



City of Seattle
Department of Finance and Administrative Services
ADA Compliance Team
700 5th AVE, Suite 4112, PO Box 94687
98124-4687

ADA Compliance Unreasonable Hardship Request

This form may be used to request an exception to ADA compliance due to an unreasonable hardship. Some renovation or alteration projects may be impacted by a hardship that will prevent the project from being designed in full compliance with Title II of the Americans with Disabilities Act. When a department thinks that their project meets the standard for an unreasonable hardship, they may submit this application to the ACT for review and approval. *Submit unreasonable hardship requests no later than the end of schematic design or equivalent.*

When submitting a request for unreasonable hardship, provide enough documentation to clearly describe the hardship such as: existing topography, existing grading plans, existing floor plans, existing structural drawings, documentation of historic character, cost estimates as well as any documentation that clearly describes alternative methods for providing ADA accommodation.

Project Information

Project Name: _____
Project Address: _____
Date Submitted: _____
Submitted By: _____ **Signature:** _____

What qualifies as an unreasonable hardship?

Hardships are defined under Federal law by Section 35.151 of 28 CFR Part 35 as follows:

1. Full compliance is not required where a public entity can demonstrate that it is structurally impracticable to meet the requirements. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features.
2. Alterations to historic properties shall comply, to the maximum extent feasible, with the provisions applicable to historic properties in the design standards specified in 35.151 (C).
3. Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area.

Note that hardships will only apply to alterations to existing buildings or sites except in the case of existing steep grades.

Hardship Description

1. Is providing full compliance with ADA, structurally impracticable? **Yes** **No**
If yes, please describe:

2. Is the project a *qualified historic building or facility* where providing ADA compliance for certain items will harm the historic nature of the building? A *qualified historic building or facility* is defined as: a building or facility that is listed in or eligible for listing in the National Register of Historic Places, or designated as historic under an appropriate State or local law. **Yes** **No**
If yes, please describe:

3. Do the costs of providing an accessible path of travel to the altered area exceed 20% of the overall cost to the primary function area? **Yes** **No**
If yes, please attach a cost estimate detailing the cost of the accessible path of travel to the altered area as a percentage of the primary function area for review.

If the unreasonable hardship request is granted, how will the department guarantee people with disabilities equal access to services, programs, and activities in the facility?

In light of the information provided above, the hardship is: **Granted** **Denied**
The explanation for the decision is as follows:

ACT Reviewer: _____

Signature: _____

Date: _____