

**Pre-Construction Accessibility Statement of Architect/Engineer** for New Construction Projects

HPD PROJECT ID \_\_\_\_\_

PROJECT NAME \_\_\_\_\_

Project Address(es)	Borough	Block	Lot
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*Additional space on page 5*

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF \_\_\_\_\_ )

The undersigned affirms, under penalty of perjury, that the following is true and correct:

1. I am \_\_\_\_\_ [License holder's name as it appears on her/his professional license], and I am a \_\_\_\_\_ duly licensed by and in good standing with the New York State Education Department, Office of the Professions. I am the \_\_\_\_\_ of record for the above-captioned Project.
2. I am familiar with the requirements of the laws and regulations applicable to the design and construction of this Project.
3. Check one as applicable:  
  
☐ I have relied on my own expertise and findings in the preparation of the Drawings and Specifications for the construction of this Project, without hiring an Accessibility Consultant.  
OR  
☐ I have relied on the expertise of an Accessibility Consultant in the preparation of the Drawings and Specifications for the construction of this Project:  
Consultant retained: \_\_\_\_\_  
Business address: \_\_\_\_\_  
Name of Principal Consultant: \_\_\_\_\_
4. I have investigated the facts set forth in the Drawings and Specifications and the facts underlying them, and conducted due diligence in order to form a basis for this professional opinion.
5. It is my professional opinion that, if the Project is constructed in accordance with the Drawings and Specifications, the completed building(s) in the Project will be in compliance with the requirements of the laws and regulations listed in subparagraphs (a) through (d), below:

- a. \_\_\_\_\_ ;
- b. Local Law 30 of 2023 (N.Y.C. Admin. Code § 26-3503), which requires incorporating universal design features (listed on the [HPD website](#)) in Projects with 41 or more dwelling units;
- c. Section 804(f)(3)(C) of the federal Fair Housing Act ("FHA") (42 U.S.C. § 3604(f)(3)(C)) and implementing regulations at 24 CFR § 100.205 (collectively "FHA").
- ☐ The Project was built for first occupancy after March 13, 1991 and the FHA's accessible construction requirements apply. Compliance is based on the Drawings and Specifications meeting the following architectural standards set forth in 24 CFR § 100.205: \_\_\_\_\_
- ☐ The Project was built for first occupancy before March 13, 1991 and the FHA's accessible construction requirements do not apply.
- d. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and implementing regulations at 24 CFR part 8. Compliance is based on the Drawings and Specifications meeting the following architectural standards: \_\_\_\_\_

The Project is a new construction project as defined in 24 CFR § 8.22 and the following data and information is true and correct:

- The total number of dwelling units at this project is \_\_\_\_\_ ; and
- The total number of income restricted units at this project is \_\_\_\_\_ ; and
- In accordance with 24 CFR § 8.22-8.23(a), \_\_\_\_\_ (5%) of the income-restricted units have been designed for use by individuals with mobility impairments, and \_\_\_\_\_ (2%) of the income-restricted units have been designed for use by individuals with hearing or vision impairments.

- The Units that are accessible for individuals with mobility impairments are as follows:

Unit Size	Unit #(s)
Studio	
1-BR	
2-BR	
3-BR	
4+BR	

- The Units that are accessible for individuals with vision and hearing impairments are as follows:

Unit Size	Unit #(s)
Studio	
1-BR	
2-BR	
3-BR	
4+BR	

- In accordance with 24 CFR § 8.26, the accessibly designed units listed above \_\_\_\_\_ distributed throughout the project, in a range of sizes and amenities so as not to limit choice. If not, explain why:

6. I affirm that my professional opinion stated herein, and all documents submitted in support hereof:

- a. does not omit any material fact;
- b. does not contain any untrue statement of a material fact;
- c. does not contain any fraud, deception, concealment, or suppression;
- d. does not contain any promise or representation as to the future which is beyond reasonable expectation or unwarranted by existing circumstances;
- e. does not contain any representation or statement which is false, where I: (i) knew the truth; (ii) with reasonable effort could have known the truth; (iii) made no reasonable effort to ascertain the truth; or (iv) did not have knowledge concerning the representation or statement made.

7. This professional opinion is not intended as a guarantee or warranty of the physical condition of the property.

Signature of architect or engineer of record: \_\_\_\_\_

License holder's name as it appears on her/his professional license: \_\_\_\_\_

[Professional Seal]

So sworn before me this

\_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_\_.

\_\_\_\_\_

Notary Public

PRIVILEGED AND CONFIDENTIAL

ACCESSIBILITY CONSULTANT CERTIFICATION:

I, [name] \_\_\_\_\_, am an Accessibility Consultant hired by the Architect/Engineer/Developer to ensure the above-captioned Project complies with all applicable accessibility laws and regulations.

I have reviewed the Drawings and Specifications for the construction of the Project and reviewed all applicable laws and regulations that govern the construction of accessible housing for people with disabilities. Based on this review, I have determined that the Project complies with all applicable accessibility laws, including the NYC Building Code, the FHA, and Section 504 of the Rehabilitation Act of 1973.

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

So sworn before me this

\_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_\_.

\_\_\_\_\_

Notary Public

PRIVILEGED AND CONFIDENTIAL

Additional Buildings in Project (continued from page 1)

Project Address(es)	Borough	Block	Lot
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