

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:21-cv-00395-M

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
MILLS CONSTRUCTION COMPANY, INC., )  
MILBURNIE APARTMENTS LIMITED )  
PARTNERSHIP, PINE KNOLL LIMITED )  
PARTNERSHIP, ROLLINWOOD MANOR, LLC, )  
KITTRELL PLACE, LLC, HODGES CREEK )  
APARTMENTS, LLC, and ENFIELD POINTE, )  
LLC, )  
)  
Defendants. )  
\_\_\_\_\_)

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EXHIBIT 1.3	Milburnie Road Matrix of Required Retrofits to Covered Unit Interiors
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EXHIBIT 2.3	Marsh Creek Matrix of Required Retrofits to Covered Unit Interiors
EXHIBIT 3.1	Hodges Creek Accessible Route
EXHIBIT 3.2	Hodges Creek Matrix of Required Retrofits to Public and Common Use Areas

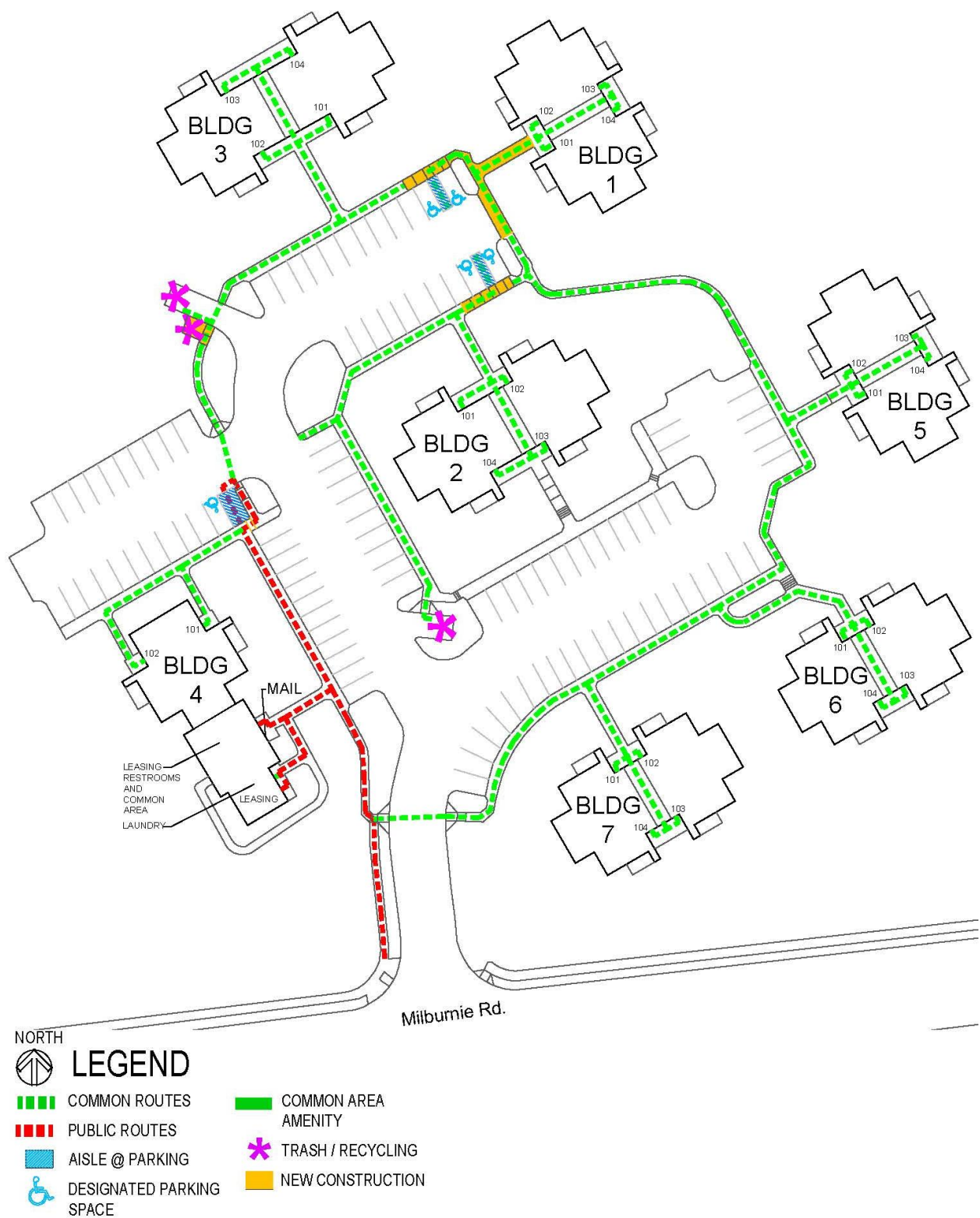
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with Disabilities at Mills Construction Company, Inc. Apartment  
Complexes
- EXHIBIT 13            Release of All Claims
- EXHIBIT 14            Acknowledgment of Receipt of Consent Order
- EXHIBIT 15            Certification of Fair Housing Training

# **EXHIBIT 1.1**

## **Milburnie Road Accessible Route**





## Exhibit 1.2



Milburnie Road Matrix of Required Retrofits to Public and Common Use Areas.

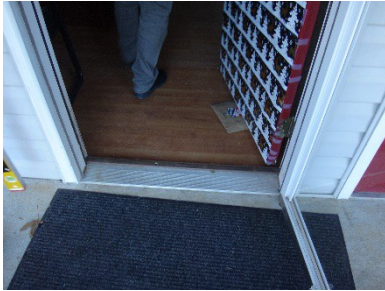


# MILBURNIE ROAD APARTMENTS: PUBLIC AND COMMON USE AREAS

## A. Inaccessible Features at Public and Common Areas:


Numbers	Photos	Deficiency	Required Retrofit
	<b>Inaccessible Slopes at Routes</b>		
2	 <p><i>Measuring cross slope at turn to mail area.</i></p>	<p>Cross slopes of the routes/sidewalks are more than 2% (maximum 2% allowed).</p> <p>Location</p> <p>Southeast of Building 4                      7.2% (at curb ramp at Gibney Dr.)</p> <p>East of Building 4                      4.0% (at intersection of Gibney &amp; Sawpit)</p> <p>East of Building 4                      3.9% (route to leasing office)</p> <p>East of Building 4                      4.5% (route to leasing office)</p>	Modify 3.9%, 4.0%, 4.5%, and 7.2% cross slopes to comply with ANSI 4.3.7.



Numbers	Photos	Deficiency	Required Retrofit
3	<p><i>Curb ramp northeast of Building 4 - Picture 1. Running slope -- Picture 2.</i></p> 	The running slope of the curb ramp northeast of Building 4 (leading to the leasing office) is 9.4% (maximum 8.3% allowed).	Modify 9.4% running slope of curb ramp to comply with ANSI 4.7.2 and 4.8.2.



Numbers	Photos	Deficiency	Required Retrofit
4	 <p><i>Curb ramp cross slope location.</i></p>  <p><i>Cross slope.</i></p>	The cross slope of the curb ramp northeast of Building 4 is 5.9% (maximum 2.0% allowed).	Modify 5.9% cross slope of curb ramp to comply with ANSI 4.7.2 and 4.8.2.
	<b>Inaccessible Threshold</b>		



Numbers	Photos	Deficiency	Required Retrofit
6	<p><i>Leasing office door threshold -- Picture 1. Interior threshold -- Picture 2. Exterior threshold -- Picture 3.</i></p>   	<p>The leasing/management office door threshold is 1- 1/4 inches high inside and 1- 3/8 inches high at the exterior (maximum 1/2-inch height allowed; maximum 1/4-inch change in level without a bevel allowed.)</p>	<p>Replace threshold to comply with ANSI 4.13.8 and 4.5.2.</p>
	<b>Protruding Objects</b>		







Numbers	Photos	Deficiency	Required Retrofit
7	 <p><i>Light fixture by door.</i></p>	The light fixture at the doors to the Leasing Office and to the Laundry Room project approximately 7-1/4 inches into the circulation path (maximum 4 inches allowed). The same light fixture is found at the dwelling unit entries and exterior routes.	Modify light fixture to comply with ANSI 4.4.1.
<b><u>Routes from Site Arrival Points to Common Areas and Covered Dwelling Units</u></b>			
<b><u>Inaccessible Features – Milburnie Road Apts.</u></b>			
<b>B. Inaccessible Features at Common Area Routes</b>			
	<b>Inaccessible Features at Routes</b>		



Numbers	Photos	Deficiency	Required Retrofit								
8	<div><p><i>Curb at trash area.</i></p><p><i>Height of curb (change in level).</i></p></div>	<p>The route has changes in level greater than 1/2 inch (maximum 1/2 inch with bevel allowed).</p> <table><thead><tr><th>Location</th><th>Height (inches)</th></tr></thead><tbody><tr><td>North of Building 2 (sidewalk to Building 2)</td><td>5/8</td></tr><tr><td>South of Building 3 (curb at trash area west of Building 3)</td><td>5</td></tr><tr><td>South of Building 3 (sidewalk to Building 3)</td><td>7/8</td></tr></tbody></table>	Location	Height (inches)	North of Building 2 (sidewalk to Building 2)	5/8	South of Building 3 (curb at trash area west of Building 3)	5	South of Building 3 (sidewalk to Building 3)	7/8	<p>Modify 5/8", 5", and 7/8" to comply with ANSI 4.5.2. Install striping at three crosswalk locations. Note that the accessible route plan requires an accessible route to the dumpster on the SW side of Building 3, so the existing curb ramp must be fixed.</p>
Location	Height (inches)										
North of Building 2 (sidewalk to Building 2)	5/8										
South of Building 3 (curb at trash area west of Building 3)	5										
South of Building 3 (sidewalk to Building 3)	7/8										

Numbers	Photos	Deficiency	Required Retrofit								
9	 <p><i>Location west of Building 5.</i></p>  <p><i>Gap width.</i></p>	<p>Gaps in the pavement are wider than 1/2 inch (maximum 1/2 inch allowed).</p> <table><thead><tr><th><u>Location</u></th><th><u>Width (inches)</u></th></tr></thead><tbody><tr><td>West of Building 5 (cracked concrete sidewalk)</td><td>3/4</td></tr><tr><td>West of Building 7 (cracked concrete sidewalk)</td><td>7/8</td></tr><tr><td>North of Building 7 (cracked concrete sidewalk)</td><td>&gt;1/2</td></tr></tbody></table>	<u>Location</u>	<u>Width (inches)</u>	West of Building 5 (cracked concrete sidewalk)	3/4	West of Building 7 (cracked concrete sidewalk)	7/8	North of Building 7 (cracked concrete sidewalk)	>1/2	<p>Modify all gaps to comply with ANSI 4.5.4.</p>
<u>Location</u>	<u>Width (inches)</u>										
West of Building 5 (cracked concrete sidewalk)	3/4										
West of Building 7 (cracked concrete sidewalk)	7/8										
North of Building 7 (cracked concrete sidewalk)	>1/2										

Numbers	Photos	Deficiency	Required Retrofit																																														
10	<div><p><i>Route southwest of Building 1 to Building 5.</i></p><p><i>Cross slope.</i></p></div>	<div>Cross slopes of the route are more than 2% (maximum 2% allowed).</div> <table><thead><tr><th>Location</th><th>Slope</th></tr></thead><tbody><tr><td>Southwest of Building 1</td><td>3.8%</td></tr><tr><td>Northeast of Building 2</td><td>3.6%</td></tr><tr><td>North of Building 2</td><td>4.2%</td></tr><tr><td>North of Building 2</td><td>4.0%</td></tr><tr><td>South of Building 3</td><td>3.7%</td></tr><tr><td>(west of walk to Building 3)</td><td></td></tr><tr><td>South of Building 3</td><td>3.5%</td></tr><tr><td>(at walk to Building 3)</td><td></td></tr><tr><td>South of Building 3</td><td>3.5%</td></tr><tr><td>(south end of walk to Building 3)</td><td></td></tr><tr><td>Southwest of Building 5</td><td>4.0%</td></tr><tr><td>Southwest of Building 5</td><td>3.9%</td></tr><tr><td>West of Building 5</td><td>4.2%</td></tr><tr><td>West of Building 5</td><td>4.1%</td></tr><tr><td>(at walk to Building 5)</td><td></td></tr><tr><td>Northwest of Building 6</td><td>5.9%</td></tr><tr><td>Northwest of Building 6</td><td>3.7%</td></tr><tr><td>North of Building 6</td><td>4.6%</td></tr><tr><td>Northwest of Building 7</td><td>4.3%</td></tr><tr><td>Northwest of Building 7</td><td>4.4%</td></tr><tr><td>Northwest of Building 7</td><td>3.9%</td></tr><tr><td>Northeast of Building 7</td><td>3.6%</td></tr></tbody></table>	Location	Slope	Southwest of Building 1	3.8%	Northeast of Building 2	3.6%	North of Building 2	4.2%	North of Building 2	4.0%	South of Building 3	3.7%	(west of walk to Building 3)		South of Building 3	3.5%	(at walk to Building 3)		South of Building 3	3.5%	(south end of walk to Building 3)		Southwest of Building 5	4.0%	Southwest of Building 5	3.9%	West of Building 5	4.2%	West of Building 5	4.1%	(at walk to Building 5)		Northwest of Building 6	5.9%	Northwest of Building 6	3.7%	North of Building 6	4.6%	Northwest of Building 7	4.3%	Northwest of Building 7	4.4%	Northwest of Building 7	3.9%	Northeast of Building 7	3.6%	<div>Modify cross slopes ranging from 3.5% to 5.9% to comply with ANSI 4.3.7.</div> <div>Install striping at three crosswalk locations.</div>
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Numbers	Photos	Deficiency	Required Retrofit										
11	<div><p><i>Curb ramp SE of Bldg. 4</i></p><p><i>Running slope.</i></p></div>	<div>Curb ramp running slopes are more than 8.3% (maximum 8.3% allowed).</div> <table><tr><th>Location</th><th>Slope</th></tr><tr><td>Southeast of Building 4 (middle of curb ramp)</td><td>16.8%</td></tr><tr><td>Southeast of Building 4 (bottom of curb ramp)</td><td>15.4%</td></tr><tr><td>Northeast of Building 4</td><td>10.2%</td></tr><tr><td>West of Building 7</td><td>9.3%</td></tr></table>	Location	Slope	Southeast of Building 4 (middle of curb ramp)	16.8%	Southeast of Building 4 (bottom of curb ramp)	15.4%	Northeast of Building 4	10.2%	West of Building 7	9.3%	Modify 16.8%, 15.4%, 10.2%, and 9.3% running slopes of curb ramp to comply with ANSI 4.7.2.
Location	Slope												
Southeast of Building 4 (middle of curb ramp)	16.8%												
Southeast of Building 4 (bottom of curb ramp)	15.4%												
Northeast of Building 4	10.2%												
West of Building 7	9.3%												



Numbers	Photos	Deficiency	Required Retrofit
12	<p><i>Curb ramp SE of Bldg. 4 -- Picture 1. Cross slope -- Picture 2.</i></p>  	<p>Curb ramp cross slopes are more than 2.0% (maximum 2.0% allowed).</p> <p>Location Southeast of Building 4 (middle of curb ramp)</p> <p>Slope 3.4%</p>	<p>Modify 3.4% cross slope of curb ramp to comply with ANSI 4.7.6.</p>
	<p><b>Inaccessible Slopes at Door Maneuvering Spaces</b></p>		



Numbers	Photos	Deficiency	Required Retrofit										
13	<p><i>Door at Laundry room -- Picture 1.</i> <i>Slope at door approach -- Picture 2.</i></p>  	<p>Common area door maneuvering clear spaces are sloped greater than 2.0% (maximum 2% allowed).</p> <table><tr><td>Location</td><td>Slope</td></tr><tr><td>Laundry Room</td><td>3.9%</td></tr><tr><td>Meeting Room</td><td>5.1%</td></tr><tr><td>(side approach at latch)</td><td></td></tr><tr><td>Unit 102, Building 1</td><td>3.4%</td></tr></table>	Location	Slope	Laundry Room	3.9%	Meeting Room	5.1%	(side approach at latch)		Unit 102, Building 1	3.4%	<p>Modify 3.9%, 5.1%, and 3.4% slopes of maneuvering spaces to comply with ANSI 4.13.6.</p>
Location	Slope												
Laundry Room	3.9%												
Meeting Room	5.1%												
(side approach at latch)													
Unit 102, Building 1	3.4%												
	<b>Inaccessible Thresholds</b>												





Numbers	Photos	Deficiency	Required Retrofit																
14	<div></div> <div>Unit 103, Building 5, entrance door.</div>	<div>Entrance door thresholds are more than 1/4 inch high and not beveled (maximum 1/4- inch height allowed without bevel).</div> <table><tr><td>Location</td><td>Height (inches)</td></tr><tr><td>Unit 101, Building 2</td><td>3/4 no bevel</td></tr><tr><td>Unit 104, Building 3</td><td>3/4 no bevel</td></tr><tr><td>Unit 101, Building 4</td><td>5/8 no bevel</td></tr><tr><td>Unit 101, Building 5</td><td>5/8 no bevel</td></tr><tr><td>Unit 103, Building 5</td><td>5/8 no bevel</td></tr><tr><td>Unit 103, Building 6</td><td>5/8 no bevel</td></tr><tr><td>Kitchen</td><td>5/8 no bevel</td></tr></table>	Location	Height (inches)	Unit 101, Building 2	3/4 no bevel	Unit 104, Building 3	3/4 no bevel	Unit 101, Building 4	5/8 no bevel	Unit 101, Building 5	5/8 no bevel	Unit 103, Building 5	5/8 no bevel	Unit 103, Building 6	5/8 no bevel	Kitchen	5/8 no bevel	Modify thresholds that are more than 3/8 inches high to comply with Requirement 4(4).
Location	Height (inches)																		
Unit 101, Building 2	3/4 no bevel																		
Unit 104, Building 3	3/4 no bevel																		
Unit 101, Building 4	5/8 no bevel																		
Unit 101, Building 5	5/8 no bevel																		
Unit 103, Building 5	5/8 no bevel																		
Unit 103, Building 6	5/8 no bevel																		
Kitchen	5/8 no bevel																		
	Protruding Objects																		








Numbers	Photos	Deficiency	Required Retrofit																																																						
15	<div><p><i>Light fixture at entrance to meeting room.</i></p><p><i>Light fixture projection.</i></p></div>	<p>Lights and fire extinguishers project more than 4 inches into the circulation paths (maximum 4 inches allowed).</p> <table><thead><tr><th>Light Fixtures (inches)</th><th>Distance Location</th></tr></thead><tbody><tr><td colspan="2">Meeting room entry:</td></tr><tr><td>Depth of protrusion</td><td>7-1/4</td></tr><tr><td>Height of leading edge</td><td>67-1/2</td></tr><tr><td>Unit 101, Building 1</td><td>7 +/-</td></tr><tr><td colspan="2">Unit 102, Building 1:</td></tr><tr><td>Depth of protrusion</td><td>6-3/4</td></tr><tr><td>Height of leading edge</td><td>69-1/2</td></tr><tr><td>Unit 103, Building 1</td><td>7 +/-</td></tr><tr><td>Unit 104, Building 1</td><td>7 +/-</td></tr><tr><td>Unit 101, Building 2</td><td>7 +/-</td></tr><tr><td>Unit 102, Building 2</td><td>7 +/-</td></tr><tr><td>Unit 103, Building 2</td><td>7 +/-</td></tr><tr><td>Unit 104, Building 2</td><td>7 +/-</td></tr><tr><td>Building 2 Breezeway at 101</td><td>7 +/-</td></tr><tr><td>Building 2 Breezeway at 104</td><td>7 +/-</td></tr><tr><td colspan="2">Unit 101, Building 3:</td></tr><tr><td>Depth of protrusion</td><td>7-1/2</td></tr><tr><td>Height of leading edge</td><td>69-1/4</td></tr><tr><td>Unit 102, Building 3</td><td>7 +/-</td></tr><tr><td>Unit 103, Building 3</td><td>7 +/-</td></tr><tr><td>Unit 104, Building 3</td><td>7 +/-</td></tr><tr><td>Building 3 Breezeway at 101</td><td>7 +/-</td></tr><tr><td>Building 3 Breezeway at 102</td><td>7 +/-</td></tr><tr><td colspan="2">Building 3 behind stairs:</td></tr><tr><td>Depth of protrusion</td><td></td></tr><tr><td>Height of leading edge</td><td>71</td></tr></tbody></table>	Light Fixtures (inches)	Distance Location	Meeting room entry:		Depth of protrusion	7-1/4	Height of leading edge	67-1/2	Unit 101, Building 1	7 +/-	Unit 102, Building 1:		Depth of protrusion	6-3/4	Height of leading edge	69-1/2	Unit 103, Building 1	7 +/-	Unit 104, Building 1	7 +/-	Unit 101, Building 2	7 +/-	Unit 102, Building 2	7 +/-	Unit 103, Building 2	7 +/-	Unit 104, Building 2	7 +/-	Building 2 Breezeway at 101	7 +/-	Building 2 Breezeway at 104	7 +/-	Unit 101, Building 3:		Depth of protrusion	7-1/2	Height of leading edge	69-1/4	Unit 102, Building 3	7 +/-	Unit 103, Building 3	7 +/-	Unit 104, Building 3	7 +/-	Building 3 Breezeway at 101	7 +/-	Building 3 Breezeway at 102	7 +/-	Building 3 behind stairs:		Depth of protrusion		Height of leading edge	71	<p>Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.</p>
Light Fixtures (inches)	Distance Location																																																								
Meeting room entry:																																																									
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Numbers	Photos	Deficiency	Required Retrofit
	 <p><i>Light fixture height.</i></p>  <p><i>Fire extinguisher cabinet at Building 6.</i></p>	Building 3 Breezeway at 103      7 +/- Unit 101, Building 4              7 +/- Unit 102, Building 4              7 +/- Unit 101, Building 5              7 +/- Unit 102, Building 5: Depth of protrusion              7 Height of leading edge          69-1/2 Unit 103, Building 5              7 +/- Unit 104, Building 5              7 +/- Building 5 Breezeway front      7 +/- Unit 101, Building 6              7 +/- Unit 102, Building 6              7 +/- Unit 103, Building 6              7 +/- Unit 104, Building 6              7 +/-	

Numbers	Photos	Deficiency	Required Retrofit
	 <p><i>Fire extinguisher cabinet depth.</i></p>  <p><i>Fire extinguisher height (to bottom of cabinet).</i></p>	<p>Building 6 Breezeway rear:</p> <p>Depth of protrusion 5-1/4</p> <p>Height of leading edge 69-1/4</p> <p>Unit 101, Building 7 7 +/-</p> <p>Unit 102, Building 7 7 +/-</p> <p>Unit 103, Building 7 7 +/-</p> <p>Unit 104, Building 7 7 +/-</p> <p>Building 7 Breezeway font 5 +/-</p> <p>Building 7 Breezeway rear:</p> <p>Depth of protrusion 7-1/4</p> <p>Height of leading edge 69-3/4</p> <p>Building 7 behind stair 7 +/-</p> <p>Fire Extinguishers Distance</p> <p>Location (inches)</p> <p>Building 1 Breezeway:</p> <p>Depth of protrusion 6-3/4</p> <p>Height of leading edge 41-1/4</p> <p>Building 2 behind stair:</p> <p>Depth of protrusion 6-5/8</p> <p>Height of leading edge 42-7/8</p> <p>Building 2 Breezeway rear 6-1/4 +/-</p> <p>Building 3 Breezeway:</p> <p>Depth of protrusion 6-1/4</p>	



Numbers	Photos	Deficiency	Required Retrofit
		Height of leading edge 40-1/2 Building 5 Breezeway 6-1/4 +/- Building 6 Breezeway: Depth of protrusion 7-3/4 Height of leading edge 41-3/8 Building 7 Breezeway: Depth of protrusion 6-3/4 Height of leading edge 43 Laundry Room Counter: Depth of protrusion 5-3/4 Height of leading edge 35	
<b>C. Common Use Areas</b>			
	<b>Inaccessible Common Area Features</b>		

