



When an accessibility complaint is received regarding privately owned buildings and sites, the following should be followed:

1. Get the complainant's name and contact information.
2. Get the address or physical location where the problem is located.
3. Get a detailed description of the problem.
4. If the problem is beyond your ability to resolve, transfer the person to the Accessibility Technical Lead for resolution.

Projects under construction:

1. Get building permit information if available.
2. Get the name of the construction company on site if available.
3. Inform the complainant that you will notify the PDD Inspections Division of this complaint. Tell the complainant that someone from the PDD Inspections Division will follow-up with them within a few days.
4. Provide the complainant your name and contact information. Ask them to contact you if they need further assistance, or if the PDD Inspections Division doesn't follow-up with them within the next 5 days.

Existing commercial facilities or places of public accommodation:

1. If the complaint is for something that is not required by the Phoenix Building Construction Code (PBCC), Zoning Ordinance, or ADA (like automatic door operators) explain to the person that this is not required and discuss with them the sections of the code where they can find further information. Also provide them the following information if they would like to research the issue further:
United States Access Board - <https://www.access-board.gov/> 1-800-872-2253
U.S. Department of Justice - <https://www.ada.gov/> 1-800-514-0301
2. If the complaint is on a facility that was first occupied before January 26, 1993, and it has not been altered after January 26, 1993, tell them the PDD has no authority to enforce accessibility on the facility unless it is undergoing an alteration without a permit. If the facility is a public accommodation like a restaurant, store, hotel or doctor's office that provides goods or services to the public, the ADA requires the removal of architectural barriers as budget allows. The U.S. Department of Justice, and the Arizona Attorney General Office enforce architectural barrier removal provisions of the ADA. Provide the complainant with the following information if they would like to research the issue further:
<https://www.ada.gov/reachingout/factor.html>
U.S. Department of Justice - <https://www.ada.gov/>
AZ Attorney General's Office - <https://www.azag.gov/complaints/civil-rights>

3. If the complaint is for a building alteration that did not have a building permit, refer the complainant to the PDD Non-Permitted Construction Section at <https://www.phoenix.gov/pdd/about/faq/non-permitted-construction>.
4. If the complaint is about accessible parking spaces or accessible parking signs being removed, refer the complainant to the Neighborhood Services Department (602-534-4444). The Neighborhood Services Department is responsible for investigating and resolving violations of the Zoning Ordinance and will work with the complainant to resolve the issue.
5. If the complaint is about accessible parking spaces being used for storage or sale of items like Christmas trees, refer the complainant to the Neighborhood Services Department (602-534-4444). The Neighborhood Services Department is responsible for investigating and resolving violations of the Zoning Ordinance and will work with the complainant to resolve the issue.

Existing multi-family residential developments:

1. If the complaint is for something that is not required by the Phoenix Building Construction Code (PBCC), Zoning Ordinance, Fair Housing Act, or the ADA explain to the person that this is not required and discuss with them the sections of the code where they can find further information. Also provide them the following information if they would like to research the issue further:
Fair Housing Act Design Manual -
<https://www.huduser.gov/portal/publications/destech/fairhousing.html>
2. If the complaint is on a facility that was ready for first occupancy before March 13, 1991 and it has not been altered after March 13, 1991, tell them the PDD has no authority to enforce accessibility requirements on the facility unless it is undergoing an alteration without a permit. Provide the complainant with the following information if they would like to research the issue further:
Fair Housing Act Design Manual -
<https://www.huduser.gov/portal/publications/destech/fairhousing.html>
3. If the complaint is for a building alteration that did not have a building permit, refer the complainant to the PDD Non-Permitted Construction Section at <https://www.phoenix.gov/pdd/about/faq/non-permitted-construction>.
4. If the complaint is about accessible parking spaces or accessible parking signs being removed, refer the complainant to the Neighborhood Services Department (602-534-4444). The Neighborhood Services Department is responsible for investigating and resolving violations of the Zoning Ordinance and will work with the complainant to resolve the issue.

5. If the complaint is by a tenant of a multi-family residential development requesting accessible accommodations such as parking or bathroom grab bars, refer them to the Housing Division of the City's Equal Opportunity Department (EOD) 602-262-7486. The EOD staff investigates complaints based on the Fair Housing Act requirements.

Miscellaneous:

1. If the person informs you that they are being sued for lack of compliance to the ADA or the Fair Housing Act, tell the person you are not an attorney and that you cannot give them legal advice. Tell them to discuss the matter with a qualified attorney.

If they are looking for accessibility information, provide them with the following list of accessibility resources:

- a. <https://www.access-board.gov/>
- b. <https://www.ada.gov/>
- c. <https://www.ada.gov/reachingout/factor.html>
- d. <https://www.huduser.gov/portal/publications/destech/fairhousing.html>