916-233-8882		CASp-135	9/22/2024								
	Abdaljawwad,	916-715-4904	de et delle mod Queber e	040- 404	11/18/2024								
	Ola	910-/15-4904	ola_abdaljawwad@yahoo.com	CASp-161	11/18/2024								
	Abel, Mark	707-565-1366		CASp-900	12/2/2025								
		562-290-8506	mike@ftaarchitecture.com	CASp-701	8/12/2025	Yes	Los Angeles, Orange						
	Abeyta, Michael												
	Abeyta, Michael Adamson, Chris	530-754-1016		CASp-133	9/21/2024								



Before You Call a CASp

Prepare the following information:

- Know the date of original construction
- Know the improvement history
- Know the public accommodation areas of your facility
- Read your lease agreements and ask your landlord if the facility has had a CASp inspection
- Review operational policies and maintenance policies to see where you are vulnerable



After You Receive Your CRASCA Report





A Few More Tips.....

If you receive a demand letter or an access claim.....

- Consult an attorney with specialty in access litigation
- If you have not yet done so, hire a CASp to see if violations are valid to the applicable standards
- Remember that statutory damage limits are \$4000 per occasion and not per violation

A CASp can do more than provide accessibility inspections:

- Plan review
- Consultations