Numbers	Photos	Deficiency	Required Retrofit						
16	<p><i>Slope at recycling center -- Photo 1. Cross slope -- Photo 2.</i></p>  	<p>Clear space at the recycling center clear floor space has a cross slope of 3.8% (maximum 2% allowed).</p> <table><tr><th>Location</th><th>Slope</th></tr><tr><td>Southwest of Building 3</td><td>3.8%</td></tr></table>	Location	Slope	Southwest of Building 3	3.8%	<p>Modify 3.8% cross slope to comply with ANSI 4.3.7.</p>		
Location	Slope								
Southwest of Building 3	3.8%								
17	<p><i>Maneuvering clearance at meeting room rear exit (door on the far wall adjacent to the windows).</i></p> 	<p>The meeting room door maneuvering clearances are less than 18 inches on the pull side (minimum 18 inches required).</p> <table><tr><th>Location</th><th>Distance (inches)</th></tr><tr><td>Meeting Room rear exit</td><td>&lt;18</td></tr><tr><td>Men's Restroom</td><td>12</td></tr></table>	Location	Distance (inches)	Meeting Room rear exit	<18	Men's Restroom	12	<p>At rear exit, modify by mirroring the door hinges to the opposite side to provide 18" on pull side in order to comply with ANSI 4.13.6.</p> <p>At men's restroom, relocate fire extinguisher.</p>
Location	Distance (inches)								
Meeting Room rear exit	<18								
Men's Restroom	12								



Numbers	Photos	Deficiency	Required Retrofit
18	<p data-bbox="300 219 760 332"><i>Floor transition at meeting room -- Photo 1. Change in level -- Photo 2.</i></p> 	<p data-bbox="768 219 1379 397">The meeting room has a 3/4 inch high change in level at the flooring transition near the rear exit door that is not beveled (maximum 1/2 inch with bevel allowed; maximum 1/4 allowed without bevel).</p>	<p data-bbox="1388 219 1713 284">Modify change in level to comply with ANSI 4.5.2.</p>
19	 <p data-bbox="300 1291 562 1323"><i>Work surface height.</i></p>	<p data-bbox="768 954 1379 1096">The top of the community room kitchen work surface and the sink rim/counter are both 36-1/2 inches above the floor (maximum 34 inches allowed at full kitchen with range).</p>	<p data-bbox="1388 954 1713 1019">Modify kitchen counter to comply with ANSI 4.30.4.</p>




Numbers	Photos	Deficiency	Required Retrofit								
20	<p>Outlet at kitchenette countertop adjacent to refrigerator -- Photo 1.</p> <p>Clear width at countertop -- Photo 2.</p>  	<p>The countertop outlets do not have the minimum clear floor space required. Refrigerator, range, and countertop block parallel approach. The clear spaces on both sides are less than 48 inches wide (minimum 48 inches required for parallel approach. Note: maximum depth of side reach range is 25-1/2 inches.)</p> <table><thead><tr><th><u>Location</u></th><th><u>Width (inches)</u></th></tr></thead><tbody><tr><td>Left of refrigerator</td><td>30-3/8</td></tr><tr><td>Between refrigerator and range</td><td>29-7/8</td></tr><tr><td>Between range and sink</td><td>11</td></tr></tbody></table>	<u>Location</u>	<u>Width (inches)</u>	Left of refrigerator	30-3/8	Between refrigerator and range	29-7/8	Between range and sink	11	Install waterproof powerstrip within reach range requirements.
<u>Location</u>	<u>Width (inches)</u>										
Left of refrigerator	30-3/8										
Between refrigerator and range	29-7/8										
Between range and sink	11										






Numbers	Photos	Deficiency	Required Retrofit
21	<p><i>Exposed pipes under kitchen sink.</i></p> 	Kitchen sink pipes are not insulated or otherwise protected (insulation or protection required).	Accept proposed fix. Insulate pipe to comply with ANSI 4.19.4.
	<b>Inaccessible Restroom Features</b>		
22	<p><i>Flush control at men's restroom.</i></p> 	The men's restroom flush control is located on the side of the toilet opposite the side of approach (not allowed).	Modify flush control to comply with ANSI 4.16.5.

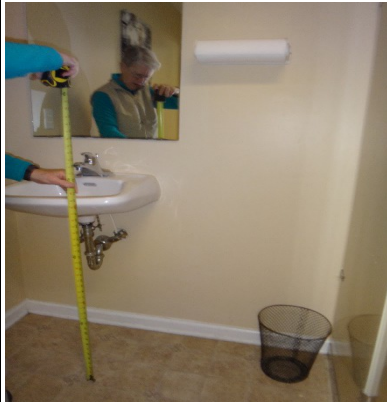




Numbers	Photos	Deficiency	Required Retrofit
23	 <p><i>Rear grab bar at men's restroom.</i></p>  <p><i>Height of rear grab bar.</i></p>	<p>Toilet grab bars are more than 36 inches above the floor (maximum 36 inches allowed by ADA, maximum 36-3/4 allowed by ANSI 1986).</p> <p>Grab bar Men's rear wall</p> <p>Height (inches) 37-7/8</p>	<p>Fix 37 7/8" to comply with ANSI 4.16.4.</p>

Numbers	Photos	Deficiency	Required Retrofit
24	 <p><i>Side grab bar in men's restroom.</i></p>  <p><i>Dimension of side grab bar extension.</i></p>	<p>The men's restroom side grab bar at the toilet extends 47 inches from the rear wall (minimum 54 inches required).</p>	<p>Relocate grab bar to comply with ANSI 4.17.6.</p>
25	 <p><i>Rear grab bar in men's restroom.</i></p>	<p>The rear wall grab bars in both the men's and women's restrooms are 24 inches long (minimum 36 inches required).</p>	<p>Modify flush control to comply with ANSI 4.16.5.</p>

Numbers	Photos	Deficiency	Required Retrofit
26	 <p><i>Exposed pipes under lavatory in men's restroom</i></p>	Lavatory pipes in both the men's and the women's restrooms are not insulated or otherwise protected (not allowed).	Insulate pipe to comply with ANSI 4.19.4.

Numbers	Photos	Deficiency	Required Retrofit
27	 <p><i>Mirror in men's restroom.</i></p>  <p><i>Height of mirror above floor in men's restroom.</i></p>	<p>The reflective mirror surfaces are more than 40 inches above the floor (maximum 40 inches allowed).</p> <p>Location Women's restroom</p> <p>Height (inches) 41-7/8</p>	<p>Fix 41 7/8" to comply with ANSI 4.19.6.</p>

Numbers	Photos	Deficiency	Required Retrofit								
28	<div><p><i>Dispenser in men's restroom.</i></p><p><i>Height of paper towel.</i></p></div>	<p>The paper towel dispensers are more than 48 inches above the floor (maximum 48 inches allowed).</p> <table><tr><td></td><td>Height</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td>Men's restroom</td><td>58</td></tr><tr><td>Women's restroom</td><td>60</td></tr></table>		Height	<u>Location</u>	<u>(inches)</u>	Men's restroom	58	Women's restroom	60	Relocate paper towel dispenser to comply with ANSI 4.25.3.
	Height										
<u>Location</u>	<u>(inches)</u>										
Men's restroom	58										
Women's restroom	60										
	<b>Additional Information Based on 2010 ADA</b>										

Numbers	Photos	Deficiency	Required Retrofit
	<p data-bbox="300 219 705 293"><i>Men's room stall door standing ajar.</i></p> 	<p data-bbox="768 219 1379 289">Both the men's and women's accessible toilet stall doors do not self-close (self-closing required).</p>	<p data-bbox="1388 219 1713 321">Modify stall door to comply with ADA 604.8.1.2.</p>

## Exhibit 1.3

Milburnie Road Matrix of Required Retrofits to Covered Unit Interiors

# MILBURNIE ROAD APARTMENTS: COVERED UNIT INTERIORS

## D. Covered Dwelling Units

Milburnie Road Unit Chart:

	Unit Types						Totals
Building	1st Floor (Covered Units)				2nd Floor		Covered Units
	2b1b	2b1b A	3b2b	3b2b A	2b1b	3b2b	
1 - 910 Sawpit	2	2	0	0	4	0	4
2 - 900 Sawpit	2	0	0	2	2	2	4
3 - 915 Sawpit	0	0	4	0	0	4	4
4 - 901 Sawpit	0	0	2	0	-	-	2
5 - 830 Gibney	4	0	0	0	4	0	4
6 - 820 Gibney	4	0	0	0	4	0	4
7 - 800 Gibney	4	0	0	0	4	0	4
Total	16	2	6	2	18	6	26

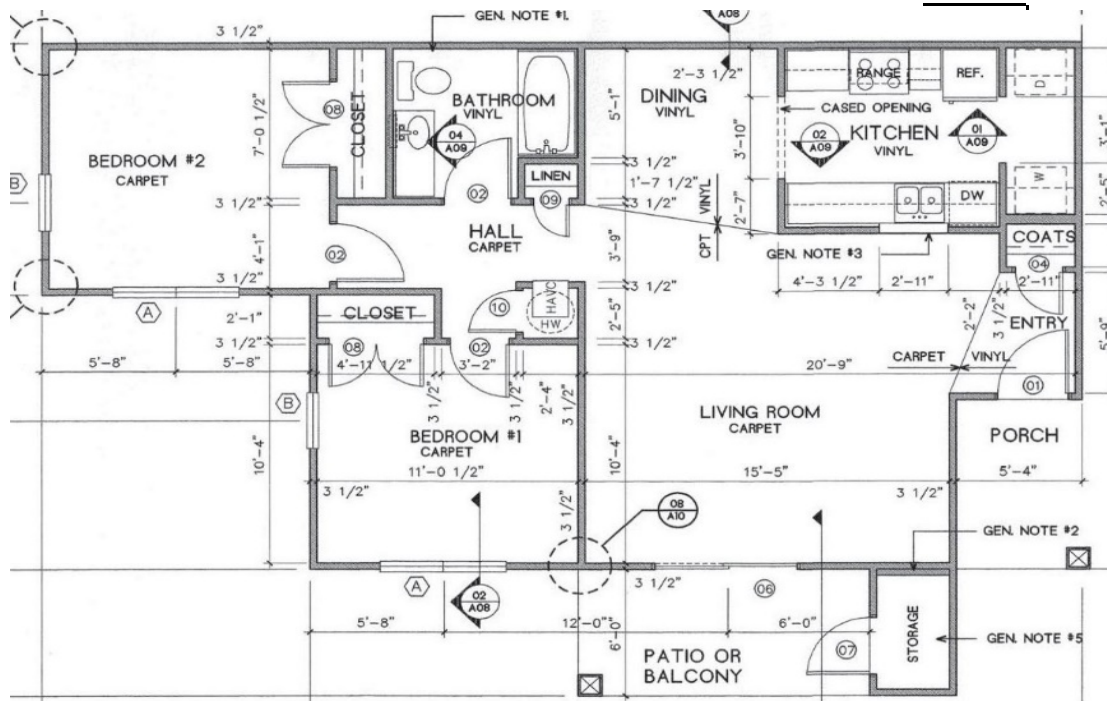
The following units were surveyed: Unit 101, Building 1 – 2 Bedroom / 1 Bath Unit (Accessible); Unit 101, Building 2 – 3 Bedroom / 2 Bath Unit (Accessible); Unit 103, Building 2 – 2 Bedroom / 1 Bath Unit; Unit 101, Building 6 – 2 Bedroom / 1 Bath Unit; Unit 102,


Building 3 – 3 Bedroom / 2 Bath Unit; and Unit 104, Building 3 – 3 Bedroom / 2 Bath Unit



### UNIT TYPE: 2 Bedroom, 1 Bathroom – (Standard)


Surveyed Unit 103, Building 2 and Unit 101, Building 6 – Typical for 16 total units

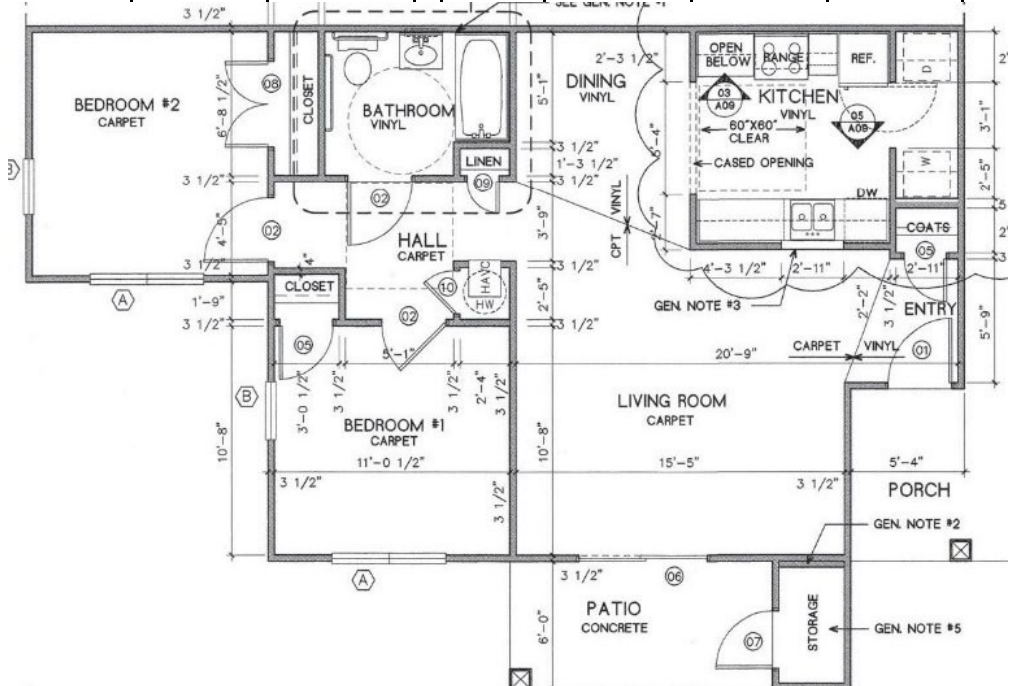








Numbers	Photos	Deficiency	Required Retrofit												
29	 <p>Patio door threshold at Unit 103, Building 2.</p>	<p>Door thresholds are more than 3/4 inch high and are not beveled (maximum 3/4 inch with bevel allowed).</p> <table><thead><tr><th>Height</th><th>Location</th><th>(inches)</th></tr></thead><tbody><tr><td>1-1/4</td><td>Unit 103, Building 2 Patio interior side</td><td></td></tr><tr><td>1-3/8</td><td>Unit 101, Building 6 side</td><td>Patio interior</td></tr><tr><td>1-3/8</td><td>Unit 101, Building 6 exterior side</td><td>Storage</td></tr></tbody></table>	Height	Location	(inches)	1-1/4	Unit 103, Building 2 Patio interior side		1-3/8	Unit 101, Building 6 side	Patio interior	1-3/8	Unit 101, Building 6 exterior side	Storage	<p>Modify door thresholds to comply with Requirement 4(4).</p>
Height	Location	(inches)													
1-1/4	Unit 103, Building 2 Patio interior side														
1-3/8	Unit 101, Building 6 side	Patio interior													
1-3/8	Unit 101, Building 6 exterior side	Storage													

Numbers	Photos	Deficiency	Required Retrofit										
30	 <p><i>Clear opening at storage closet door.</i></p>	<p>Doors at patios and storage closets have clear openings less than 31-5/8 inches wide (minimum 31-5/8 inch required).</p> <table><thead><tr><th>Location</th><th>Clear Width (inches)</th></tr></thead><tbody><tr><td>Unit 103, Building 2 Patio door</td><td>30-1/2</td></tr><tr><td>Unit 103, Building 2 Storage door (approx.)</td><td>29-1/2</td></tr><tr><td>Unit 101, Building 6 Patio door</td><td>30-5/8</td></tr><tr><td>Unit 101, Building 6 Storage door</td><td>29-1/2</td></tr></tbody></table>	Location	Clear Width (inches)	Unit 103, Building 2 Patio door	30-1/2	Unit 103, Building 2 Storage door (approx.)	29-1/2	Unit 101, Building 6 Patio door	30-5/8	Unit 101, Building 6 Storage door	29-1/2	<p>For sliding door, trim door stop to provide 31 5/8" to comply with Requirement 3(2). For storage door, modify door on-request to comply with Requirement 3(2).</p>
Location	Clear Width (inches)												
Unit 103, Building 2 Patio door	30-1/2												
Unit 103, Building 2 Storage door (approx.)	29-1/2												
Unit 101, Building 6 Patio door	30-5/8												
Unit 101, Building 6 Storage door	29-1/2												
31	 <p><i>Height of outlet in Unit 103, Building 2.</i></p>	<p>Typical outlets are 13-1/2 inches above the floor (minimum 15-inches required).</p>	<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation. Or, raise one outlet per wall to comply with Requirement #5.</p>										

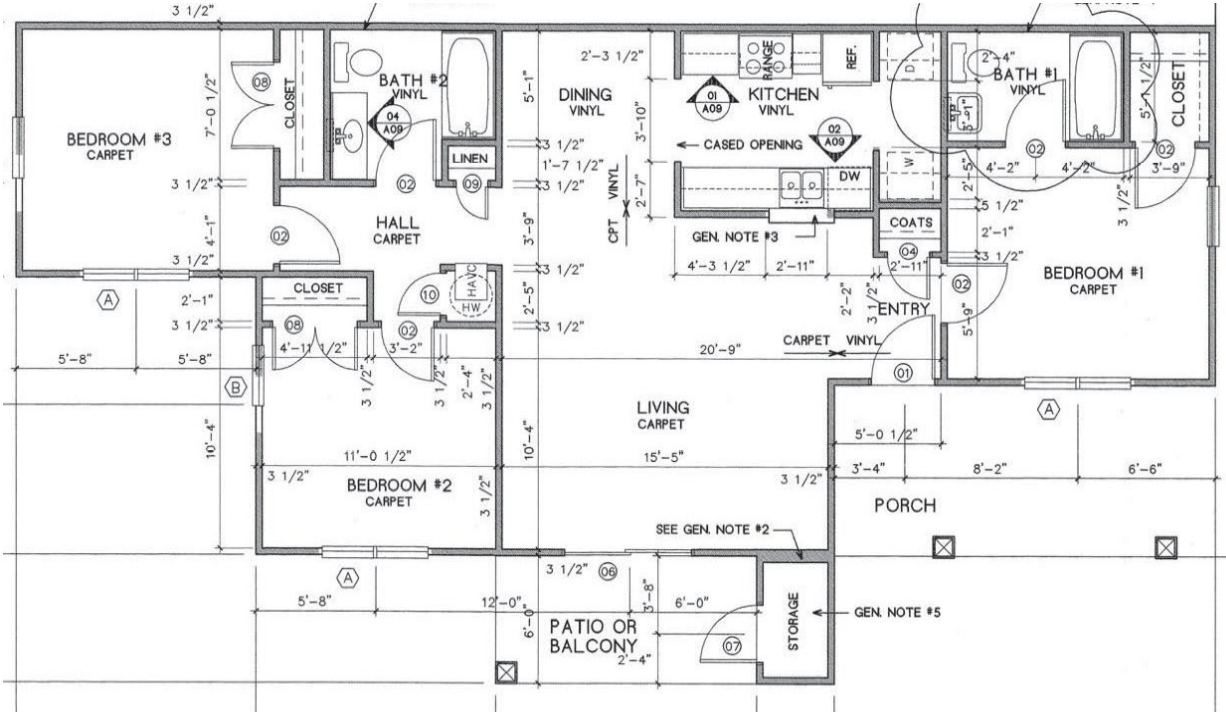
Numbers	Photos	Deficiency	Required Retrofit
31a.		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide affidavits to confirm that reinforcement is installed to comply with Requirement 6.
32	 <p><i>Clear floor space at counter and outlet obstructed by adjacent refrigerator and range.</i></p>	The outlets above kitchen countertops lack the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).	Install power strip and position to eliminate any reach range issues.
<b>UNIT TYPE: 2 Bedroom, 1 Bathroom – (Accessible)</b> Surveyed Unit 101, Building 1 – Typical for 2 total units			

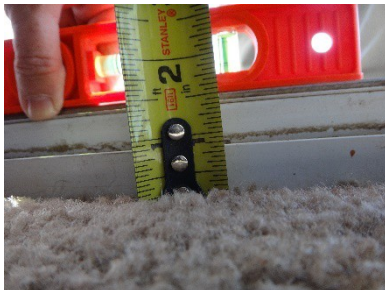

Numbers	Photos	Deficiency	Required Retrofit				
							
34	 <p><i>Patio door threshold exterior side at Unit 101, Building 1.</i></p>	<p>Door thresholds are more than 3/4 inches high at the interior face and are not beveled (maximum 3/4 inch with bevel allowed).</p> <table><thead><tr><th>Location</th><th>Height (inches)</th></tr></thead><tbody><tr><td>Unit 101, Building 1, Patio</td><td>1-1/4</td></tr></tbody></table>	Location	Height (inches)	Unit 101, Building 1, Patio	1-1/4	<p>Modify threshold to comply with Requirement 4(4).</p>
Location	Height (inches)						
Unit 101, Building 1, Patio	1-1/4						

Numbers	Photos	Deficiency	Required Retrofit
35	 <p><i>Clear patio door opening.</i></p>	Patio and storage closet door clear opening widths are less than 31-5/8 inches (minimum 31-5/8 inch required).	For sliding door, trim door stop to provide 31 5/8" to comply with Requirement 3(2). For storage door, modify door on-request to comply with Requirement 3(2).
36	 <p><i>Height of outlet in Unit 101, Building 1.</i></p>	Typical outlets are 13-3/8 to 13-1/2 inches above the floor (minimum 15-inches required).	Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation. Or, raise one outlet per wall to comply with Requirement 5.


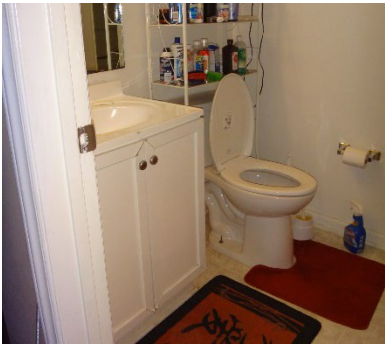
Numbers	Photos	Deficiency	Required Retrofit
37	 <p><i>Clear floor space obstructed by adjacent refrigerator and range. Unit 101, Building 1.</i></p>	The outlets above kitchen countertops lack required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).	Install power strip within reach range requirements.

