

F233.4.1 Minimum Number: New Construction. Newly constructed *facilities with residential dwelling units* shall comply with F233.4.1.

EXCEPTION: Where *facilities* contain 15 or fewer *residential dwelling units*, the requirements of F233.4.1.1 and F233.4.1.2 shall apply to the total number of *residential dwelling units* that are constructed under a single contract, or are developed as a whole, whether or not located on a common *site*.

F233.4.1.1 Residential Dwelling Units with Mobility Features. In *facilities with residential dwelling units*, at least 5 percent, but no fewer than one unit, of the total number of *residential dwelling units* shall provide mobility features complying with 809.2 through 809.4 and shall be on an *accessible route* as required by F206.

F233.4.1.2 Residential Dwelling Units with Communication Features. In *facilities with residential dwelling units*, at least 2 percent, but no fewer than one unit, of the total number of *residential dwelling units* shall provide communication features complying with 809.5.

F233.4.2 Residential Dwelling Units for Sale. *Residential dwelling units* offered for sale shall provide *accessible* features to the extent required by regulations issued by Federal agencies under Section 504 of the Rehabilitation Act of 1973, as amended.

Advisory F233.4.2 Residential Dwelling Units for Sale. An agency that uses federal funds or an entity that receives federal financial assistance to build housing for purchase by individual home buyers must provide access according to the requirements of the applicable Section 504 regulations.

F233.4.3 Additions. Where an *addition* to an existing *building* results in an increase in the number of *residential dwelling units*, the requirements of F233.4.1 shall apply only to the *residential dwelling units* that are *added* until the total number of *residential dwelling units* complies with the minimum number required by F233.4.1. *Residential dwelling units* required to comply with F233.4.1.1 shall be on an *accessible route* as required by F206.

F233.4.4 Alterations. *Alterations* shall comply with F233.4.4.

EXCEPTION: Where compliance with 809.2, 809.3, or 809.4 is *technically infeasible*, or where it is *technically infeasible* to provide an *accessible route* to a *residential dwelling unit*, the entity shall be permitted to *alter* or construct a comparable *residential dwelling unit* to comply with 809.2 through 809.4 provided that the minimum number of *residential dwelling units* required by F233.4.1.1 and F233.4.1.2, as applicable, is satisfied.

Advisory F233.4.4 Alterations Exception. A substituted dwelling unit must be comparable to the dwelling unit that is not made accessible. Factors to be considered in comparing one dwelling unit to another should include the number of bedrooms; amenities provided within the dwelling unit; types of common spaces provided within the facility; and location with respect to community resources and services, such as public transportation and civic, recreational, and mercantile facilities.