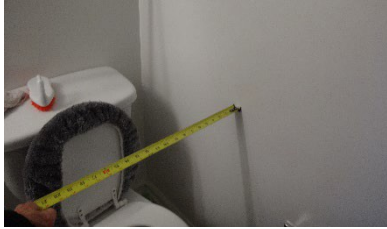
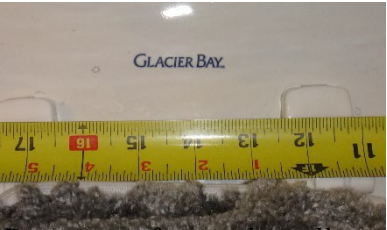



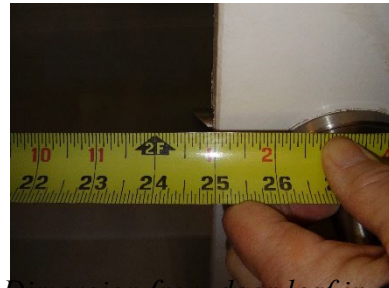
Numbers	Photos	Deficiency	Required Retrofit
<b>UNIT TYPE: 3 Bedroom, 2 Bathroom – (Standard)</b>			
Surveyed Unit 102, Building 3 and Unit 104, Building 3 – Typical for 6 total units			
 <p>The floor plan illustrates a 3-bedroom, 2-bathroom unit. Key features include:</p> <ul style="list-style-type: none"> <li><b>Bedrooms:</b> Bedroom #1 (11'-0 1/2" x 11'-0 1/2"), Bedroom #2 (11'-0 1/2" x 11'-0 1/2"), and Bedroom #3 (11'-0 1/2" x 11'-0 1/2").</li> <li><b>Bathrooms:</b> Bath #1 (5'-0 1/2" x 6'-6") and Bath #2 (5'-0 1/2" x 6'-6").</li> <li><b>Living Area:</b> Living room (15'-5" x 20'-9") with a carpet and vinyl floor.</li> <li><b>Dining Area:</b> Dining room (15'-5" x 20'-9") with a vinyl floor.</li> <li><b>Kitchen:</b> Kitchen (15'-5" x 20'-9") with a vinyl floor, including a sink, stove, and refrigerator.</li> <li><b>Entry:</b> Entry (15'-5" x 20'-9") with a carpet and vinyl floor.</li> <li><b>Hall:</b> Hall (15'-5" x 20'-9") with a carpet floor.</li> <li><b>Closets:</b> Multiple closets throughout the unit, including a linen closet.</li> <li><b>Porch:</b> A small porch (15'-5" x 20'-9") with a carpet and vinyl floor.</li> <li><b>Storage:</b> A storage area (15'-5" x 20'-9") with a carpet and vinyl floor.</li> </ul> <p>Dimensions and other details are provided throughout the plan, including room sizes, wall thicknesses, and door swings. Callouts include 'GEN. NOTE #2', 'GEN. NOTE #3', and 'GEN. NOTE #5'.</p>			

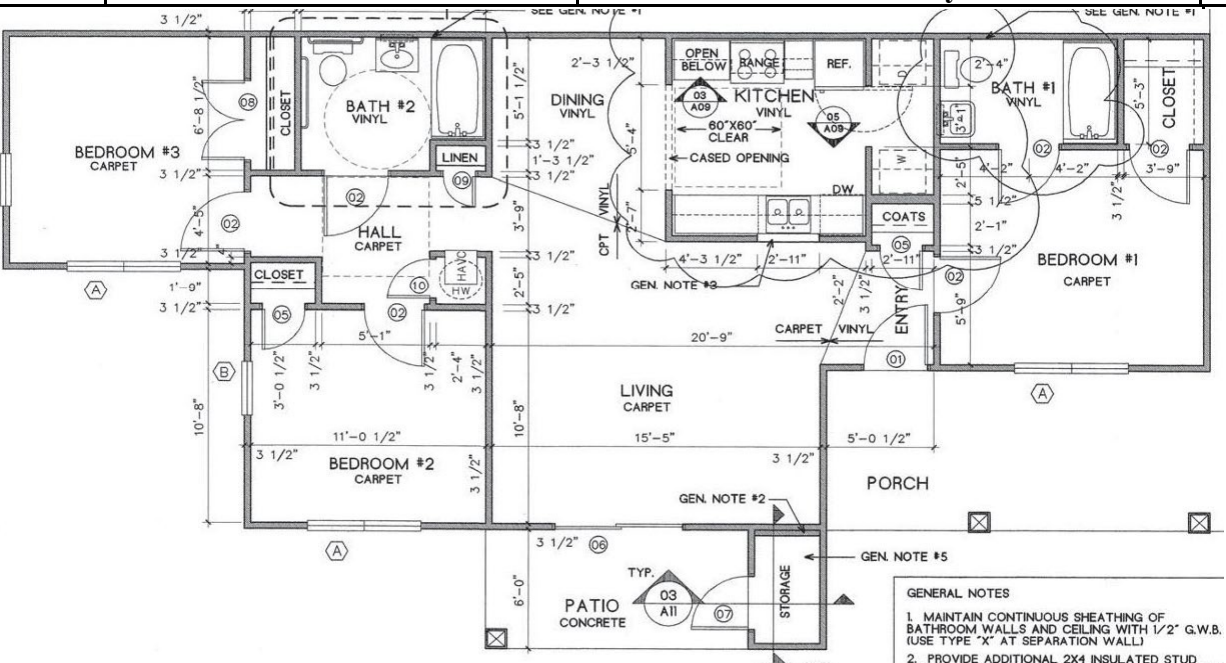

Numbers	Photos	Deficiency	Required Retrofit								
38	<div></div> <p><i>Patio door threshold at Unit 103, Building 2.</i></p>	<p>Door thresholds are more than 3/4 inches high at the interior face and are not beveled (maximum 3/4 inch with bevel allowed).</p> <table><thead><tr><th>Location</th><th>Height (inches)</th></tr></thead><tbody><tr><td>Unit 102, Building 3 Patio interior side</td><td>1-1/2</td></tr><tr><td>Unit 104, Building 3 Entry interior side</td><td>1-3/8</td></tr><tr><td>Unit 104, Building 3 Patio interior side</td><td>1-1/4</td></tr></tbody></table>	Location	Height (inches)	Unit 102, Building 3 Patio interior side	1-1/2	Unit 104, Building 3 Entry interior side	1-3/8	Unit 104, Building 3 Patio interior side	1-1/4	<p>Install a bevel at 1:2 to comply with Requirement 5.</p>
Location	Height (inches)										
Unit 102, Building 3 Patio interior side	1-1/2										
Unit 104, Building 3 Entry interior side	1-3/8										
Unit 104, Building 3 Patio interior side	1-1/4										
39	<div></div> <p><i>Clear patio door opening.</i></p>	<p>Patio and storage closet door clear opening widths are less than 31-5/8 inches (minimum 31-5/8 inch required).</p> <table><thead><tr><th>Location</th><th>Clear Width (inches)</th></tr></thead><tbody><tr><td>Unit 102, Building 3 Patio door</td><td>30-3/4</td></tr><tr><td>Unit 104, Building 3 Patio door</td><td>30-1/2</td></tr></tbody></table>	Location	Clear Width (inches)	Unit 102, Building 3 Patio door	30-3/4	Unit 104, Building 3 Patio door	30-1/2	<p>For sliding door, trim door stop to provide 31 5/8" to comply with Requirement 3(2). For storage door, modify door on-request to comply with Requirement 3(2).</p>		
Location	Clear Width (inches)										
Unit 102, Building 3 Patio door	30-3/4										
Unit 104, Building 3 Patio door	30-1/2										






Numbers	Photos	Deficiency	Required Retrofit
40		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide affidavits to confirm that reinforcement is installed to comply with Requirement 6.
41	 <p><i>Clear floor space obstructed by adjacent refrigerator and range. Unit 102, Building 3.</i></p>	The outlets above kitchen countertops lack required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).	Install power strip within reach range requirements.
42	<p><i>Vanity base in Unit 104, Building 3.</i></p> 	Lavatory centerlines are 13-1/4 inches to the side wall (minimum 24 inches required for parallel approach) and the cabinets are not removable.	Ensure that one bathroom in each unit is a fully compliant Spec-B layout.

Numbers	Photos	Deficiency	Required Retrofit
43	 <p><i>Toilet in Unit 102, Bldg. 3.</i></p>  <p><i>Dimension from side wall to toilet centerline in Unit 102, Bldg. 3.</i></p>	<p>The toilet centerlines are 14-1/4 inches to 16-1/4 inches from the side of the bathtub (minimum 18 inches required on the side opposite the direction of approach). Hall Bathroom -- 14 1/4"; Master Bathroom -- 16 1/4".</p>	<p>Where applicable, in both the Hall Bathroom and the Master Bathroom, install offset toilet flange so centerline of toilet will be 16" minimum from wall to comply with Requirement 7(2)(a)(ii) and Figure 7(a).</p>

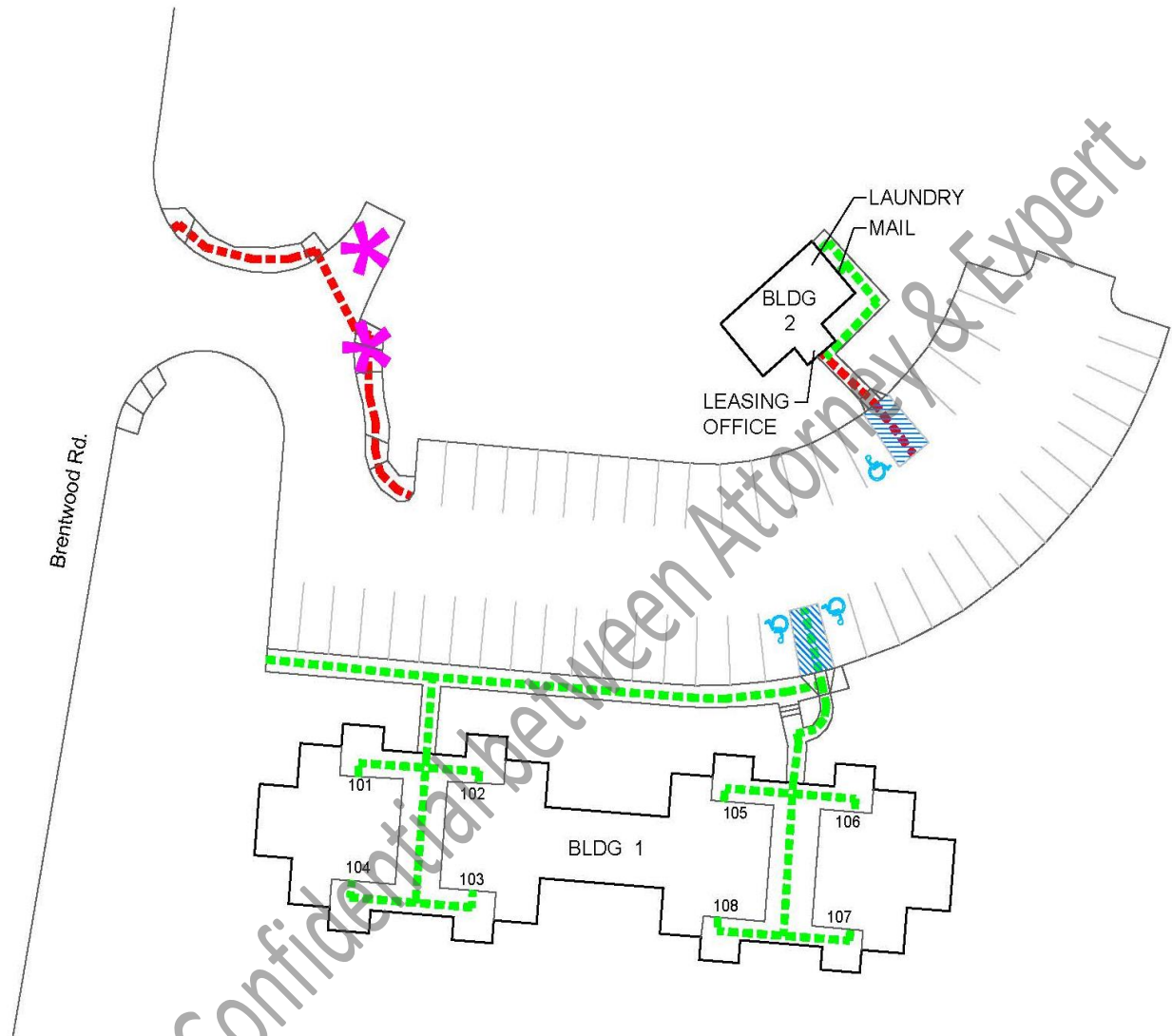
Numbers	Photos	Deficiency	Required Retrofit
44	 <p><i>Bathroom door leaf in open position at Unit 102, Bldg. 3.</i></p>  <p><i>Dimension from door leaf in open position to rear wall.</i></p>	<p>Clear floor space in the master bathroom is less than 24-7/8 inches to 25 inches long (minimum 48 inches clear of the door swing required).</p>	<p>In the Master Bath, reverse the swing of door into bedroom to provide a clear floor space to comply with Requirement 7(2)(b)(i)</p>
<p><b>UNIT TYPE: 3 Bedroom, 2 Bathroom – (Accessible)</b>            Surveyed Unit 101, Building 2 – Typical for 2 total units</p>			

Numbers	Photos	Deficiency	Required Retrofit												
															
45	 <p><i>Entry door threshold interior side at Unit 101, Building 2.</i></p>	<p>Door thresholds are more than 3/4 inches high at the interior face and are not beveled (maximum 3/4 inch with bevel allowed).</p> <p><u>Location</u></p> <table><tr><td>Unit 101, Building 2</td><td>1-1/8</td></tr><tr><td>Entry interior side</td><td></td></tr><tr><td>Unit 101, Building 2</td><td>1-1/8</td></tr><tr><td>Patio interior side</td><td></td></tr><tr><td>Unit 101, Building 2</td><td>3/4</td></tr><tr><td>Storage exterior side</td><td></td></tr></table>	Unit 101, Building 2	1-1/8	Entry interior side		Unit 101, Building 2	1-1/8	Patio interior side		Unit 101, Building 2	3/4	Storage exterior side		<p>Install a bevel at 1:2 on the interior side of the sliding door. Accept proposed fix for entry door and on-request for storage door.</p>
Unit 101, Building 2	1-1/8														
Entry interior side															
Unit 101, Building 2	1-1/8														
Patio interior side															
Unit 101, Building 2	3/4														
Storage exterior side															

Numbers	Photos	Deficiency	Required Retrofit
46	 <p><i>Clear patio door opening.</i></p>	Clear openings at patio and storage closet doors are less than 31-5/8 inches wide (minimum 31-5/8 inch required).	For sliding door, trim door stop to provide 31 5/8" minimum clear opening to comply with Requirement 3(2). For storage door, modify door on-request to comply with Requirement 3(2).
46a.		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide affidavits to confirm that reinforcement is installed to comply with Requirement 6.
47	 <p><i>Kitchen layout.</i></p>  <p><i>Clear floor space obstructed by adjacent refrigerator and range. Unit 101, Building 2.</i></p>	The outlets above kitchen countertops lack the required clear floor space for approach. (At least 1 outlet in each counter area must have clear floor space for approach.)	Install power strip within reach range requirement.

# **EXHIBIT 2.1**

## **Marsh Creek Accessible Route**




## Exhibit 2.2





Marsh Creek Matrix of Required Retrofits to Public and Common Use Areas





# MARSH CREEK APARTMENTS: PUBLIC AND COMMON USE AREAS

## A. Inaccessible Features at Public and Common Areas:

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
1	 <p><i>Route along drive lane.</i></p>	There is no accessible route between pedestrian site arrival points and leasing office.	Install a new accessible parking (drop-off) space adjacent to the dumpster facility for a vehicular route exception. Space to be located on the east (right) side of the pad so that a vehicle stopped there will not obstruct traffic.


Numbers	Lack of Accessible Route	Deficiency	Required Retrofit						
2	<div></div> <p><i>Route to leasing office.</i></p>	The curb ramp and sidewalk leading to the leasing office is blocked by recycling can and the width is not accessible (minimum 36 inches required).	Add a lease addendum in which property management will deposit recycling in container upon resident request.						
3	<div></div> <p><i>Parking space &amp; cross slope.</i></p>	<p>The designated parking space access aisle at the leasing office has a cross slope greater than 2% (maximum 2% allowed).</p> <table><tr><td colspan="2"><u>Location</u></td></tr><tr><td>Foot of access aisle</td><td>5.5%</td></tr><tr><td>Head of access aisle</td><td>5.3%</td></tr></table>	<u>Location</u>		Foot of access aisle	5.5%	Head of access aisle	5.3%	Modify parking space and access aisle so that cross slope is 2% or less.
<u>Location</u>									
Foot of access aisle	5.5%								
Head of access aisle	5.3%								



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit								
7	<div></div> <p><i>Curb ramp leading towards Building 2.</i></p>	<p>Curb ramp cross slopes are more than 2.0% (maximum 2.0% allowed).</p> <p><u>Location</u></p> <table><tr><td>North of entry drive</td><td>3.5%</td></tr><tr><td>At leasing office</td><td>5.9%</td></tr><tr><td>Bottom of curb ramp at south end of entry drive</td><td>13.3%</td></tr><tr><td>Entry drive, west of trash dumpster</td><td>7.8%</td></tr></table>	North of entry drive	3.5%	At leasing office	5.9%	Bottom of curb ramp at south end of entry drive	13.3%	Entry drive, west of trash dumpster	7.8%	<p>Modify 3.5%, 5.9%, 13.3%, and 7.8% cross slopes to comply with ANSI 4.3.7.</p>
North of entry drive	3.5%										
At leasing office	5.9%										
Bottom of curb ramp at south end of entry drive	13.3%										
Entry drive, west of trash dumpster	7.8%										
	<b>Protruding Objects</b>										
8	<div></div> <p><i>Light fixture at entrance to leasing office.</i></p>	<p>The light fixture at entrance to leasing office protrudes approximately 5 inches into the circulation path (maximum 4 inches allowed).</p>	<p>Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.</p>								


**Routes from Site Arrival Points to Common Areas and Covered Dwelling Units**

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
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**B. Inaccessible Features at Common Use Routes**

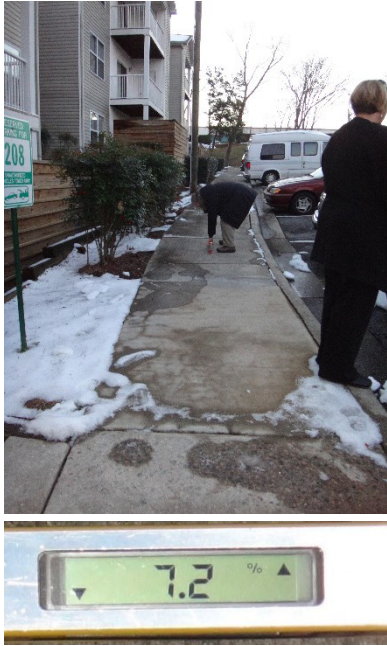
10	 <p><i>Inlet grate at Building 1 west entrance.</i></p>	<p>Gaps at the inlet grate at Building 1 west entrance are 1 inch wide (maximum 1/2 inch allowed).</p> <p><i>Inlet grate at Building 1 west entrance. Measurement of typical gap in grate.</i></p>	<p>Modify gap to comply with ANSI 4.5.</p>
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Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
11	 <p><i>Route at turn towards Building 1 unit entrances.</i></p>	Cross slopes of the route North of Building 1 at the turn to Units 101, 102, 103, and 104 are more than 2% (maximum 2% allowed).	Modify 5.5% cross slope to 3.0% maximum to comply with ANSI 4.3.7.
12		Running slope of ramp at sidewalk north of Building 1 is 10.3% (maximum 8.3% allowed).	Replace sidewalk to comply with ANSI.



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	<b>Inaccessible Curb Ramp Features</b>		
13	 <p><i>Ramp north of Building 1</i></p>	The running slope of the curb ramp apron north of Building 1 is 10.3% to 11.2% (maximum 10% allowed, ANSI 1986, maximum 8.3% at ramps).	Install a new sidewalk to bypass this curb ramp to connect to walkway toward accessible parking space on the south side of the building or replace curb ramp with new sidewalk to comply with ANSI.




Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
14	  <p><i>Ramp north of Building 1 (shows level measuring running slope). 5.3% is cross slope reading.</i></p>	The cross slope of the curb ramp north of Building 1 is 5.3% (maximum 2.0% allowed).	Install a new sidewalk to bypass this curb ramp to connect to walkway toward accessible parking space on the south side of the building or replace curb ramp with new sidewalk to comply with ANSI.
	<b>Inaccessible Ramp Features</b>		


Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
15	 <p><i>Ramp north of Building 1.</i></p>	The sidewalk north of Building 1 has slopes of 5.8%, 6.3%, 6.8%, and 7.2%; has a rise greater than 6 inches, is a ramp, and lacks handrails and edge protection (handrails and edge protection required on both sides).	Modify 6.3%, 6.8% and 7.2% by installing handrails on both sides of walkway or replace walkway to provide 6% maximum running slopes to comply with ANSI.
	<b>Protruding Objects</b>		








Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
16	 	<p>Lights and fire extinguisher cabinets protrude approximately 7 inches into the circulation path (maximum 4 inches allowed where the bottom of the object is more than 27 inches and less than 80 inches above the adjacent walking surface).</p> <p><u>Locations:</u>  West breezeway fire ext. cabinet  East breezeway fire ext. cabinet  East breezeway passage light fixture  West breezeway passage light fixture  Light fixture at Unit 101 entry  Light fixture at Unit 102 entry  Light fixture at Unit 103 entry  Light fixture at Unit 104 entry  Light fixture at Unit 105 entry  Light fixture at Unit 106 entry  Light fixture at Unit 107 entry  Light fixture at Unit 108 entry</p>	<p>Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.</p>

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Light fixture at entry to Unit 108 (typical).</i></p>		

**C. Common Use Areas**

	Inaccessible Parking Feature		
17		At the parking north of Building 1, the designated parking aisle has cross slopes of 6.5% to 7.1% (maximum 2% allowed).	Modify 6.5% to 7.1% running slopes of access aisle to 5% maximum running slopes to compliant with ANSI.

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Parking north of Bldg. 1</i></p>		
	<b>Inaccessible Common Area Features</b>		
18	  <p><i>Utility sink in Laundry Room.</i></p>	The utility sink does not have the minimum clear floor space required for parallel approach. The sink is not centered on a 48- inch wide clear floor space (minimum 24 inches to center of controls required). The centerline is 20 inches from the adjacent equipment.	Remediate to improve the condition.

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
			
	<b>Protruding Objects</b>		
19		The laundry fire extinguisher protrudes 7-1/8 inches into the circulation path (maximum 4 inches allowed).	Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Fire extinguisher cabinet in laundry room.</i></p>		

## Exhibit 2.3

Marsh Creek Matrix of Required Retrofits to Covered Unit Interiors

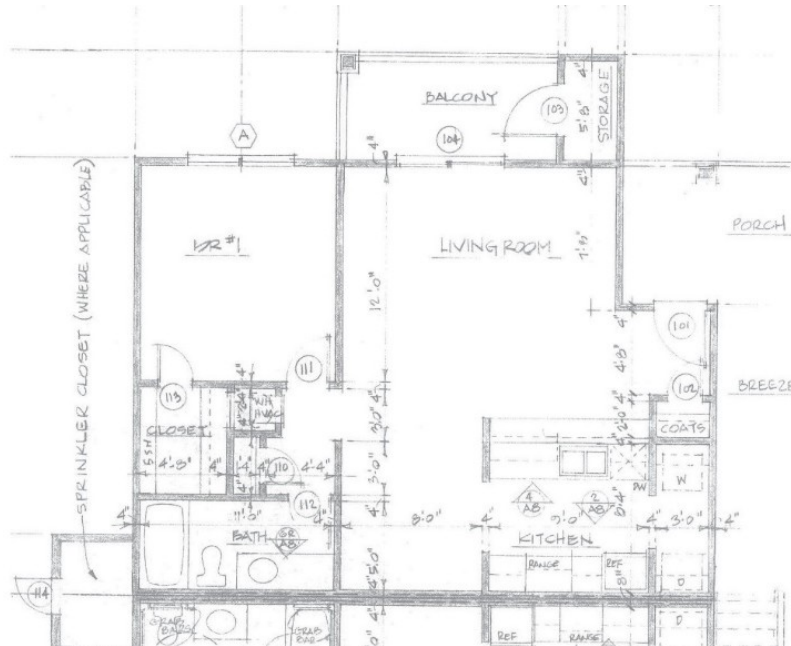
## MARSH CREEK APARTMENTS: COVERED UNIT INTERIORS

### D. Covered Dwelling Units Unit Types by Building:

Building	Unit Types									Totals	
	1st Floor (Covered Units)			2nd Floor			Third Floor			Covered Units	
	1b1b	2b1b	3b2b	1b1b	2b1b	3b2b	1b1b	2b1b	3b2b		
1	2	4	2	2	4	2	2	4	2	8	
Note: no units were designated Accessible, Type A, or Type B on the plans.											
The survey included the following units: Unit 105 – 1 Bedroom / 1 Bath Unit Unit 102 – 2 Bedroom / 1 Bath Unit Unit 107 – 3 Bedroom / 2 Bath Unit											



**UNIT TYPE: 1 Bedroom, 1 Bathroom**

Surveyed Unit 105 – Typical for 2 total units



Numbers	Photos	Deficiency	Required Retrofits



Numbers	Photos	Deficiency	Required Retrofits
20	 <p><i>Unit entry door threshold.</i></p>	Primary unit entry door thresholds are 5/8 high and are not beveled at the interior side (maximum 1/4-inch change in level without bevel allowed).	Modify door thresholds to comply with Requirement 4(4).
21	 <p><i>Patio door threshold interior side at Unit 105.</i></p>	Patio door threshold assemblies are 2-5/8 inches high and have changes in level greater than 1/4 inch that are not beveled (maximum 3/4-inch height allowed; maximum 1/4-inch change in level without bevel allowed).	Modify door thresholds upon resident request by installing a bevel on the interior side at a ratio of 1:2 to comply with Requirement 4(4).

Numbers	Photos	Deficiency	Required Retrofits														
22		<p>The door clear opening is less than 31-5/8 inches (minimum 31-5/8 inch required).</p> <table><tr><td></td><td>Clear Width</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td></td><td>Photo</td></tr><tr><td>Unit 105, patio screen door</td><td>30-1/4</td></tr><tr><td>5986.jpg</td><td></td></tr><tr><td>Unit 105, walk-in closet</td><td>22-1/4</td></tr><tr><td>5970.jpg</td><td></td></tr></table> <p>A minimum 31-5/8 inch clear opening width is required for doors intended for user passage. (Guidelines Requirement 3(2)).</p> <p><i>Clear patio door opening. (5986.jpg).</i></p>		Clear Width	<u>Location</u>	<u>(inches)</u>		Photo	Unit 105, patio screen door	30-1/4	5986.jpg		Unit 105, walk-in closet	22-1/4	5970.jpg		<p>On request, modify screen door to provide 31 5/8" to comply with Requirement 3(2).</p> <p>For closet door, modify door to comply with Requirement 3(2).</p>
	Clear Width																
<u>Location</u>	<u>(inches)</u>																
	Photo																
Unit 105, patio screen door	30-1/4																
5986.jpg																	
Unit 105, walk-in closet	22-1/4																
5970.jpg																	

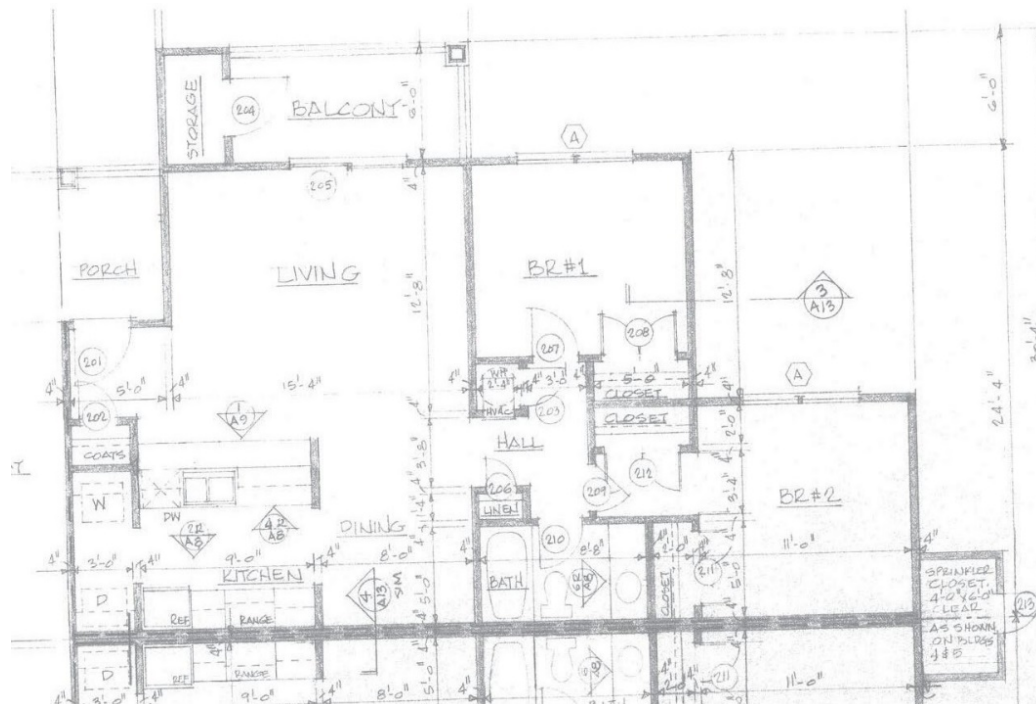
Numbers	Photos	Deficiency	Required Retrofits								
23		<p>Outlet over the countertop is greater than 46 inches above the floor (maximum 46 inches allowed).</p> <table><tr><td></td><td>Height</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td></td><td>Photo</td></tr><tr><td>Unit 105, kitchen</td><td>49-7/8 5952.jpg</td></tr></table> <p>A maximum 46 inches is allowed for the reach range over an obstruction 20 inches or more. (Guidelines, Requirement 5).</p> <p><i>Height of kitchen countertop in Unit 105. (5951.jpg).</i> <i>Outlet over countertop in Unit 105. (5952.jpg).</i></p> <p>Note: bathroom outlet not measured – blocked with personal items. See Unit 107.</p>		Height	<u>Location</u>	<u>(inches)</u>		Photo	Unit 105, kitchen	49-7/8 5952.jpg	<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
	Height										
<u>Location</u>	<u>(inches)</u>										
	Photo										
Unit 105, kitchen	49-7/8 5952.jpg										

Numbers	Photos	Deficiency	Required Retrofits
23a.		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide an affidavit to confirm reinforcements are installed to comply with Requirement 6.
24		<p>The shape of the bathtub surrounds preclude the installation of future grab bars with firm attachment to blocking (ability to install grab bars required).</p> <p><u>Location</u></p> <p>Unit 105</p> <p>Photo 5975.jpg</p> <p>Reinforcement is required for the future installation of grab bars and shower seats at toilets, bathtubs and shower compartments. (Guidelines, Requirement 6).</p> <p><i>Bathtub/shower surround in Unit 105. (5975.jpg).</i></p>	Remediate upon resident request.

Numbers	Photos	Deficiency	Required Retrofits
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**UNIT TYPE: 2 Bedroom, 1 Bathroom**

Surveyed Unit 102 – Typical for 4 total units



**Inaccessible Features:**

Numbers	Photos	Deficiency	Required Retrofits						
25		<p>Primary unit entry door thresholds are greater than 1/4 inch high and are not beveled at the interior side (maximum 1/4-inch change in level without bevel allowed).</p> <table><tr><td><u>Location</u></td><td><u>Height (inches)</u></td></tr><tr><td></td><td>Photo</td></tr><tr><td>Unit 102, front door</td><td>3/4 5992.jpg</td></tr></table> <p>A maximum 1/4-inch vertical change in level is allowed without a bevel. (Guidelines Requirement 4(2); ANSI 1986 4.5.2).</p> <p><i>Main entry threshold at Unit 102. (5992.jpg).</i></p>	<u>Location</u>	<u>Height (inches)</u>		Photo	Unit 102, front door	3/4 5992.jpg	Modify door thresholds to comply with Requirement 4(4).
<u>Location</u>	<u>Height (inches)</u>								
	Photo								
Unit 102, front door	3/4 5992.jpg								

Numbers	Photos	Deficiency	Required Retrofits						
26		<p>Door threshold assemblies are more than 3/4 inches high and have changes in level greater than 1/4 inch that are not beveled (maximum 3/4-inch height allowed; maximum 1/4-inch change in level without bevel allowed).</p> <table><tr><td><u>Location</u></td><td><u>Height (inches)</u></td></tr><tr><td></td><td><u>Photo</u></td></tr><tr><td>Unit 102, patio</td><td>2-1/2 6040.jpg</td></tr></table> <p>A maximum 3/4 inch high threshold with bevel is allowed at unit doors. (Guidelines, Requirement 4 (4)).</p> <p>A maximum 3/4 inch threshold height with bevel is allowed at exterior doors that are not the primary entry door. (Guidelines Requirement 4 (4)).</p> <p><i>Patio door threshold interior side at Unit 102. (6039.jpg).</i></p>	<u>Location</u>	<u>Height (inches)</u>		<u>Photo</u>	Unit 102, patio	2-1/2 6040.jpg	Modify door thresholds by installing a bevel on the interior side at a ratio of 1:2 to comply with Requirement 4(4).
<u>Location</u>	<u>Height (inches)</u>								
	<u>Photo</u>								
Unit 102, patio	2-1/2 6040.jpg								

Numbers	Photos	Deficiency	Required Retrofits								
27		<p>The door clear opening is less than 31-5/8 inches (minimum 31-5/8 inch required).</p> <table><tr><td></td><td>Clear Width</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td></td><td>Photo</td></tr><tr><td>Unit 102</td><td>29-3/4 6037.jpg</td></tr></table> <p>A minimum 31-5/8 inch clear opening width is required for doors intended for user passage. (Guidelines Requirement 3(2)).</p> <p><i>Clear patio door opening. (6037.jpg).</i></p>		Clear Width	<u>Location</u>	<u>(inches)</u>		Photo	Unit 102	29-3/4 6037.jpg	For sliding door, upon resident request, trim door stop to provide 31 5/8" to comply with Requirement 3(2).
	Clear Width										
<u>Location</u>	<u>(inches)</u>										
	Photo										
Unit 102	29-3/4 6037.jpg										
27a.		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide an affidavit to confirm reinforcements are installed to comply with requirement 6.								



Numbers	Photos	Deficiency	Required Retrofits				
28		<p>The shape of the bathtub surrounds preclude the installation of future grab bars with firm attachment to blocking (ability to install grab bars required).</p> <table><tr><td><u>Location</u></td><td><u>Photo</u></td></tr><tr><td>Unit 102</td><td>6021.jpg</td></tr></table>	<u>Location</u>	<u>Photo</u>	Unit 102	6021.jpg	Remediate upon resident request.
<u>Location</u>	<u>Photo</u>						
Unit 102	6021.jpg						
28a.		<p>Reinforcement is required for the future installation of grab bars and shower seats at toilets, bathtubs and shower compartments. (Guidelines, Requirement 6).</p> <p><i>Bathtub/shower surround in Unit 102. (6021.jpg).</i></p>	Provide an affidavit to confirm reinforcements are installed to comply with requirement 6.				

Numbers	Photos	Deficiency	Required Retrofits						
29		<p>The lavatory centerlines are less than 24 inches to the side wall (minimum 24 inches required) and the cabinets are not removable.</p> <table><tr><td><u>Location</u></td><td><u>Distance (inches)</u></td></tr><tr><td></td><td>Photo</td></tr><tr><td>Unit 102, bathroom</td><td>21-1/2 6025.jpg</td></tr></table> <p>A minimum 30 by 48-inch clear floor space centered on the lavatory is required for parallel approach unless the cabinet is either removable or not provided. (Guidelines Requirement 7 (2)(a)(ii)).</p> <p><i>Dimension from side wall to centerline of lavatory in Unit 102. (6025.jpg).</i></p> <p><i>Vanity base interior in Unit 102. (6026.jpg). Vanity base in Unit 102. (6018.jpg).</i></p>	<u>Location</u>	<u>Distance (inches)</u>		Photo	Unit 102, bathroom	21-1/2 6025.jpg	Install removable base cabinet to provide clear floor space to comply with Requirement 7(2)(a)(ii).
<u>Location</u>	<u>Distance (inches)</u>								
	Photo								
Unit 102, bathroom	21-1/2 6025.jpg								

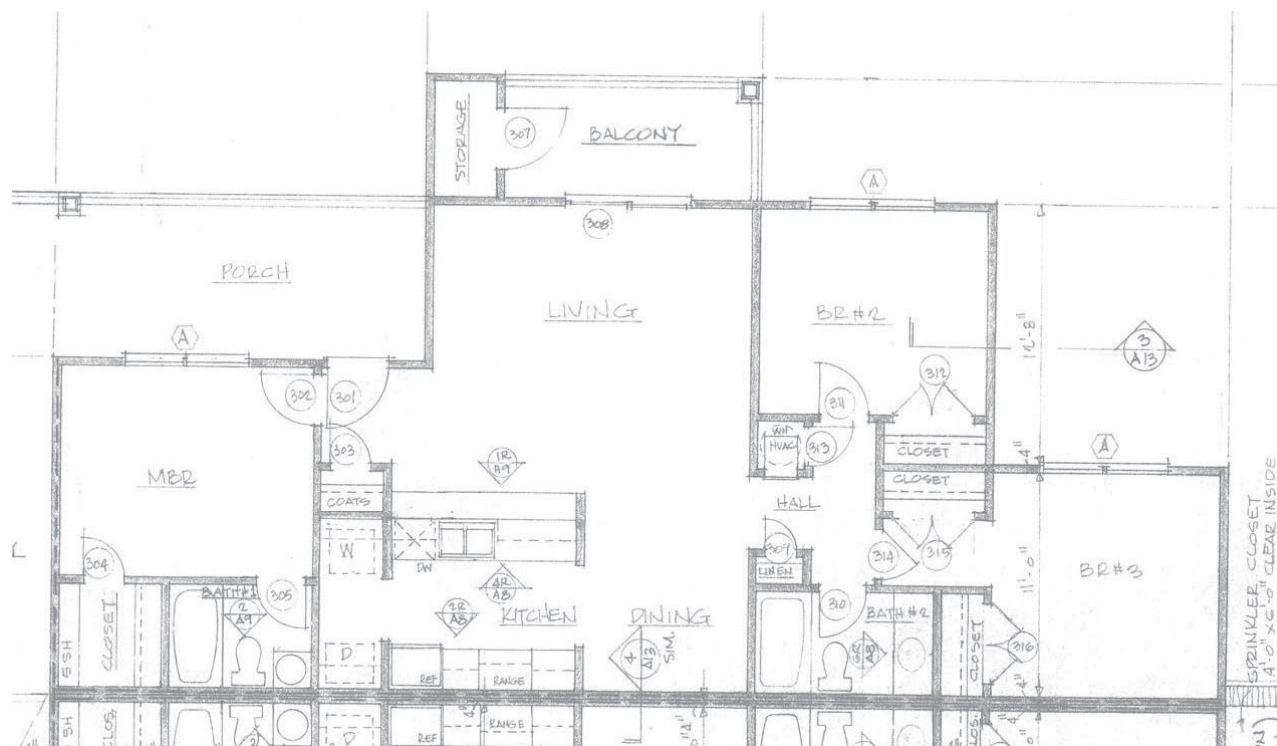
Numbers	Photos	Deficiency	Required Retrofits

Numbers	Photos	Deficiency	Required Retrofits
31		<p>The clear floor space in the bathroom is less than 48 inches long (minimum 48 inches required).</p> <p>Clear Dimension <u>Location</u> (inches) Photo</p> <p>Unit 102 38-1/8 6031.jpg</p> <p>A minimum 30 inch by 48 inch clear floor space is required clear of the door swing in a bathroom. (Guidelines Requirement 7 (2)(a)(i) and Figure 6).</p> <p>Bathroom door leaf in open position at Unit 102. (6030.jpg). Dimension from door leaf in open position to rear wall. (6031.jpg).</p>	Reverse the door swing out to comply with Requirement 7(2)(a)(1) Figure 6.

Numbers	Photos	Deficiency	Required Retrofits
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**UNIT TYPE: 3 Bedroom, 2 Bathroom**

Surveyed Unit 107 – Typical for 2 total units



**Inaccessible Features:**

Numbers	Photos	Deficiency	Required Retrofits												
32		<p>Door threshold assemblies are more than 3/4 inches high and have changes in level greater than 1/4 inch that are not beveled (maximum 3/4-inch height allowed; maximum 1/4-inch change in level without bevel allowed).</p> <table><thead><tr><th><u>Location</u></th><th><u>Height (inches)</u></th><th><u>Photo</u></th></tr></thead><tbody><tr><td>Unit 107, patio (interior face)</td><td>2-3/4</td><td>5929.jpg</td></tr><tr><td>Unit 107, storage</td><td>1-1/4</td><td></td></tr><tr><td>Level change not beveled</td><td>7/8</td><td>5936.jpg</td></tr></tbody></table> <p>A maximum 3/4 inch high threshold with bevel is allowed at unit doors. (Guidelines, Requirement 4 (4)).</p> <p>A maximum 3/4 inch threshold height with bevel is allowed at exterior doors that are not the primary entry door. (Guidelines Requirement 4 (4)).</p> <p><i>Patio door threshold interior side at Unit 107. (5929.jpg).</i></p>	<u>Location</u>	<u>Height (inches)</u>	<u>Photo</u>	Unit 107, patio (interior face)	2-3/4	5929.jpg	Unit 107, storage	1-1/4		Level change not beveled	7/8	5936.jpg	Modify door thresholds by installing a bevel on the interior side at a ratio of 1:2 to comply with Requirement 4(4).
<u>Location</u>	<u>Height (inches)</u>	<u>Photo</u>													
Unit 107, patio (interior face)	2-3/4	5929.jpg													
Unit 107, storage	1-1/4														
Level change not beveled	7/8	5936.jpg													

Numbers	Photos	Deficiency	Required Retrofits																		
33		<p>The door clear openings are less than 31-5/8 inches (minimum 31-5/8 inch required).</p> <table><thead><tr><th></th><th>Clear Width</th><th></th></tr><tr><th>Location</th><th>(inches)</th><th>Photo</th></tr></thead><tbody><tr><td>107, storage</td><td>29-1/2</td><td>5938.jpg</td></tr><tr><td>Depth of closet</td><td>35-1/8</td><td>5934.jpg</td></tr><tr><td>107, walk-in closet</td><td>28</td><td>5921.jpg</td></tr><tr><td>107, patio</td><td>30</td><td>5926.jpg</td></tr></tbody></table> <p>A minimum 31-5/8 inch clear opening width is required for doors intended for user passage. (Guidelines Requirement 3(2)).</p> <p><i>Clear door opening at storage closet. (5938.jpg).</i></p>		Clear Width		Location	(inches)	Photo	107, storage	29-1/2	5938.jpg	Depth of closet	35-1/8	5934.jpg	107, walk-in closet	28	5921.jpg	107, patio	30	5926.jpg	<p>For sliding door, upon resident request, trim door stop to provide 31 5/8" to comply with Requirement 3(2).</p> <p>For storage door, modify door on-request to comply with Requirement 3(2).</p> <p>For closet doors, modify door to comply with Requirement 3(2).</p>
	Clear Width																				
Location	(inches)	Photo																			
107, storage	29-1/2	5938.jpg																			
Depth of closet	35-1/8	5934.jpg																			
107, walk-in closet	28	5921.jpg																			
107, patio	30	5926.jpg																			

Numbers	Photos	Deficiency	Required Retrofits								
34		<p>Outlet over the countertop is greater than 46 inches above the floor (maximum 46 inches allowed).</p> <table><tr><td></td><td>Height</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td></td><td>Photo</td></tr><tr><td>Unit 107, hall bathroom</td><td>49-3/4 5888.jpg</td></tr></table> <p>A maximum 46 inches is allowed for the reach range over an obstruction 20 inches or more. (Guidelines, Requirement 5).</p> <p><i>Height of vanity countertop in Unit 107. (5887.jpg).</i> <i>Outlet over countertop in Unit 107. (5888.jpg).</i></p> <p>Note: height of outlets at stove wall not measured. Appear high in photos. See Unit 105.</p>		Height	<u>Location</u>	<u>(inches)</u>		Photo	Unit 107, hall bathroom	49-3/4 5888.jpg	<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
	Height										
<u>Location</u>	<u>(inches)</u>										
	Photo										
Unit 107, hall bathroom	49-3/4 5888.jpg										



Numbers	Photos	Deficiency	Required Retrofits						
34a.		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide an affidavit to confirm reinforcements are installed to comply with requirement 6.						
35		<p>The shape of the bathtub surrounds preclude the installation of future grab bars with firm attachment to blocking (ability to install grab bars required).</p> <p><u>Location</u></p> <table><tr><td></td><td>Photo</td></tr><tr><td>Unit 107, hall bathroom</td><td>5896.jpg</td></tr><tr><td>Unit 107, master bathroom</td><td>5914.jpg</td></tr></table> <p>Reinforcement is required for the future installation of grab bars and shower seats at toilets, bathtubs and shower compartments. (Guidelines, Requirement 6).</p> <p><i>Bathtub/shower surround in Unit 102. (5896.jpg).</i></p>		Photo	Unit 107, hall bathroom	5896.jpg	Unit 107, master bathroom	5914.jpg	Remediate upon resident request.
	Photo								
Unit 107, hall bathroom	5896.jpg								
Unit 107, master bathroom	5914.jpg								

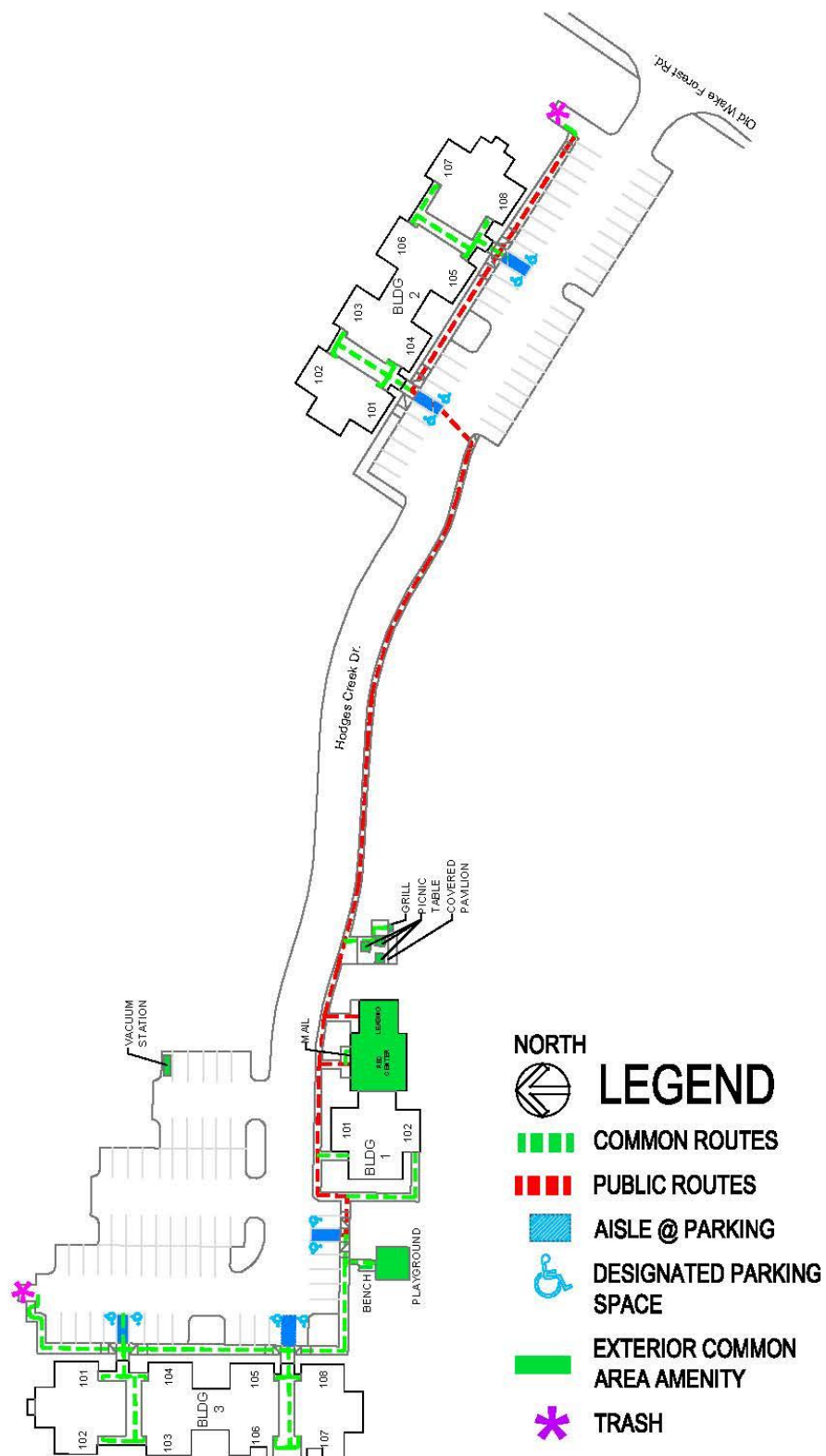
Numbers	Photos	Deficiency	Required Retrofits										
36		<p>The lavatory centerlines are less than 24 inches to the side wall (minimum 24 inches required) and the cabinets are not removable.</p> <table><tr><td></td><td>Distance</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td></td><td>Photo</td></tr><tr><td>Unit 107, hall bathroom</td><td>22-1/8 5890.jpg</td></tr><tr><td>Unit 107, master bathroom</td><td>21-3/4 5911.jpg</td></tr></table> <p>A minimum 30 by 48-inch clear floor space centered on the lavatory is required for parallel approach unless the cabinet is either removable or not provided. (Guidelines Requirement 7 (2)(a)(ii)).</p> <p>Dimension from side wall to centerline of lavatory in Unit 107. (5911.jpg). Vanity base in Unit 107. (5908.jpg).</p>		Distance	<u>Location</u>	<u>(inches)</u>		Photo	Unit 107, hall bathroom	22-1/8 5890.jpg	Unit 107, master bathroom	21-3/4 5911.jpg	Install removable base cabinet to provide clear floor space to comply with Requirement 7(2)(a)(ii).
	Distance												
<u>Location</u>	<u>(inches)</u>												
	Photo												
Unit 107, hall bathroom	22-1/8 5890.jpg												
Unit 107, master bathroom	21-3/4 5911.jpg												

Numbers	Photos	Deficiency	Required Retrofits										
37		<p>The clear floor space in the bathroom is less than 48-inches long (minimum 48-inches required).</p> <table><thead><tr><th></th><th>Clear Dimension</th></tr><tr><th><u>Location</u></th><th><u>(inches)</u></th></tr><tr><th></th><th>Photo</th></tr></thead><tbody><tr><td>Unit 107, hall bathroom</td><td>40-3/4 5898.jpg</td></tr><tr><td>Unit 107, master bathroom</td><td>35 5916.jpg</td></tr></tbody></table> <p>A minimum 30-inch by 48-inch clear floor space is required clear of the door swing in a bathroom. (Guidelines, Requirement 7 (2)(a)(i) and Figure 6).</p>		Clear Dimension	<u>Location</u>	<u>(inches)</u>		Photo	Unit 107, hall bathroom	40-3/4 5898.jpg	Unit 107, master bathroom	35 5916.jpg	Reverse the door swing out to comply with Requirement 7(2)(a)(1) Figure 6
	Clear Dimension												
<u>Location</u>	<u>(inches)</u>												
	Photo												
Unit 107, hall bathroom	40-3/4 5898.jpg												
Unit 107, master bathroom	35 5916.jpg												

Numbers	Photos	Deficiency	Required Retrofits
		<p><i>Bathroom door leaf in open position at Unit 107. (5897.jpg).</i></p> <p><i>Dimension from door leaf in open position to rear wall. (5898.jpg).</i></p> <p><i>Length of space between edge of door opening and face of tub at master bath. (5917.jpg).</i></p>	

# **EXHIBIT 3.1**

## **Hodges Creek Accessible Route**





## Exhibit 3.2



Hodges Creek Matrix of Required Retrofits to Public and Common Use Areas


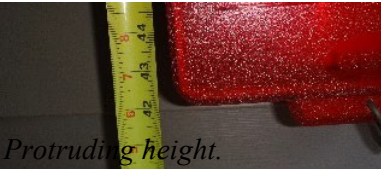

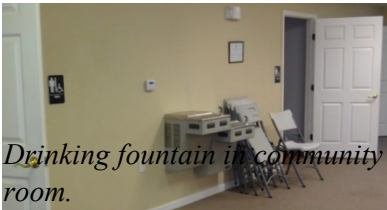
## HODGES CREEK APARTMENTS: PUBLIC AND COMMON USE AREAS

### A. Inaccessible Features at Public and Common Use Routes and Areas:



Numbers	Photos	Deficiency	Required Retrofit																		
	Inaccessible Slopes at Sidewalks																				
2	<div></div> <p>End of parking row northwest of Building 1.</p> <div></div> <p>Measurement of cross slope.</p>	<p>Cross slopes of the route are more than 2% (maximum 2% allowed).</p> <table><thead><tr><th>Location</th><th>Slope</th></tr></thead><tbody><tr><td>Bldg. 2 east of east breezeway</td><td>4.0%</td></tr><tr><td>Building 2 east curb ramp</td><td>6.1%</td></tr><tr><td>Bldg. 2 west of east breezeway</td><td>4.2%</td></tr><tr><td>Bldg. 2 east of west breezeway</td><td>5.4%</td></tr><tr><td>Building 2 west curb ramp</td><td>6.1%</td></tr><tr><td>East end of south sidewalk</td><td>4.4%</td></tr><tr><td>South side of curb ramp at sidewalk to playground</td><td>5.3%</td></tr><tr><td>Curb ramp at sidewalk to playground</td><td>8.2%</td></tr></tbody></table>	Location	Slope	Bldg. 2 east of east breezeway	4.0%	Building 2 east curb ramp	6.1%	Bldg. 2 west of east breezeway	4.2%	Bldg. 2 east of west breezeway	5.4%	Building 2 west curb ramp	6.1%	East end of south sidewalk	4.4%	South side of curb ramp at sidewalk to playground	5.3%	Curb ramp at sidewalk to playground	8.2%	<p>Modify cross slopes in walkways over 3.0% and curb ramps over 3.3%: 4.0%, 6.1%, 4.2%, 5.4%, 4.4%, 5.3%, 8.2% cross slopes to comply with ANSI 4.3.7 and 4.7.2.</p>
Location	Slope																				
Bldg. 2 east of east breezeway	4.0%																				
Building 2 east curb ramp	6.1%																				
Bldg. 2 west of east breezeway	4.2%																				
Bldg. 2 east of west breezeway	5.4%																				
Building 2 west curb ramp	6.1%																				
East end of south sidewalk	4.4%																				
South side of curb ramp at sidewalk to playground	5.3%																				
Curb ramp at sidewalk to playground	8.2%																				
	Inaccessible Curb Ramp Features																				



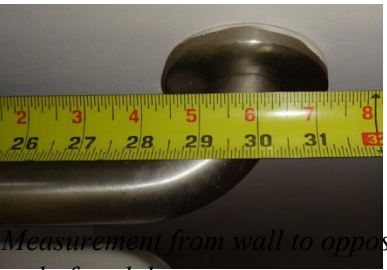




Numbers	Photos	Deficiency	Required Retrofit						
3	<div></div> <p><i>Curb ramp southeast of Building 2.</i></p> <div></div> <p><i>Measurement of running slope.</i></p>	<p>The running slope of the curb ramp is more than 8.3% (maximum 8.3% allowed).</p> <table><tr><th><u>Location</u></th><th><u>Slope</u></th></tr><tr><td>Southeast of Building 2 at dumpster</td><td>15.3%</td></tr><tr><td>East end of south sidewalk</td><td>11.3%</td></tr></table>	<u>Location</u>	<u>Slope</u>	Southeast of Building 2 at dumpster	15.3%	East end of south sidewalk	11.3%	<p>Modify running slopes of curb ramps over 8.3%: 15.3% and 11.3% to comply with ANSI.</p>
<u>Location</u>	<u>Slope</u>								
Southeast of Building 2 at dumpster	15.3%								
East end of south sidewalk	11.3%								
	Protruding Objects								


Numbers	Photos	Deficiency	Required Retrofit																				
4	<div><p><i>Fire extinguisher cabinet at entrance to leasing office.</i></p><p><i>Protruding height.</i></p><p><i>Protruding depth.</i></p><p><i>Drinking fountain in community room.</i></p></div>	<p>Elements protrude more than 4 inches into the circulation path (maximum 4 inches allowed).</p> <table><thead><tr><th>Location</th><th>Distance (inches)</th></tr></thead><tbody><tr><td colspan="2">Leasing Office Entry fire extinguisher cabinet:</td></tr><tr><td>Depth of protrusion</td><td>6-3/4</td></tr><tr><td>Height to leading edge</td><td>41-1/2</td></tr><tr><td colspan="2">Community Room drinking fountain:</td></tr><tr><td>Depth of protrusion</td><td>18-1/2</td></tr><tr><td>Height to leading edge</td><td>32</td></tr><tr><td colspan="2">Community Room fire extinguisher</td></tr><tr><td>Depth of protrusion</td><td>4-1/2</td></tr><tr><td>Height to leading edge</td><td>42-3/8</td></tr></tbody></table>	Location	Distance (inches)	Leasing Office Entry fire extinguisher cabinet:		Depth of protrusion	6-3/4	Height to leading edge	41-1/2	Community Room drinking fountain:		Depth of protrusion	18-1/2	Height to leading edge	32	Community Room fire extinguisher		Depth of protrusion	4-1/2	Height to leading edge	42-3/8	<p>Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.</p>
Location	Distance (inches)																						
Leasing Office Entry fire extinguisher cabinet:																							
Depth of protrusion	6-3/4																						
Height to leading edge	41-1/2																						
Community Room drinking fountain:																							
Depth of protrusion	18-1/2																						
Height to leading edge	32																						
Community Room fire extinguisher																							
Depth of protrusion	4-1/2																						
Height to leading edge	42-3/8																						



Numbers	Photos	Deficiency	Required Retrofit
	 <p><i>Protruding height.</i></p>  <p><i>Protruding depth.</i></p>		
	<b>Inaccessible Restroom Features</b>		

Numbers	Photos	Deficiency	Required Retrofit
5	 	The side wall grab bar at the women's restroom extends 51-1/4 inches from the rear wall (minimum 54 inches required).	Relocate grab bar to comply with ANSI 4.17.6.

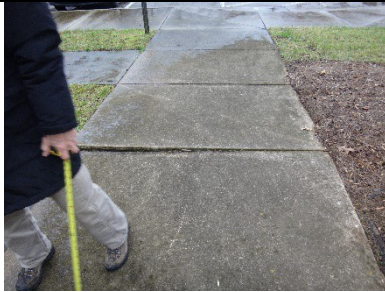
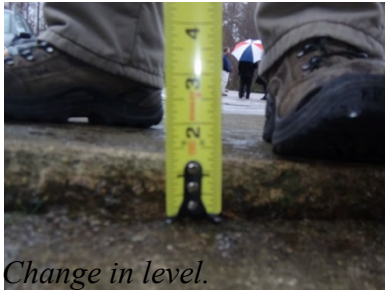
Numbers	Photos	Deficiency	Required Retrofit						
6	 <p><i>Toilet in men's restroom.</i></p>  <p><i>Measurement from wall to grab bar.</i></p>  <p><i>Measurement from wall to opposite end of grab bar</i></p>	<p>The rear wall grab bars in the Community Room restrooms are 24 inches long (minimum 36 inches required).</p> <table> <tr> <th>Location</th> <th>Length (inches)</th> </tr> <tr> <td>Men's restroom</td> <td>24</td> </tr> <tr> <td>Women's restroom</td> <td>24</td> </tr> </table>	Location	Length (inches)	Men's restroom	24	Women's restroom	24	Relocate grab bar to comply with ANSI 4.17.6.
Location	Length (inches)								
Men's restroom	24								
Women's restroom	24								



Numbers	Photos	Deficiency	Required Retrofit						
7	 <p><i>Dispenser in women's restroom.</i></p>  <p><i>Height of dispenser control.</i></p>	<p>The paper towel dispensers are more than 48 inches above the floor (maximum 48 inches allowed).</p> <table><thead><tr><th><u>Location</u></th><th><u>Height (inches)</u></th></tr></thead><tbody><tr><td>Men's restroom</td><td>51</td></tr><tr><td>Women's restroom</td><td>49-1/4</td></tr></tbody></table>	<u>Location</u>	<u>Height (inches)</u>	Men's restroom	51	Women's restroom	49-1/4	<p>Accept proposed fix. Modify paper towel dispenser to comply with ANSI 4.25.3.</p>
<u>Location</u>	<u>Height (inches)</u>								
Men's restroom	51								
Women's restroom	49-1/4								



Numbers	Photos	Deficiency	Required Retrofit
8	 <p><i>Hardware at men's restroom door.</i></p>	The men's and women's restroom doors have locking hardware which requires tight grasping, pinching, or twisting of the wrist (not allowed).	Modify hardware to comply with ANSI 4.13.9
<b>B. INACCESSIBLE ROUTES AT COMMON AREAS</b> <b><u>Routes from Site Arrival Points to Common Areas and Covered Dwelling Units</u></b>			
<b><u>Inaccessible Features – Hodges Creek</u></b>			
	<b>Lack of Accessible Route</b>		

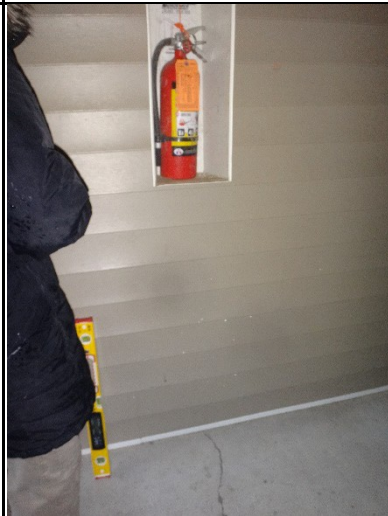

Numbers	Photos	Deficiency	Required Retrofit
9	 <p><i>Trash/Recycling area adjacent to Building 3</i></p>  <p><i>Looking toward car care center from Building 3.</i></p>	There is no accessible route between unit entrances and common use areas (accessible route required).	Fix to comply with Requirement 2.
	<b>Inaccessible Changes in Level</b>		








Numbers	Photos	Deficiency	Required Retrofit								
10	<div><p><i>Sidewalk leading to playground.</i></p><p><i>Change in level.</i></p></div>	<div>The route has change in level greater than 1/2 inch (maximum 1/2 inch with bevel allowed).</div> <table><thead><tr><th>Location</th><th>Height (inches)</th></tr></thead><tbody><tr><td>Route to Playground</td><td>1-1/4</td></tr><tr><td>Building 3, north breezeway</td><td>5/8</td></tr><tr><td>Northeast of Building 3 at dumpster)</td><td>Step</td></tr></tbody></table>	Location	Height (inches)	Route to Playground	1-1/4	Building 3, north breezeway	5/8	Northeast of Building 3 at dumpster)	Step	Modify level change to comply with ANSI 4.5.2.
Location	Height (inches)										
Route to Playground	1-1/4										
Building 3, north breezeway	5/8										
Northeast of Building 3 at dumpster)	Step										
	Inaccessible Slopes										




Numbers	Photos	Deficiency	Required Retrofit								
11	<div><p><i>Sidewalk between Buildings 1 and 3.</i></p><p><i>Measurement of cross slope.</i></p></div>	<p>The cross slopes of the route are more than 2% (maximum 2% allowed).</p> <table><tr><th><u>Location</u></th><th><u>Slope</u></th></tr><tr><td>Above curb ramp at sidewalk to playground going south</td><td>4.1%</td></tr><tr><td>Above curb ramp at sidewalk to playground going west</td><td>3.4%</td></tr><tr><td>Building 3 north curb ramp</td><td>4.3%</td></tr></table>	<u>Location</u>	<u>Slope</u>	Above curb ramp at sidewalk to playground going south	4.1%	Above curb ramp at sidewalk to playground going west	3.4%	Building 3 north curb ramp	4.3%	<p>Modify cross slopes in walkways over 3.0% and curb ramps over 3.3%: 4.1%, 3.4%, 4.3% cross slopes to comply with ANSI 4.3.7 and 4.7.2.</p>
<u>Location</u>	<u>Slope</u>										
Above curb ramp at sidewalk to playground going south	4.1%										
Above curb ramp at sidewalk to playground going west	3.4%										
Building 3 north curb ramp	4.3%										
	<b>Inaccessible Slope at Door Maneuvering Space</b>										

Numbers	Photos	Deficiency	Required Retrofit																										
12	<div><p><i>Door at Unit 2051-108 – Building 2.</i></p><p><i>Measurement of slope at maneuvering clearance.</i></p></div>	<p>Unit entry door maneuvering clearances are sloped greater than 2.0% (maximum 2% allowed).</p> <table><thead><tr><th><u>Location</u></th><th><u>Slope</u></th></tr></thead><tbody><tr><td colspan="2">Building 2 east breezeway:</td></tr><tr><td>Unit 105</td><td>4.4%</td></tr><tr><td>Unit 106</td><td>4.0%</td></tr><tr><td>Unit 107</td><td>6.2%</td></tr><tr><td>Unit 108</td><td>7.0%</td></tr><tr><td colspan="2">Building 3 north breezeway:</td></tr><tr><td>Unit 101</td><td>3.4%</td></tr><tr><td>Unit 102</td><td>3.3%</td></tr><tr><td>Unit 103</td><td>3.6%</td></tr><tr><td colspan="2">Building 3 south breezeway:</td></tr><tr><td>Unit 106</td><td>3.2%</td></tr><tr><td>Unit 108</td><td>2.8%</td></tr></tbody></table>	<u>Location</u>	<u>Slope</u>	Building 2 east breezeway:		Unit 105	4.4%	Unit 106	4.0%	Unit 107	6.2%	Unit 108	7.0%	Building 3 north breezeway:		Unit 101	3.4%	Unit 102	3.3%	Unit 103	3.6%	Building 3 south breezeway:		Unit 106	3.2%	Unit 108	2.8%	<p>Modify unit entry door maneuvering clearances over 2.0% to comply with ANSI.</p>
<u>Location</u>	<u>Slope</u>																												
Building 2 east breezeway:																													
Unit 105	4.4%																												
Unit 106	4.0%																												
Unit 107	6.2%																												
Unit 108	7.0%																												
Building 3 north breezeway:																													
Unit 101	3.4%																												
Unit 102	3.3%																												
Unit 103	3.6%																												
Building 3 south breezeway:																													
Unit 106	3.2%																												
Unit 108	2.8%																												
	<b>Protruding Objects</b>																												



Numbers	Photos	Deficiency	Required Retrofit																								
13	<div><p><i>Fire extinguisher cabinet at Building 3 breezeway.</i></p><p><i>Protruding height.</i></p></div>	<p>The fire extinguisher cabinets at breezeways protrude more than 4 inches into the circulation path (maximum 4 inches allowed).</p> <table><thead><tr><th><u>Location</u></th><th><u>Distance (inches)</u></th></tr></thead><tbody><tr><td colspan="2">Building 2 east breezeway:</td></tr><tr><td>Depth of protrusion</td><td>7-1/2+/-</td></tr><tr><td colspan="2">Building 2 west breezeway:</td></tr><tr><td>Depth of protrusion</td><td>6-3/4+/-</td></tr><tr><td colspan="2">Building 3 south breezeway:</td></tr><tr><td>Depth of protrusion</td><td>7-1/2</td></tr><tr><td>Height of leading edge</td><td>41-7/8</td></tr><tr><td colspan="2">Building 3 Breezeway:</td></tr><tr><td>Depth of protrusion</td><td>7-1/2+/- Kitchenette:</td></tr><tr><td>Depth of protrusion</td><td>4-1/2</td></tr><tr><td>Height of leading edge</td><td>51</td></tr></tbody></table>	<u>Location</u>	<u>Distance (inches)</u>	Building 2 east breezeway:		Depth of protrusion	7-1/2+/-	Building 2 west breezeway:		Depth of protrusion	6-3/4+/-	Building 3 south breezeway:		Depth of protrusion	7-1/2	Height of leading edge	41-7/8	Building 3 Breezeway:		Depth of protrusion	7-1/2+/- Kitchenette:	Depth of protrusion	4-1/2	Height of leading edge	51	<p>Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.</p>
<u>Location</u>	<u>Distance (inches)</u>																										
Building 2 east breezeway:																											
Depth of protrusion	7-1/2+/-																										
Building 2 west breezeway:																											
Depth of protrusion	6-3/4+/-																										
Building 3 south breezeway:																											
Depth of protrusion	7-1/2																										
Height of leading edge	41-7/8																										
Building 3 Breezeway:																											
Depth of protrusion	7-1/2+/- Kitchenette:																										
Depth of protrusion	4-1/2																										
Height of leading edge	51																										

Numbers	Photos	Deficiency	Required Retrofit						
	 <p><i>Protruding depth.</i></p>								
C. INACCESSIBLE FEATURES AT COMMON AREAS									
	Inaccessible Environmental Controls								
14	 <p><i>Outlet at kitchenette countertop adjacent to refrigerator.</i></p>	<p>The countertop outlet does not have the minimum clear floor space required. Refrigerator blocks parallel approach. The clear space is less than 48 inches wide (minimum 48 inches required for parallel approach).</p> <table><tr><td><u>Location</u></td><td><u>Distance (inches)</u></td><td></td></tr><tr><td>Kitchen, width of unobstructed 28 space with countertop</td><td>parallel</td><td></td></tr></table>	<u>Location</u>	<u>Distance (inches)</u>		Kitchen, width of unobstructed 28 space with countertop	parallel		<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
<u>Location</u>	<u>Distance (inches)</u>								
Kitchen, width of unobstructed 28 space with countertop	parallel								

Numbers	Photos	Deficiency	Required Retrofit						
	<div><p><i>Placement of tape at countertop.</i></p><p><i>Measurement of clear width at countertop.</i></p></div>								
15	<div><p><i>Fire extinguisher cabinet at Leasing Office.</i></p></div>	<p>Fire extinguisher cabinet top operable parts are located above reach range (maximum 54 inches allowed).</p> <table><tr><th><u>Locations</u></th><th><u>Height (inches)</u></th></tr><tr><td>Leasing Office</td><td>62</td></tr><tr><td>Building 2 west breezeway (typical at all breezeways)</td><td>62+/-</td></tr></table>	<u>Locations</u>	<u>Height (inches)</u>	Leasing Office	62	Building 2 west breezeway (typical at all breezeways)	62+/-	Modify fire extinguisher cabinet to comply with ANSI 4.6.2.
<u>Locations</u>	<u>Height (inches)</u>								
Leasing Office	62								
Building 2 west breezeway (typical at all breezeways)	62+/-								

Numbers	Photos	Deficiency	Required Retrofit						
	 <p>Typical height to top operable part.</p>								
Inaccessible Common Area Features									
16	 <p>Vacuum station.</p>  <p>Measurement of cross slope at vacuum station.</p>	<p>The common area clear floor space has a slope greater than 2% (maximum 2% allowed).</p> <table> <tr> <th>Location</th> <th>Slope</th> </tr> <tr> <td>Grill east of Building 1</td> <td>3.2%</td> </tr> <tr> <td>Vacuum station</td> <td>3.2%</td> </tr> </table>	Location	Slope	Grill east of Building 1	3.2%	Vacuum station	3.2%	<p>Modify the cross slope of vacuum station (3.2%) to comply with ANSI 4.3.7. Modify the cross slope of the grill east of Building 1 (3.2%) to comply with ANSI 4.3.7, relocate the grill to a compliant location, or add a grill in a compliant location.</p>
Location	Slope								
Grill east of Building 1	3.2%								
Vacuum station	3.2%								



Numbers	Photos	Deficiency	Required Retrofit
17	 <p><i>Height of kitchen sink.</i></p>	The rim of the kitchenette sink is 35-3/4 inches above the floor (maximum 34 inches allowed).	Modify rim of sink to comply with ANSI 4.19.2.2.
18	 <p><i>Kitchenette sink at the Community Room.</i></p>	Sink at Community Room kitchenette lacks pipe protection (pipe protection required).	Insulate pipes to comply with ANSI 4.19.4.



## Exhibit 3.3

Hodges Creek Matrix of Required Retrofits to Covered Unit Interiors

## HODGES CREEK APARTMENTS: COVERED UNIT INTERIORS

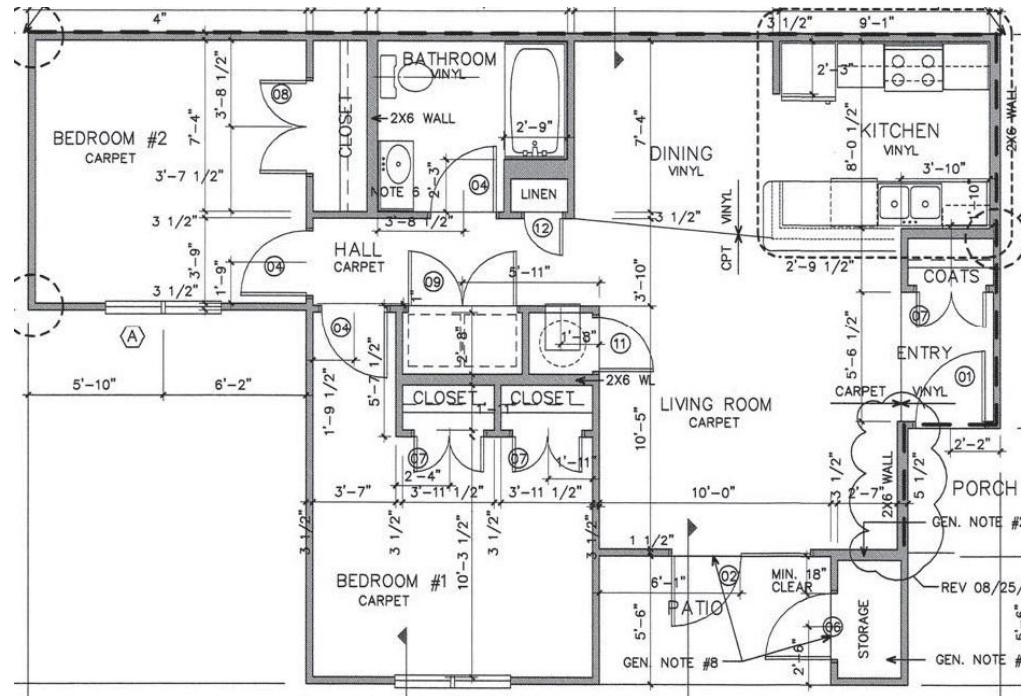
### D. INACCESSIBLE FEATURES IN COVERED DWELLING UNITS Unit Types by Building:

Building	Unit Types								Totals	
	1st Floor (Covered Units)				2nd Floor		3rd Floor		Covered Units	Overall
No./ Addr.	2b1b	2b1b A	3b2b	3b2b A	2b1b	3b2b	2b1b	3b2b		
1 2020	0	0	2	0	-	-	-	-	2	2
2 2051	1	5	0	2	6	2	6	2	8	24
3 2010	1*	5	0	2*	6	2	6	2	8	24
Total	2	10	2	4	12	4	12	4	18	50

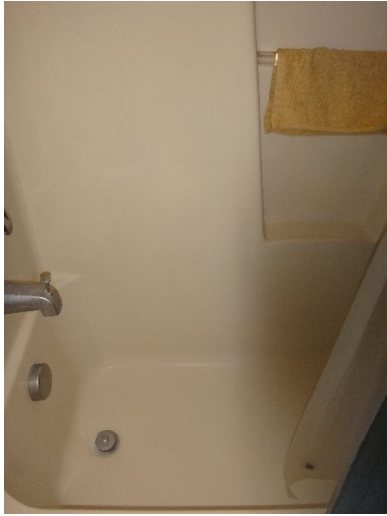
**UNIT TYPE: 2 Bedroom, 1 Bathroom**


Surveyed Unit 2051-102 – Typical for 2 total units





Unit Plan. (A03/01).







**Inaccessible Features:**

Numbers	Photos	Deficiency	Required Retrofit
19		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide affidavits to confirm that reinforcement is installed to comply with Requirement 6.
20	 <p><i>Bathtub/shower surround in Unit 2051-102.</i></p>	The shape of the bathtub surrounds precludes the installation of future grab bars with firm attachment to blocking (ability to install grab bars required).	Remediate upon resident request.

Numbers	Photos	Deficiency	Required Retrofit
21	 <p><i>Clear floor space obstructed by adjacent refrigerator and range in Unit 2051-102.</i></p>	The outlets above kitchen countertops in 2 areas (both sides of the range) lack the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).	Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.

Numbers	Photos	Deficiency	Required Retrofit
	 <p><i>Measurement of clear floor space width.</i></p>  <p><i>Range extension from countertop.</i></p>  <p><i>Clear floor space obstructed by range in Unit 2051-102.</i></p> 		

Numbers	Photos	Deficiency	Required Retrofit
	 <p><i>Measurement of clear floor space width.</i></p>		
22	 <p><i>Placement of tape between refrigerator and dishwasher in Unit 2051-102.</i></p>	The clearance between kitchen elements (face of refrigerator to face of dishwasher) is 38-3/4 inches (minimum 40 inches required).	Remediate upon resident request.

Numbers	Photos	Deficiency	Required Retrofit
	 <p data-bbox="279 690 569 716"><i>Measurement of clearance.</i></p>		
23	 <p data-bbox="279 1084 730 1198"><i>Dimension from side wall to centerline of lavatory in Unit 2051-102.</i></p>	<p data-bbox="737 721 1339 829">The lavatory centerlines are 18-1/2 inches to the side wall (minimum 24 inches required) and the cabinets are not removable.</p>	<p data-bbox="1346 721 1652 906">Install removable base cabinet to provide clear floor space to comply with Requirement 7(2)(a)(ii).</p>

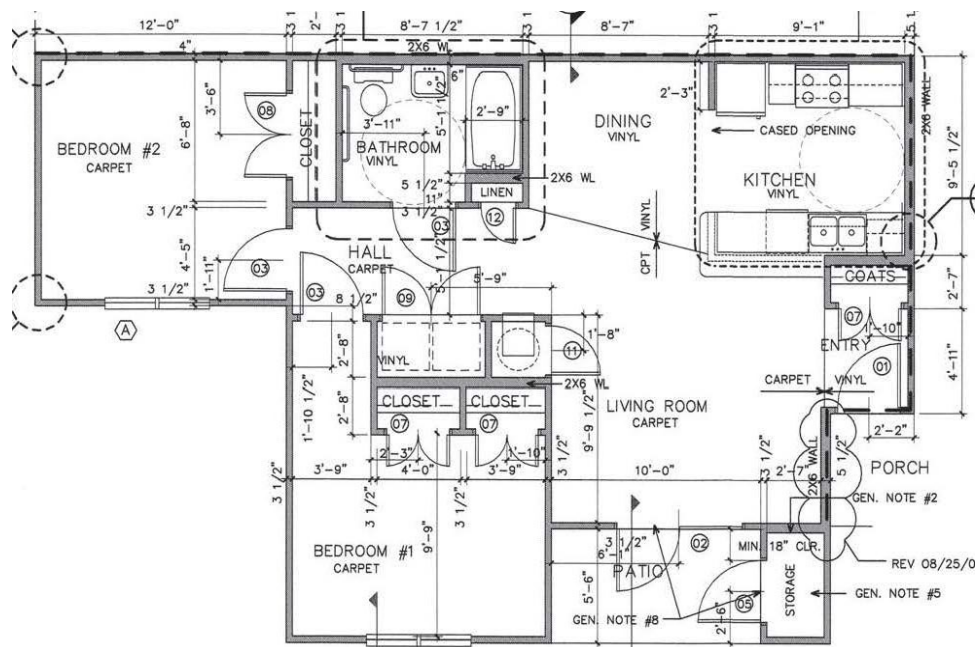


Numbers	Photos	Deficiency	Required Retrofit
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**UNIT TYPE: 2 Bedroom, 1 Bathroom – (Type A)**




Surveyed Unit 2010-104, Unit 2010-105, Unit 2010-106, and Unit 2051-103 – Typical for 10 total units

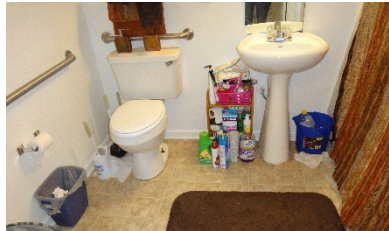

*Unit Plan. (A03/02).*



**Inaccessible Features:**

Numbers	Photos	Deficiency	Required Retrofit				
24	 <p><i>Entrance door threshold interior side in Unit 2010- 104.</i></p>	Door thresholds are 5/8 inch high at the interior face and are not beveled (maximum 1/4 inch without bevel allowed).	Modify door thresholds to comply with Requirement 4(4).				
25	 <p><i>Thermostat in Unit 2010-105.</i></p>	<p>The thermostat top controls are more than 48 inches above the floor (maximum 48 inches allowed).</p> <table><thead><tr><th><u>Location</u></th><th><u>Height (inches)</u></th></tr></thead><tbody><tr><td>Unit 2010-105</td><td>50-1/8</td></tr></tbody></table>	<u>Location</u>	<u>Height (inches)</u>	Unit 2010-105	50-1/8	Accept proposed fix. Modify thermostat at 50 1/2" to comply with Requirement 5.
<u>Location</u>	<u>Height (inches)</u>						
Unit 2010-105	50-1/8						

Numbers	Photos	Deficiency	Required Retrofit
26	 <p><i>Clear floor space obstructed by adjacent refrigerator and range in Unit 2010-104</i></p>  <p><i>Measurement of clear floor space width.</i></p>  <p><i>Projection of range beyond</i></p>	<p>The outlet above one area of kitchen countertop lacks the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach). Both the refrigerator and range are greater than 25 inches deep.</p>	<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>

Numbers	Photos	Deficiency	Required Retrofit						
	countertop.								
27	 <p><i>Pedestal sink in Unit 2010- 104.</i></p>  <p><i>Measurement from bathtub to lavatory centerline in Unit 2010-104.</i></p>	<p>The lavatory centerlines are less than 24 inches to the side wall (minimum 24 inches required) and knee space is not provided.</p> <table> <tr> <th>Location</th> <th>Distance (inches)</th> </tr> <tr> <td>Unit 2010-104 bathroom</td> <td>19-1/2</td> </tr> <tr> <td>Unit 2051-103 bathroom</td> <td>18 +/-</td> </tr> </table>	Location	Distance (inches)	Unit 2010-104 bathroom	19-1/2	Unit 2051-103 bathroom	18 +/-	Install removable base cabinet to provide clear floor space to comply with Requirement 7(2)(a)(ii).
Location	Distance (inches)								
Unit 2010-104 bathroom	19-1/2								
Unit 2051-103 bathroom	18 +/-								

Numbers

Photos

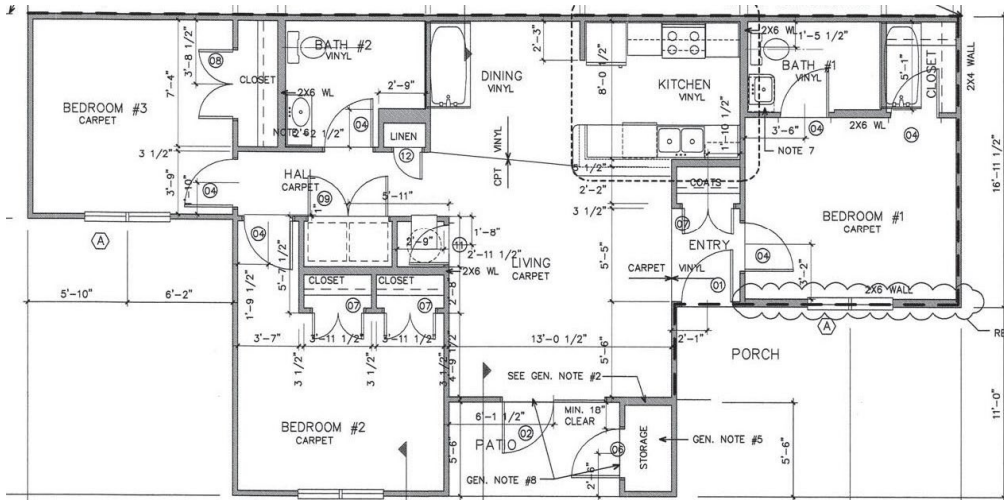
Deficiency

Required Retrofit



**UNIT TYPE: 3 Bedroom, 2 Bathroom**


Surveyed Unit 2020-101 – Typical for 3 total units



*Unit Plan. (A03/03).*






**Inaccessible Features:**




Numbers	Photos	Deficiency	Required Retrofit
28	 <p><i>Entrance door threshold interior side at Unit 2020- 101.</i></p>	Door thresholds are 1/2 inches high at the interior face and are not beveled (maximum 1/4 inch without bevel allowed).	Modify door thresholds to comply with Requirement 4(4).
29	 <p><i>Measurement of storage room threshold at Unit 2020- 101.</i></p>	Door thresholds are 3/4 inch high and are not beveled (maximum 1/4 inch without bevel allowed).	Modify door thresholds to comply with Requirement 4(4).


Numbers	Photos	Deficiency	Required Retrofit
30	 <p><i>Thermostat in Unit 2020-101.</i></p>	The thermostat top controls are 61 inches above the floor (maximum 48 inches allowed).	Modify thermostat to comply with Requirement 5.
31		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide affidavits to confirm that reinforcement is installed to comply with Requirement 6.



Numbers	Photos	Deficiency	Required Retrofit
32	 <p><i>Bathtub/shower surround in Unit 2020-101 hall bathroom.</i></p>	The shape of the bathtub surrounds precludes the installation of future grab bars with firm attachment to blocking (ability to install grab bars required).	Remediate upon resident request.
33	 <p><i>Clear floor space obstructed by adjacent refrigerator and range in Unit 2020-101.</i></p>	The outlets above kitchen countertops in 2 areas (both sides of the range) lack the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).	Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5.




Numbers	Photos	Deficiency	Required Retrofit
	 <p><i>Measurement of clear floor space width.</i></p>  <p><i>Range extension from countertop.</i></p>  <p><i>Refrigerator depth.</i></p>		<p>Any such outlet must be approved by the United States prior to installation.</p>


Numbers	Photos	Deficiency	Required Retrofit
	 <p><i>Clear floor space obstructed by range in Unit 2020-101.</i></p>  <p><i>Measurement of clear floor space width.</i></p>		
34	 <p><i>Placement of tape between refrigerator and countertop in Unit 2020-101.</i></p>	The clearances between the refrigerator to the opposing countertop are 38-3/4 inches (minimum 40 inches required).	Remediate upon resident request.



Numbers	Photos	Deficiency	Required Retrofit
	 <p data-bbox="275 678 625 709"><i>Measurement of clearance.</i></p>		

Numbers	Photos	Deficiency	Required Retrofit
35	 <p><i>Lavatory in Unit 2020-101 hall bathroom.</i></p>  <p><i>Measurement from side wall to lavatory centerline.</i></p>	<p>The lavatory centerlines are less than 24 inches to the side wall (minimum 24 inches required) and the cabinets are not removable.</p>	<p>Install removable base cabinet to provide clear floor space to comply with Requirement 7(2)(a)(ii).</p>



Numbers	Photos	Deficiency	Required Retrofit
	 <p data-bbox="279 922 499 953"><i>Interior of vanity.</i></p>		



Numbers	Photos	Deficiency	Required Retrofit
36	 <p><i>Thermostat in Unit 2051-108</i></p>	The thermostat top controls are 48-7/8 inches above the floor (maximum 48 inches allowed).	Modify door thresholds to comply with Requirement 4(4).
36a.		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide affidavits to confirm that reinforcement is installed to comply with Requirement 6.

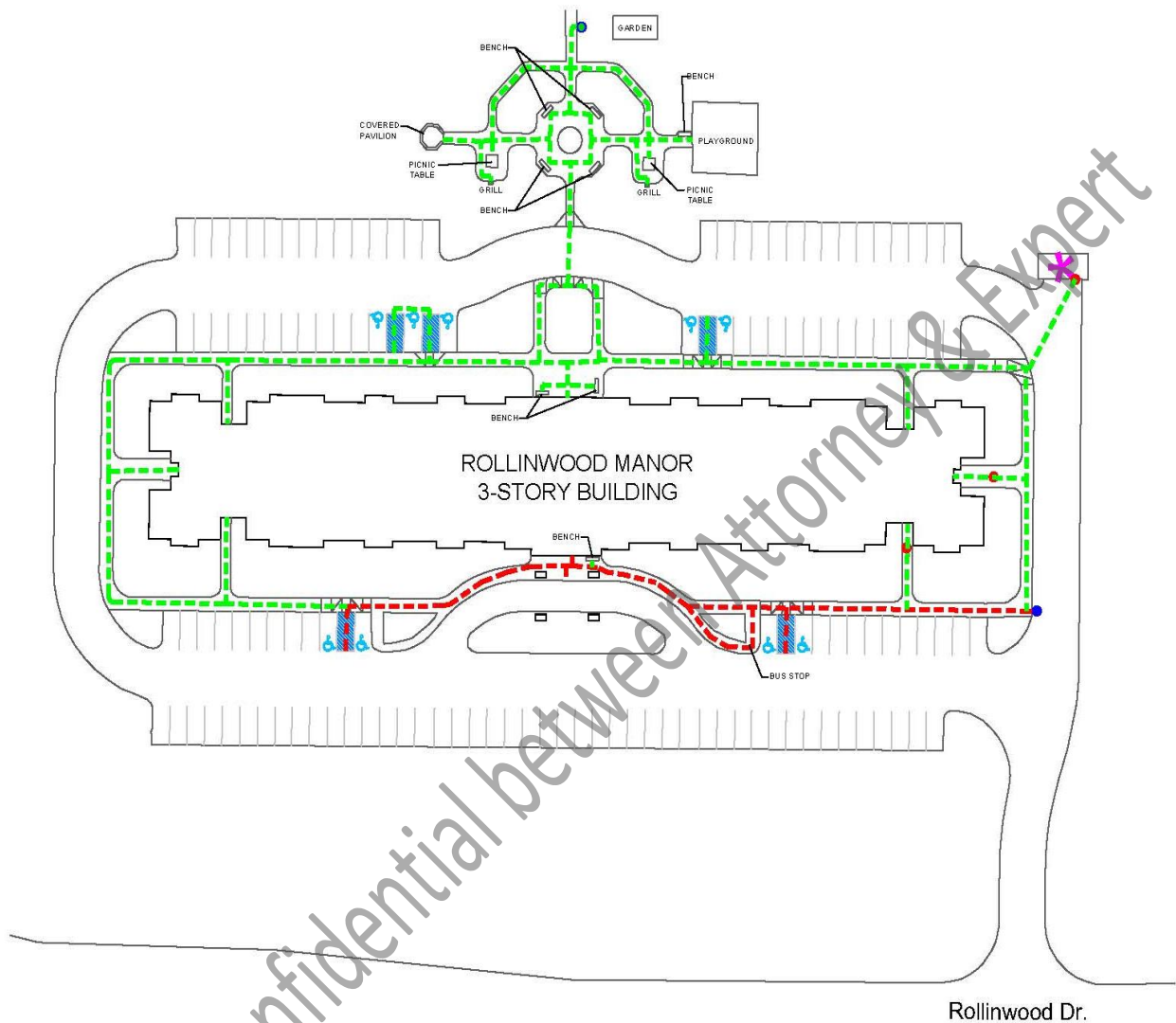
Numbers	Photos	Deficiency	Required Retrofit
37	 <p><i>Clear floor space obstructed by adjacent refrigerator and range in Unit 2010-101.</i></p>  <p><i>Measurement of clear floor space width.</i></p>	<p>The outlets above kitchen countertops in 1 area lack the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).</p>	<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>



Numbers	Photos	Deficiency	Required Retrofit										
38	<div><p><i>Pedestal sink in Unit 2010- 101 master bathroom.</i></p></div> <div><p><i>Measurement from side wall to centerline of lavatory in Unit 2010-101 master bathroom.</i></p></div>	<p>The lavatory centerlines are less than 24 inches to the side wall (minimum 24 inches required) and knee space is not provided.</p> <table><tr><th>Location</th><th>Distance (inches)</th></tr><tr><td>Unit 2010-101 hall bath</td><td>21</td></tr><tr><td>Unit 2010-101 master bath</td><td>15-5/8</td></tr><tr><td>Unit 2051-108 hall bath</td><td>19-1/2</td></tr><tr><td>Unit 2051-108 master bath</td><td>15-5/8</td></tr></table>	Location	Distance (inches)	Unit 2010-101 hall bath	21	Unit 2010-101 master bath	15-5/8	Unit 2051-108 hall bath	19-1/2	Unit 2051-108 master bath	15-5/8	Modify sink to provide clear floor space to comply with Requirement 7(2)(a)(ii).
Location	Distance (inches)												
Unit 2010-101 hall bath	21												
Unit 2010-101 master bath	15-5/8												
Unit 2051-108 hall bath	19-1/2												
Unit 2051-108 master bath	15-5/8												

# **EXHIBIT 4.1**

## **Rollinwood Manor Accessible Route**



NORTH  
LEGEND

EXTERIOR COMMON  
AREA AMENITY

TRASH

AISLE @ PARKING

DESIGNATED PARKING  
SPACE

COMMON ROUTES

PUBLIC ROUTES

LEVEL CHANGE

ROUTE ENDS AT  
VEHICULAR WAY



ROUTE ENDS AT GRASS




## Exhibit 4.2



Rollinwood Manor Matrix of Required Retrofits to Public and Common Use Areas



## ROLLINWOOD MANOR APARTMENTS: PUBLIC AND COMMON USE AREAS

### A. Public and Common Areas



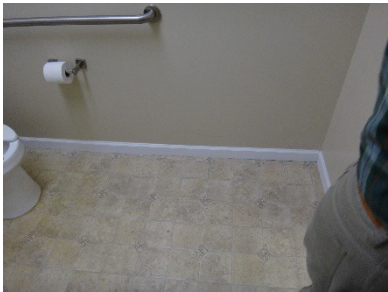
Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
1	 <p><i>Route along drive lane.</i></p>	There is no accessible route between pedestrian site arrival points and leasing office.	Install accessible sidewalk to Rollinwood Drive to the South.
	<b>Inaccessible Parking Features</b>		
2	 <p><i>Parking aisle location.</i></p>	Designated parking access aisle at leasing has a running slope greater than 2.0% (maximum 2% allowed).	Modify 3.9% running slope to comply with ADA 4.6.2.




Numbers	Lack of Accessible Route	Deficiency	Required Retrofit								
	<div></div> <p><i>Running slope measurement.</i></p>										
	<b>Inaccessible Slopes</b>										
3	<div></div> <p><i>Route at Location.</i></p> <div></div> <p><i>Cross slope.</i></p>	<p>Cross slopes of the route are more than 2% (maximum 2% allowed).</p> <table><tr><th>Location</th><th>Slope</th></tr><tr><td>South of Building (southwest of public entrance)</td><td>3.8%</td></tr><tr><td>South of Building (southeast of public entrance)</td><td>4.3%</td></tr><tr><td>South of Building (southeast of public entrance)</td><td>3.8%</td></tr></table>	Location	Slope	South of Building (southwest of public entrance)	3.8%	South of Building (southeast of public entrance)	4.3%	South of Building (southeast of public entrance)	3.8%	<p>Modify 3.8%, 4.3%, and 3.8% cross slopes to comply with ANSI 4.3.7.</p>
Location	Slope										
South of Building (southwest of public entrance)	3.8%										
South of Building (southeast of public entrance)	4.3%										
South of Building (southeast of public entrance)	3.8%										
	<b>Inaccessible Curb Ramp Features</b>										




Numbers	Lack of Accessible Route	Deficiency	Required Retrofit				
4	<div></div> <p><i>Curb ramp south of Building.</i></p> <div></div> <p><i>Running slope at curb ramp.</i></p>	<p>The running slope of the ramp leading to the leasing office is more than 8.3% (maximum 8.3% allowed).</p> <table><tr><td><u>Location</u></td><td><u>Slopes</u></td></tr><tr><td>South of Building (southwest of public entrance)</td><td>9.2%</td></tr></table>	<u>Location</u>	<u>Slopes</u>	South of Building (southwest of public entrance)	9.2%	<p>Modify 9.2% running slopes of curb ramp to comply with ANSI 4.7.2.</p>
<u>Location</u>	<u>Slopes</u>						
South of Building (southwest of public entrance)	9.2%						
	Inaccessible Door Features						



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit										
5	<div></div> <p><i>Hardware at unisex restroom door.</i></p>	The unisex restroom (closest to the management offices) door has hardware which requires tight grasping, pinching, or twisting of the wrist (not allowed).	Replace door hardware to comply with ANSI 4.13.9.										
Protruding Objects													
6	<div></div> <p><i>AED box in First Floor corridor.</i></p>	<p>The objects protrude more than 4 inches into the circulation path (maximum 4 inches allowed).</p> <p>Protrusion</p> <table><thead><tr><th>Location</th><th>(inches)</th></tr></thead><tbody><tr><td>Corridor 1st Floor AED Box</td><td>7</td></tr><tr><td>Height of leading edge</td><td>57-1/8</td></tr><tr><td>1st Floor Drinking Fountain</td><td>19</td></tr><tr><td>Height of leading edge</td><td>32-1/4</td></tr></tbody></table>	Location	(inches)	Corridor 1st Floor AED Box	7	Height of leading edge	57-1/8	1st Floor Drinking Fountain	19	Height of leading edge	32-1/4	Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.
Location	(inches)												
Corridor 1st Floor AED Box	7												
Height of leading edge	57-1/8												
1st Floor Drinking Fountain	19												
Height of leading edge	32-1/4												



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>AED box height.</i></p>  <p><i>AED box depth.</i></p>		
	<b>Inaccessible Unisex Public Restroom Features</b> (Note: all notes in this section apply to the restroom closest to the management offices.)		
7	 <p><i>Toilet in unisex restroom</i></p>	The leading edge of the toilet paper dispenser is 39-1/2 inches from the rear wall (maximum 36 inches allowed).	Modify toilet paper dispenser to comply with ANSI 4.16.6.



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Dimension from rear wall to toilet paper dispenser.</i></p>		
8	 <p><i>Toilet in public unisex restroom.</i></p>  <p><i>Width from side wall to lavatory in public unisex restroom.</i></p>	The toilet clearance is 42 inches wide (minimum 48 inch width by 66 inch depth required).	Modify toilet clearance to comply with ANSI 4.16.2.



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Width from side wall to lavatory in public unisex restroom.</i></p>		
9	 <p><i>Grab bar in unisex restroom.</i></p>  <p><i>Dimension of side grab bar from rear wall</i></p>	The side wall grab bar starts 13-7/8 inches from the rear wall (maximum 12 inches allowed).	Relocate grab bar to comply with ANSI 4.17.6.
	<b>Additional Information Based on ADAAG</b>		




Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
10	 <p><i>Parking space location.</i></p>  <p><i>Running slope at parking space.</i></p>	Designated parking space has a running slope of 3.8% (maximum 2% allowed).	Modify running slope of 3.8% to comply with ADA 4.6.2.

**B. Routes to Dwelling Units from Site Arrival Points and to Common Areas from Dwelling Units**



	<b>Lack of Accessible Route</b>
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Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
11	 <p><i>No route to garden.</i></p>	There is no accessible route to the garden area.	Modify to comply with Requirement 2.
	<b>Inaccessible Changes in Level</b>		
12	 <p><i>Change in level at east entrance.</i></p>	Outside the east entry, at the edge of the stoop, there a change in level that is 3/4 inches high and is not beveled (maximum 1/4 inch allowed without bevel).	Modify level change to comply with ANSI 4.5.2.
	<b>Inaccessible Slopes</b>		



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit														
13	<div></div> <p><i>Northwest of building at west driveway.</i></p> <div></div> <p><i>Cross slope</i></p>	<p>Cross slopes of routes are more than 2% (maximum 2% allowed).</p> <table><thead><tr><th>Location</th><th>Slope</th></tr></thead><tbody><tr><td>Northwest of Building</td><td>3.9%</td></tr><tr><td>Northwest of Building</td><td>3.3%</td></tr><tr><td>Northwest of Building</td><td>3.5%</td></tr><tr><td>Northwest of Building</td><td>3.9%</td></tr><tr><td>Northwest of Building</td><td>3.4%</td></tr><tr><td>Northeast of Building</td><td>3.4%</td></tr></tbody></table> <p>A maximum 2% cross slope is allowed at an accessible route. (Guidelines Requirement 1; Guidelines Requirement 2 Chart; ANSI 1986 4.3.7).</p>	Location	Slope	Northwest of Building	3.9%	Northwest of Building	3.3%	Northwest of Building	3.5%	Northwest of Building	3.9%	Northwest of Building	3.4%	Northeast of Building	3.4%	<p>Modify 3.3%, 3.9%, 3.5%, 3.9%, 3.4%, 3.4% cross slopes to comply with ANSI 4.3.7.</p>
Location	Slope																
Northwest of Building	3.9%																
Northwest of Building	3.3%																
Northwest of Building	3.5%																
Northwest of Building	3.9%																
Northwest of Building	3.4%																
Northeast of Building	3.4%																


Numbers	Lack of Accessible Route	Deficiency	Required Retrofit										
14	<div></div> <p><i>Curb ramp measurement location.</i></p> <div></div> <p><i>Running slope</i></p>	Running slope of the curb ramp north of the building is 10.1% (maximum 8.3% allowed).	Modify curb ramp to comply with ANSI 4.7.2.										
15	<div></div> <p><i>North entrance door.</i></p>	<p>Common door maneuvering clearances are sloped greater than 2.0% (maximum 2% allowed).</p> <table><thead><tr><th>Location</th><th>Slope</th></tr></thead><tbody><tr><td>Southwest Entrance Door</td><td>6.7%</td></tr><tr><td>Northwest Entrance Door</td><td>5.4%</td></tr><tr><td>North Entrance Door</td><td>9.4%</td></tr><tr><td>Northeast Entrance Door</td><td>6.4%</td></tr></tbody></table>	Location	Slope	Southwest Entrance Door	6.7%	Northwest Entrance Door	5.4%	North Entrance Door	9.4%	Northeast Entrance Door	6.4%	Modify cross slopes to comply with ANSI 4.13.6
Location	Slope												
Southwest Entrance Door	6.7%												
Northwest Entrance Door	5.4%												
North Entrance Door	9.4%												
Northeast Entrance Door	6.4%												



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Slope at north door maneuvering space.</i></p>		
	<b>Inaccessible Door Hardware</b>		
16	 <p><i>Hardware at community room door.</i></p>	<p>The doors have hardware which requires tight grasping, pinching, or twisting of the wrist (not allowed) to operate either the latch or the lock.</p> <p>This is a typical hardware feature throughout building common areas (not an exhaustive list).</p> <p><u>Location</u>  Third Floor Community Room  Third Floor Library  First Floor Unisex Restroom 2</p>	<p>Replace hardware to comply with 4.13.9.</p>
	<b>Protruding Objects</b>		









Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
17	 <p><i>Drinking fountain in third floor corridor.</i></p>  <p><i>Height of bottom edge.</i></p>	<p>Drinking fountain protrudes approximately 19 inches into the circulation path (maximum 4 inches allowed).</p> <p><u>Location</u>  Second Floor Corridor  Height of leading edge                      32-3/8  Third Floor Corridor  Height of leading edge                      32-3/4</p>	<p>Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.</p>



Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Projection from the wall.</i></p>		




**C. Common Use Areas**


	<b>Inaccessible Common Area Features</b>
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Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
18	 <p><i>Grill at common area</i></p>  <p><i>Cross slope at grill.</i></p>	Clear floor space at the grill northeast of the building slopes 3.5% (maximum 2% allowed).	Modify 3.5% slope to comply with ANSI 4.3.7.
19	 <p><i>Knee space at work surface in Laundry Room</i></p>	The clear width of the knee space at the laundry work surface is 28-5/8 inches (minimum 30 inches clear width required).	Modify knee space to comply with ANSI 4.30.3.

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Width of knee space.</i></p>		
20	 <p><i>Laundry room work space</i></p>  <p><i>Counter height.</i></p>	Countertop at laundry work surface is 36-1/4 inches above the floor (maximum 34 inches allowed).	Modify countertop to comply with ANSI 4.30.4

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit										
21	<div><p><i>Maneuvering clearance at third floor unisex restroom door.</i></p><div><p><i>Maneuvering clearance at unisex restroom door.</i></p></div></div>	<div>Door maneuvering clearances are less than 18 inches (minimum 18 inches required).</div> <table><thead><tr><th><u>Location</u></th><th><u>Clearance (inches)</u></th></tr></thead><tbody><tr><td>Unisex Restroom 3 (Second Floor)</td><td>13</td></tr><tr><td>Unisex Restroom 4 (Second Floor)</td><td>12-1/2</td></tr><tr><td>Unisex Restroom 5 (Third Floor)</td><td>11-1/2</td></tr><tr><td>Unisex Restroom 6 (Third Floor)</td><td>13-7/8</td></tr></tbody></table>	<u>Location</u>	<u>Clearance (inches)</u>	Unisex Restroom 3 (Second Floor)	13	Unisex Restroom 4 (Second Floor)	12-1/2	Unisex Restroom 5 (Third Floor)	11-1/2	Unisex Restroom 6 (Third Floor)	13-7/8	<div>Remediate first floor public restrooms and one common restroom on the second and third floors.</div> <div>Modify by installing smaller sink or relocate sink to provide 18" minimum clearance to comply with ANSI 4.13.6.</div>
<u>Location</u>	<u>Clearance (inches)</u>												
Unisex Restroom 3 (Second Floor)	13												
Unisex Restroom 4 (Second Floor)	12-1/2												
Unisex Restroom 5 (Third Floor)	11-1/2												
Unisex Restroom 6 (Third Floor)	13-7/8												
	Inaccessible Common Restroom Features												

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
22	 <p><i>Single user restroom.</i></p>  <p><i>Centerline of toilet.</i></p>	The toilet centerline at one third floor single user restroom is 19 inches from the side wall (maximum 18 inches allowed).	Modify toilet by installing offset toilet flange to comply with ANSI 4.16.2.
23	 <p><i>Single user restroom.</i></p>	The rear wall grab bars extends 20 inches from the toilet centerline (minimum 24 inches required). The extension from the sidewall is 37-1/2 inches (minimum 42 inches required).	Relocate grab bar to comply with ANSI 4.17.6.

Numbers	Lack of Accessible Route	Deficiency	Required Retrofit
	 <p><i>Grab bar extension from side wall.</i></p>		

## Exhibit 4.3

Rollinwood Manor Matrix of Required Retrofits to Covered Unit Interiors

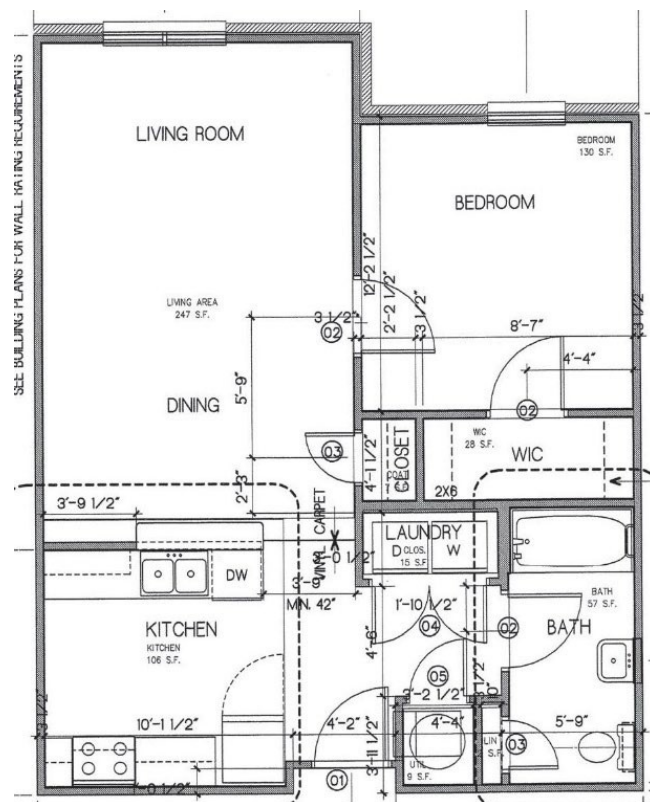


## ROLLINWOOD MANOR APARTMENTS: COVERED UNIT INTERIORS

### D. Covered Dwelling Units


#### UNIT TYPE: 1 Bedroom, 1 Bathroom – (Standard)



Surveyed Unit 167 and Unit 205 – Typical for 34 total units



Inaccessible Features:

Numbers	Photos	Deficiency	Required Retrofit
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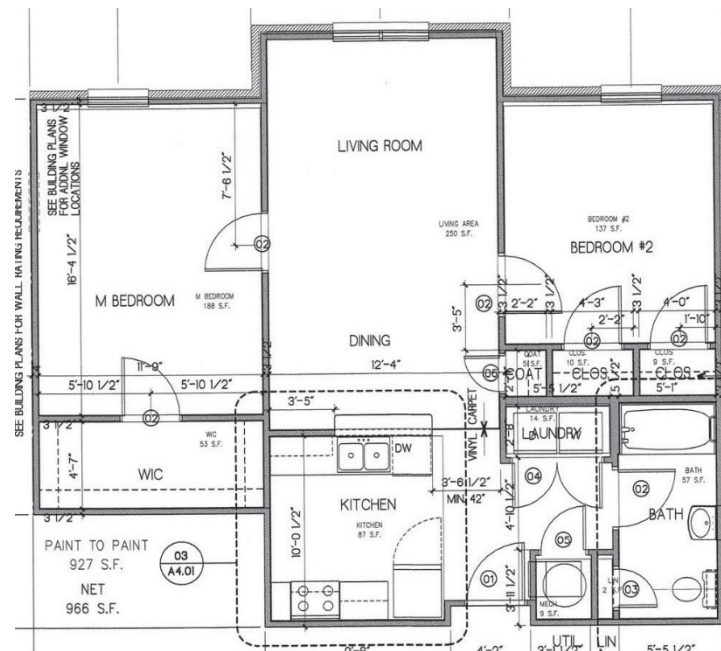
Numbers	Photos	Deficiency	Required Retrofit
24	 <p><i>Thermostat in Unit 167.</i></p>	Thermostat top controls are 57 inches above the floor (maximum 48 inches allowed).	Modify thermostat to comply with Requirement 5.

Numbers	Photos	Deficiency	Required Retrofit
25	 <p><i>Clear floor space obstructed by adjacent range. Unit 167.</i></p>  <p><i>Range extension from countertop. Unit 167.</i></p>	<p>The outlet above the kitchen counter between the stove and the sidewall lacks the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach). The range is approximately 26-1/2 inches depth (maximum depth obstruction is 25-1/2 inches).</p>	<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>


Numbers	Photos	Deficiency	Required Retrofit
26		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide affidavits to confirm that reinforcement is installed to comply with Requirement 6.



**UNIT TYPE: 2 Bedroom, 1 Bathroom – (Standard)**

Surveyed Unit 254 and Unit 355 – Typical for 23 total units



**Inaccessible Features:**

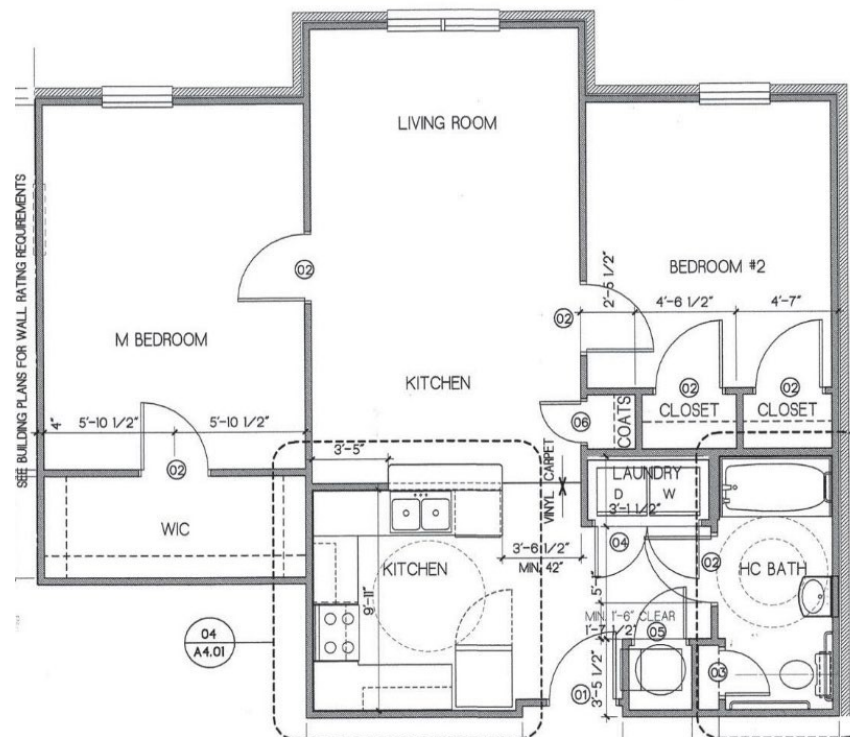
Numbers	Photos	Deficiency	Required Retrofit
27	 <p><i>Thermostat in Unit 254.</i></p>	Thermostat top controls are 58-5/8 inches above the floor (maximum 48 inches allowed).	Modify thermostat to comply with Requirement 5.

Numbers	Photos	Deficiency	Required Retrofit
28	 <p><i>Clear floor space obstructed by adjacent range.</i></p>  <p><i>Range extension from countertop. Unit 102 – Building 3</i></p>	<p>The outlet above the kitchen countertop between the stove and the side wall lacks the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach). The range is approximately 26-1/2 inches depth (maximum depth obstruction is 25-1/2 inches).</p> <p>This occurs in all units surveyed.</p>	<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
29		<p>Extent of blocking in bathrooms cannot be determined without destructive testing.</p>	<p>Provide affidavits to confirm that reinforcement is installed to comply with Requirement 6.</p>

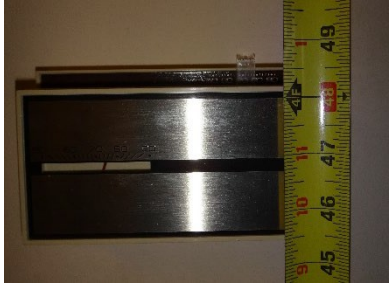
Numbers	Photos	Deficiency	Required Retrofit
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**UNIT TYPE: 2 Bedroom, 1 Bathroom – (Accessible)**

Surveyed Unit 178, Unit 225, and Unit 325 – Typical for 4 total units



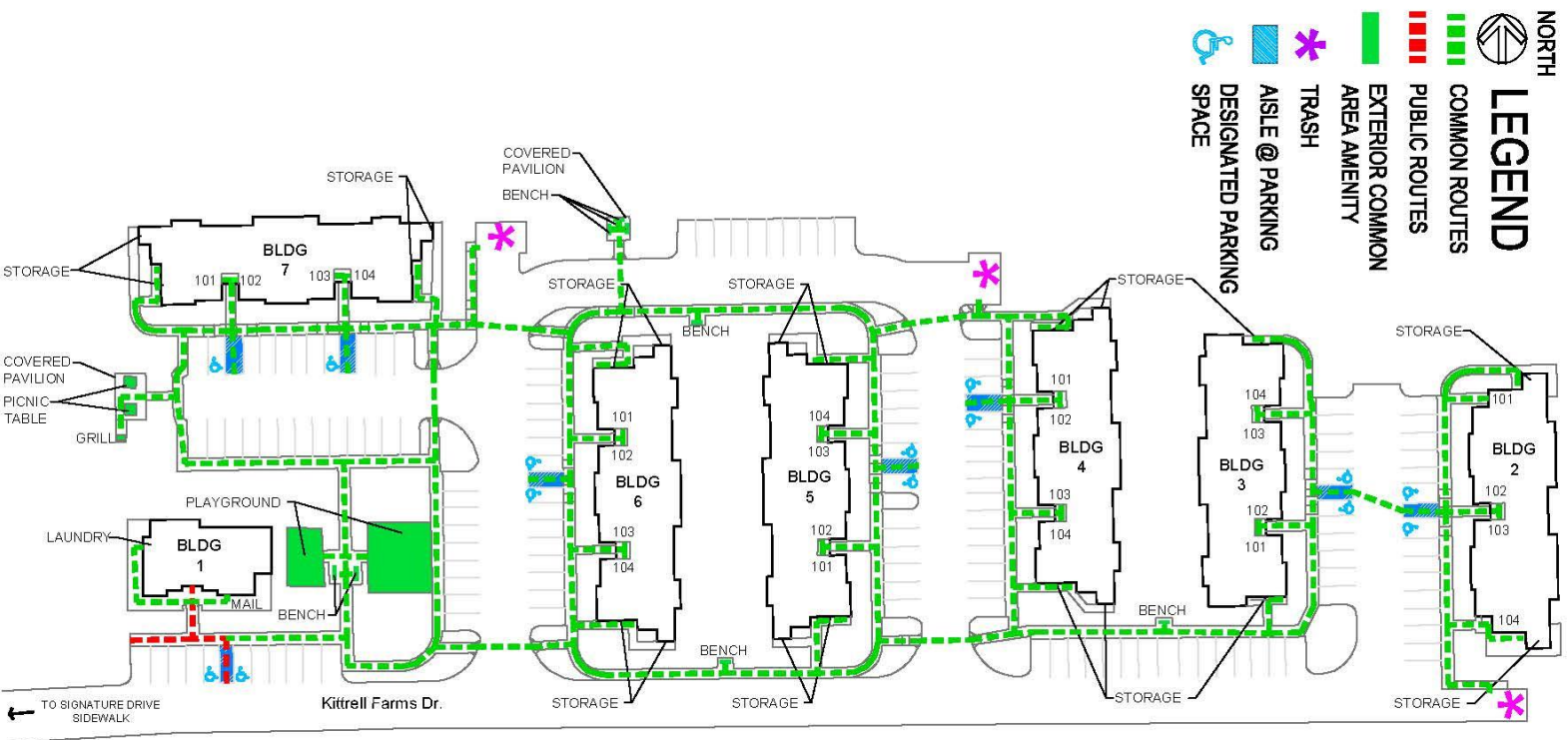
**Inaccessible Features:**

Numbers	Photos	Deficiency	Required Retrofit
30	 <p><i>Thermostat in Unit 225.</i></p>	<p>Thermostat top controls are 48-3/4 inches above the floor (maximum 48 inches allowed).</p> <p>(Guidelines, Requirement 5; ANSI 1986 4.25.3; ANSI 1986 Figure 5(a)).</p>	<p>Modify thermostat to comply with Requirement 5.</p>



# **EXHIBIT 5.1**

## **Kittrell Place Accessible Route**








## Exhibit 5.2

Kittrell Place Matrix of Required Retrofits to Public and Common Use Areas





**KITTRELL PLACE APARTMENTS: PUBLIC AND COMMON USE AREAS**





**A. INACCESSIBLE FEATURES AT PUBLIC AND COMMON AREAS:**






Lack of Accessible Route		Deficiency	Required Retrofit						
1	 <p>Route along drive lane.</p>	There is no accessible route between pedestrian site arrival points and the leasing office. There is no sidewalk to or across the adjacent property to the west.	Provide an accessible route to the property line to comply with Requirement 2.						
Inaccessible Door Threshold		Deficiency	Required Retrofit						
2	 <p>Women's restroom door threshold.</p>	<p>The restroom door interior and exterior threshold heights are greater than 1/4 inch and are not beveled (maximum 1/4 inch vertical allowed, 1/2 inch threshold height with bevel is allowed).</p> <table><thead><tr><th>Location</th><th>Height (inches)</th></tr></thead><tbody><tr><td>Women's Restroom</td><td>3/4</td></tr><tr><td>Men's Restroom</td><td>3/4</td></tr></tbody></table>	Location	Height (inches)	Women's Restroom	3/4	Men's Restroom	3/4	Modify threshold to comply with ANSI 4.13.8.
Location	Height (inches)								
Women's Restroom	3/4								
Men's Restroom	3/4								

Protruding Objects	Deficiency	Required Retrofit
<p>3</p>  <p><i>Drinking fountain at leasing office.</i></p>  <p><i>Protruding height.</i></p>  <p><i>Protruding depth.</i></p>	<p>The standing-height drinking fountain protrudes 19 inches into the circulation path at a height of 32 inches above the floor (maximum 4 inches allowed).</p>	<p>Modify drinking fountain to comply with ANSI 4.15.5.</p>


**B. INACCESSIBLE FEATURES AT COMMON AREA ROUTES**




Lack of Accessible Route	Deficiency	Required Retrofit
<p>4</p>  <p><i>Route along drive lane.</i></p>  <p><i>Opposite side of drive lane.</i></p>	<p>There is no accessible route to dwelling unit entries and common areas from site arrival points (accessible route required).</p>	<p>Provide an accessible route to the property line to comply with Requirement 1 and 2.</p>
Inaccessible Gaps	Deficiency	Required Retrofit
<p>5</p>  <p><i>Southwest corner of Building 7.</i></p>  <p><i>Measurement of gap width.</i></p>	<p>Gaps in the pavement are 1 inch wide (maximum 1/2 inch allowed).</p>	<p>Modify gap to comply with ANSI 4.5.</p>

Inaccessible Slopes	Deficiency	Required Retrofit										
<div>6</div> <div></div> <div>West of west entry to Building 7.</div> <div></div> <div>Measurement of cross slope.</div>	<p>The cross slopes of the route are more than 2% (maximum 2% allowed).</p> <table><tr><th>Location</th><th>Slope</th></tr><tr><td colspan="2"><b>South of Building 7 west entry:</b></td></tr><tr><td>1st slab west of curb ramp</td><td>3.2%</td></tr><tr><td>2nd slab west of curb ramp</td><td>3.9%</td></tr><tr><td>3rd slab west of curb ramp</td><td>3.4%</td></tr></table>	Location	Slope	<b>South of Building 7 west entry:</b>		1st slab west of curb ramp	3.2%	2nd slab west of curb ramp	3.9%	3rd slab west of curb ramp	3.4%	<p>Modify 3.2%, 3.9%, and 3.4% cross slopes in walkways to comply with ANSI 4.3.7.</p>
Location	Slope											
<b>South of Building 7 west entry:</b>												
1st slab west of curb ramp	3.2%											
2nd slab west of curb ramp	3.9%											
3rd slab west of curb ramp	3.4%											
<div>7</div> <div></div> <div>Walk to Building 5 north storage units</div> <div></div> <div>Measurement of running slope.</div>	<p>The running slopes of routes are greater than 8.3% (maximum 8.3% allowed) and the rise is greater than 6 inches. Route leads to storage units S08-12. Method of assigning storage units is not known.</p> <table><tr><th>Location</th><th>Slope</th></tr><tr><td colspan="2"><b>Walk to Building 5 north storage units:</b></td></tr><tr><td>1st slab</td><td>13.3%</td></tr><tr><td>2nd slab</td><td>13.4%</td></tr></table>	Location	Slope	<b>Walk to Building 5 north storage units:</b>		1st slab	13.3%	2nd slab	13.4%	<p>Ensure that storage rooms for the first floor residents are located on the accessible route on the opposite side of the building.</p>		
Location	Slope											
<b>Walk to Building 5 north storage units:</b>												
1st slab	13.3%											
2nd slab	13.4%											




Inaccessible Slopes	Deficiency	Required Retrofit								
<div>8</div> <div></div> <div>West entry to Building 7.</div> <div></div> <div>Measurement of cross slope.</div>	<div>The cross slope of the curb ramp is more than 2.0% (maximum 2.0% allowed).</div>	<div>Modify 3.7% cross slope to comply with ANSI 4.7.2.</div>								
<div>9</div> <div></div> <div>Curb ramp at Building 7 west entry.</div> <div></div> <div>Measurement of running slope at middle of ramp</div> <div></div> <div>Measurement of running slope at top of ramp.</div>	<div>The running slope of the curb ramp is more than 8.3% (maximum 8.3% allowed).</div> <table><thead><tr><th>Location</th><th>Slope</th></tr></thead><tbody><tr><td colspan="2">Building 7 west entry, east curb ramp:</td></tr><tr><td>Middle of ramp</td><td>9.0%</td></tr><tr><td>Top of ramp</td><td>9.2%</td></tr></tbody></table>	Location	Slope	Building 7 west entry, east curb ramp:		Middle of ramp	9.0%	Top of ramp	9.2%	<div>Modify curb ramp to comply with 4.7.2.</div>
Location	Slope									
Building 7 west entry, east curb ramp:										
Middle of ramp	9.0%									
Top of ramp	9.2%									






Inaccessible Door Threshold	Deficiency	Required Retrofit																					
10	<div></div> <p><i>Unit 4141-104 entrance door.</i></p>	<p>Entrance door thresholds are more than 1/4 inches high and are not beveled (maximum 1/4-inch height allowed without bevel).</p> <table><thead><tr><th>Location</th><th>Height (inches)</th></tr></thead><tbody><tr><td>Unit 4141-103 (Bldg. 2)</td><td>1/2</td></tr><tr><td>Unit 4141-104 (Bldg. 2)</td><td>3/4</td></tr><tr><td>Unit 4133-103 (Bldg. 4)</td><td>1/2</td></tr><tr><td>Unit 4133-104 (Bldg. 4)</td><td>1/2</td></tr><tr><td>Unit 4129-101 (Bldg. 5)</td><td>1/2</td></tr><tr><td>Unit 4129-103 (Bldg. 5)</td><td>1/2</td></tr><tr><td>Building 7 storage S06:</td><td></td></tr><tr><td>Exterior</td><td>5/8</td></tr><tr><td>Interior</td><td>1-1/2</td></tr></tbody></table>	Location	Height (inches)	Unit 4141-103 (Bldg. 2)	1/2	Unit 4141-104 (Bldg. 2)	3/4	Unit 4133-103 (Bldg. 4)	1/2	Unit 4133-104 (Bldg. 4)	1/2	Unit 4129-101 (Bldg. 5)	1/2	Unit 4129-103 (Bldg. 5)	1/2	Building 7 storage S06:		Exterior	5/8	Interior	1-1/2	<p>Modify thresholds that are more than 3/8 inches high to comply with Requirement 4(4).</p>
Location	Height (inches)																						
Unit 4141-103 (Bldg. 2)	1/2																						
Unit 4141-104 (Bldg. 2)	3/4																						
Unit 4133-103 (Bldg. 4)	1/2																						
Unit 4133-104 (Bldg. 4)	1/2																						
Unit 4129-101 (Bldg. 5)	1/2																						
Unit 4129-103 (Bldg. 5)	1/2																						
Building 7 storage S06:																							
Exterior	5/8																						
Interior	1-1/2																						

Protruding Objects	Deficiency	Required Retrofit
<p>11</p>  <p><i>Light fixture at Unit 101 - Building 7 breezeway.</i></p>  <p><i>Protruding height.</i></p>  <p><i>Protruding depth.</i></p>	<p>The lights at unit entries project approximately 7 inches into the circulation path at a height of 77 inches and the rent drop box projects more than 4 inches into the path at a height of 28 inches (maximum 4 inches allowed between 27 and 80 inches above the floor or ground).</p> <p>This occurs at all unit entries.</p>	<p>Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.</p>

**C. COMMON USE AREAS**

Inaccessible Common Area Features	Deficiency	Required Retrofit				
<div>12</div> <div></div> <div>Outlet at kitchenette countertop adjacent to refrigerator.</div> <div></div> <div>Clear width at countertop.</div> <div></div> <div>Clear width at countertop.</div>	<p>A countertop outlet does not have the minimum clear floor space required (minimum 48 inches required, at least one outlet in each countertop area must be accessible). Refrigerator blocks parallel approach.</p> <table><tr><td><u>Location</u></td><td><u>Width of clear space</u></td></tr><tr><td>Kitchen, right of refrigerator</td><td>21-1/2</td></tr></table>	<u>Location</u>	<u>Width of clear space</u>	Kitchen, right of refrigerator	21-1/2	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
<u>Location</u>	<u>Width of clear space</u>					
Kitchen, right of refrigerator	21-1/2					

Inaccessible Mail Center Features	Deficiency	Required Retrofit																																																		
13	<div><div><p>Mail center at Building 1.</p></div><div><p>Typical mailbox frame.</p></div><div><p>Measurement of top 3 rows of mailboxes.</p></div></div> <div><p>Of 64 mailboxes at this location, the top 3 rows (24 mailbox locations) serving covered units are above reach range (maximum 54 inches allowed). Method of assigning mailboxes is not known.</p><table><thead><tr><th>Location</th><th>Height (inches)</th></tr></thead><tbody><tr><td>Box 1</td><td>63-1/4</td></tr><tr><td>Box 2</td><td>59-5/8</td></tr><tr><td>Box 3</td><td>56-1/2</td></tr><tr><td>Box 10</td><td>63-1/4 +/-</td></tr><tr><td>Box 11</td><td>59-5/8 +/-</td></tr><tr><td>Box 12</td><td>56-1/2 +/-</td></tr><tr><td>Box 17</td><td>63-1/4 +/-</td></tr><tr><td>Box 18</td><td>59-5/8 +/-</td></tr><tr><td>Box 19</td><td>56-1/2 +/-</td></tr><tr><td>Box 26</td><td>63-1/4 +/-</td></tr><tr><td>Box 27</td><td>59-5/8 +/-</td></tr><tr><td>Box 28</td><td>56-1/2 +/-</td></tr><tr><td>Box 33</td><td>63-1/4 +/-</td></tr><tr><td>Box 34</td><td>59-5/8 +/-</td></tr><tr><td>Box 35</td><td>56-1/2 +/-</td></tr><tr><td>Box 42</td><td>63-1/4 +/-</td></tr><tr><td>Box 43</td><td>59-5/8 +/-</td></tr><tr><td>Box 44</td><td>56-1/2 +/-</td></tr><tr><td>Box 49</td><td>63-1/4 +/-</td></tr><tr><td>Box 50</td><td>59-5/8 +/-</td></tr><tr><td>Box 51</td><td>56-1/2 +/-</td></tr><tr><td>Box 58</td><td>63-1/4 +/-</td></tr><tr><td>Box 59</td><td>59-5/8 +/-</td></tr><tr><td>Box 60</td><td>56-1/2 +/-</td></tr></tbody></table></div>	Location	Height (inches)	Box 1	63-1/4	Box 2	59-5/8	Box 3	56-1/2	Box 10	63-1/4 +/-	Box 11	59-5/8 +/-	Box 12	56-1/2 +/-	Box 17	63-1/4 +/-	Box 18	59-5/8 +/-	Box 19	56-1/2 +/-	Box 26	63-1/4 +/-	Box 27	59-5/8 +/-	Box 28	56-1/2 +/-	Box 33	63-1/4 +/-	Box 34	59-5/8 +/-	Box 35	56-1/2 +/-	Box 42	63-1/4 +/-	Box 43	59-5/8 +/-	Box 44	56-1/2 +/-	Box 49	63-1/4 +/-	Box 50	59-5/8 +/-	Box 51	56-1/2 +/-	Box 58	63-1/4 +/-	Box 59	59-5/8 +/-	Box 60	56-1/2 +/-	<p>Ensure that mailboxes serving ground floor residents comply with ANSI 4.2.6.</p>
Location	Height (inches)																																																			
Box 1	63-1/4																																																			
Box 2	59-5/8																																																			
Box 3	56-1/2																																																			
Box 10	63-1/4 +/-																																																			
Box 11	59-5/8 +/-																																																			
Box 12	56-1/2 +/-																																																			
Box 17	63-1/4 +/-																																																			
Box 18	59-5/8 +/-																																																			
Box 19	56-1/2 +/-																																																			
Box 26	63-1/4 +/-																																																			
Box 27	59-5/8 +/-																																																			
Box 28	56-1/2 +/-																																																			
Box 33	63-1/4 +/-																																																			
Box 34	59-5/8 +/-																																																			
Box 35	56-1/2 +/-																																																			
Box 42	63-1/4 +/-																																																			
Box 43	59-5/8 +/-																																																			
Box 44	56-1/2 +/-																																																			
Box 49	63-1/4 +/-																																																			
Box 50	59-5/8 +/-																																																			
Box 51	56-1/2 +/-																																																			
Box 58	63-1/4 +/-																																																			
Box 59	59-5/8 +/-																																																			
Box 60	56-1/2 +/-																																																			

## EXHIBIT 5.3

Kittrell Place Matrix of Required Retrofits to Covered Unit Interiors

# KITTRELL PLACE APARTMENTS: COVERED UNIT INTERIORS

## D. INACCESSIBLE FEATURES AT COVERED DWELLING UNITS

### Unit Types by Building:

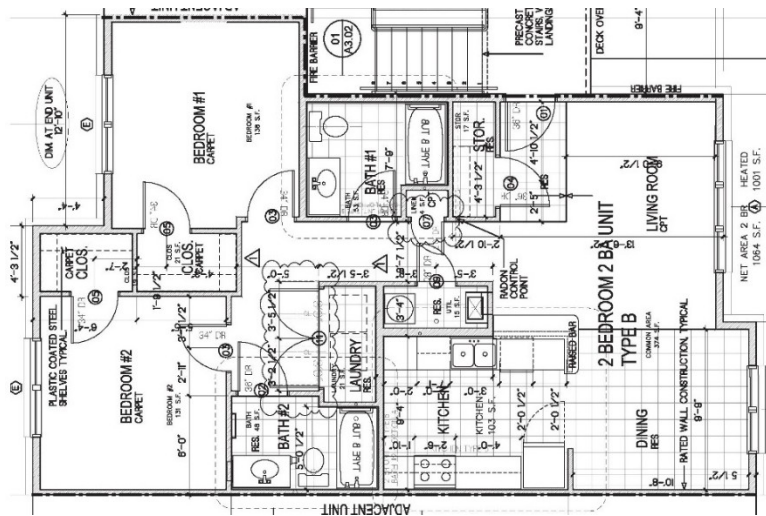
Bldg.	Unit Types								Covered	Overall
	1st Floor (Covered Units)				2nd Floor		3rd Floor			
No./ Addr.	2b2b B	2b2b A	3b2b B	3b2b A	2b B	3b B	2b B	3b B		
1 4117	Community Building				-		-			
2 4141	2	2	0	0	4	0	-			
3 4137	2	0	2	0	2	2	-			
4 4133	1	1*	1	1	2	2	2	2		
5 4129	2	0	2	0	2	2	2	2		
6 4125	1	1*	1	1	2	2	2	2		
7 4121	2	0	0	2*	2	2	2	2		
Total	10	4	6	4	14	10	8	8	24	64



\* - Designated Type A unit with roll-in shower (4 total)

**UNIT TYPE: 2 Bedroom, 2 Bathroom (Type B)**





Surveyed Unit 4137-102 and Unit 4137-103 – Typical for 10 total units

*Unit Plan. (A2.01/01).*



Numbers	Photos	Deficiency	Required Retrofit						
14	<div><p><i>Height of kitchen countertop in Unit 4137-102.</i></p><p><i>Outlet over countertop in Unit 4137-102.</i></p></div>	<p>Kitchen and bathroom outlets over counters are more than 46 inches above the floor (maximum 46 inches allowed).</p> <table><thead><tr><th>Location</th><th>Height (inches)</th></tr></thead><tbody><tr><td>Unit 4137-102 kitchen</td><td>47-1/2</td></tr><tr><td>Unit 4137-103 master bath</td><td>47-1/8</td></tr></tbody></table>	Location	Height (inches)	Unit 4137-102 kitchen	47-1/2	Unit 4137-103 master bath	47-1/8	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
Location	Height (inches)								
Unit 4137-102 kitchen	47-1/2								
Unit 4137-103 master bath	47-1/8								



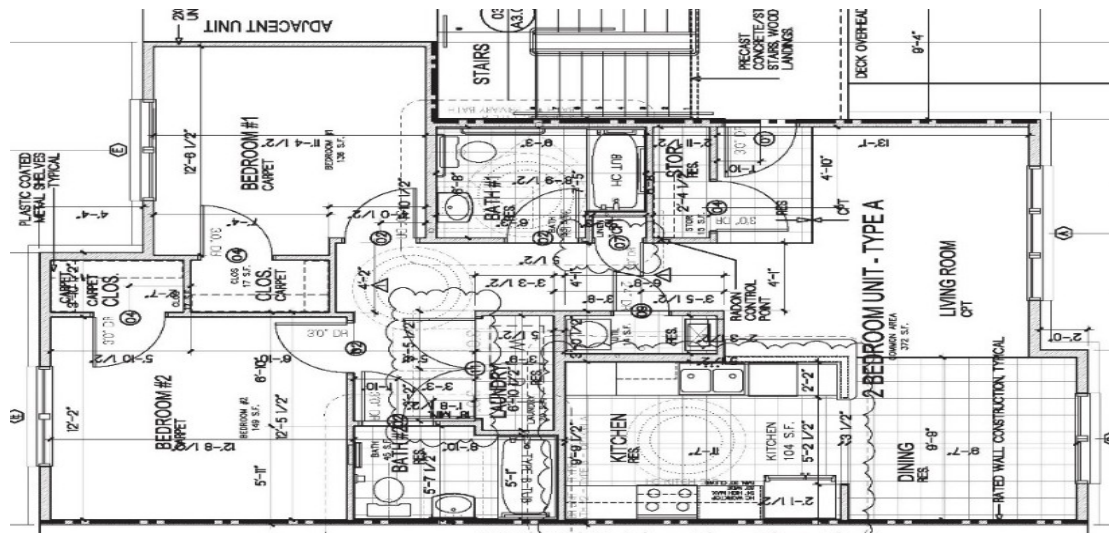
Numbers	Photos	Deficiency	Required Retrofit
15	 <p><i>Counter area left of range in Unit 4137-102.</i></p>  <p><i>Measurement of counter width.</i></p>  <p><i>Range extension from countertop is 1-1/4 inches</i></p>  <p><i>Counter depth is 25-1/4 inches.</i></p>	<p>Outlets above kitchen countertops between the stove and the wall lack the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).</p>	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>

Numbers	Photos	Deficiency	Required Retrofit
16		Extent of blocking in bathrooms cannot be determined without destructive testing.	Provide an affidavit to confirm reinforcements are installed to comply with Requirement 6.



**UNIT TYPE: 2 Bedroom, 2 Bathroom – (Type A)**

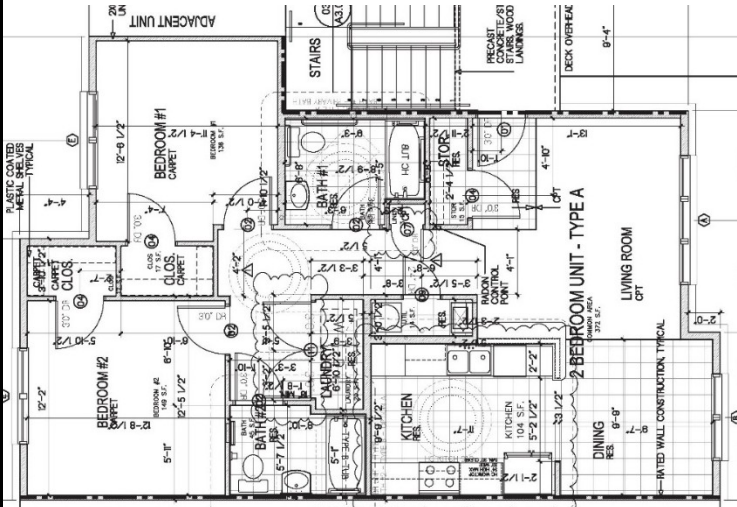
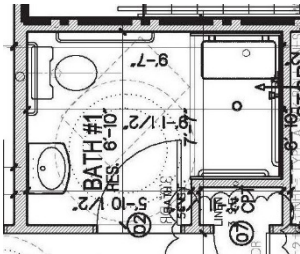
Surveyed Unit 4141-102 and Unit 4141-103 – Typical for 2 total units




*Unit Plan. (A2.01/02).*



**Inaccessible Features:**

Numbers	Photos	Deficiency	Required Retrofit
17	<div data-bbox="285 248 669 472">  <p data-bbox="285 483 617 516"><i>Measurement of counter width.</i></p> </div> <div data-bbox="285 537 669 826">  <p data-bbox="285 833 646 865"><i>Range extension from countertop.</i></p> </div>	<p data-bbox="741 248 1472 362">Outlet above kitchen countertop lacks the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).</p> <p data-bbox="741 370 1163 402">This occurs in all units surveyed.</p>	<p data-bbox="1520 248 1818 613">In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>

Numbers	Photos	Deficiency	Required Retrofit
UNIT TYPE: 2 Bedroom, 2 Bathroom (Type A with Roll-in Shower)			
Surveyed Unit 4125-102 – Typical for 2 total units			
Bath #1 with Roll-in Shower. (A2.01/03).			
Unit Plan. (A2.01/02).			
Inaccessible Features:			
			

Numbers	Photos	Deficiency	Required Retrofit
18	 <p><i>Counter area left of range in Unit 4125-102.</i></p>  <p><i>Measurement of counter width.</i></p>  <p><i>Range extension from countertop.</i></p>	Outlet above kitchen countertop lacks the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).	In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.
18a.		Extent of blocking in Bath 2 cannot be determined without destructive testing.	Provide an affidavit to confirm reinforcements are installed to comply with Requirement 6.

Numbers      Photos

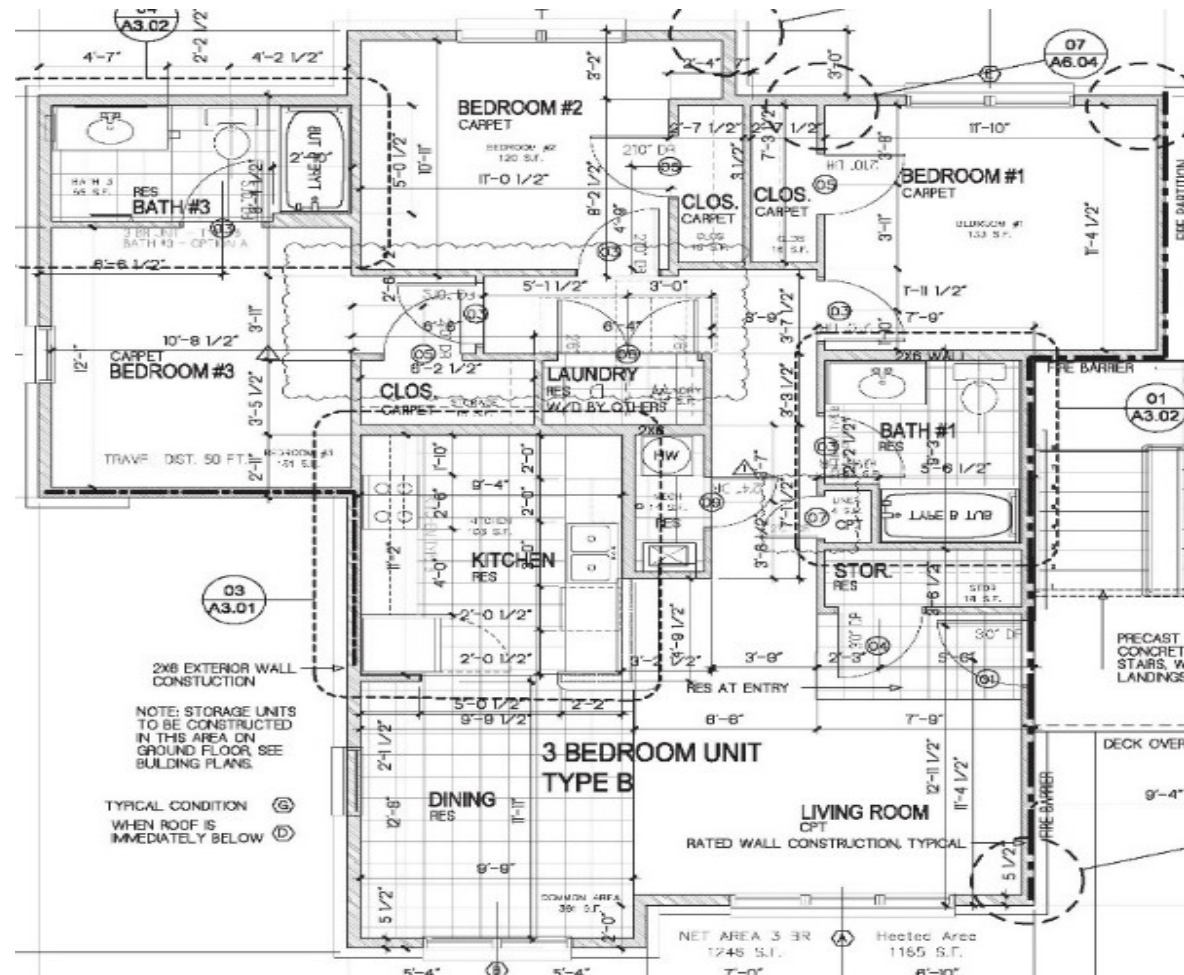
Deficiency

Required  
Retrofit

**UNIT TYPE: 3 Bedroom, 2 Bathroom (Type B)**



Surveyed Unit 4137-104 and Unit 4129-101 – Typical for 6 total units




Unit Plan. (A2.02/01).



Inaccessible Features:





Numbers	Photos	Deficiency	Required Retrofit						
19	<div><p><i>Height of kitchen countertop in Unit 4137-104.</i></p><p><i>Outlet over countertop in Unit 4137-104</i></p></div>	<p>Outlets over counters are more than 46 inches above the floor (maximum 46 inches allowed).</p> <table><tr><td></td><td>Height</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td>Unit 4129-101 hall bath</td><td>47-1/4</td></tr></table>		Height	<u>Location</u>	<u>(inches)</u>	Unit 4129-101 hall bath	47-1/4	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
	Height								
<u>Location</u>	<u>(inches)</u>								
Unit 4129-101 hall bath	47-1/4								

Numbers	Photos	Deficiency	Required Retrofit
20	 <p><i>Counter area left of range in Unit 4137-104.</i></p>  <p><i>Measurement of counter width.</i></p>  <p><i>Range extension from countertop</i></p>	<p>Outlets above kitchen countertops lack the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).</p>	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
21		<p>Extent of blocking in bathrooms cannot be determined without destructive testing.</p>	<p>Provide an affidavit to confirm reinforcements are installed to comply with Requirement 6.</p>

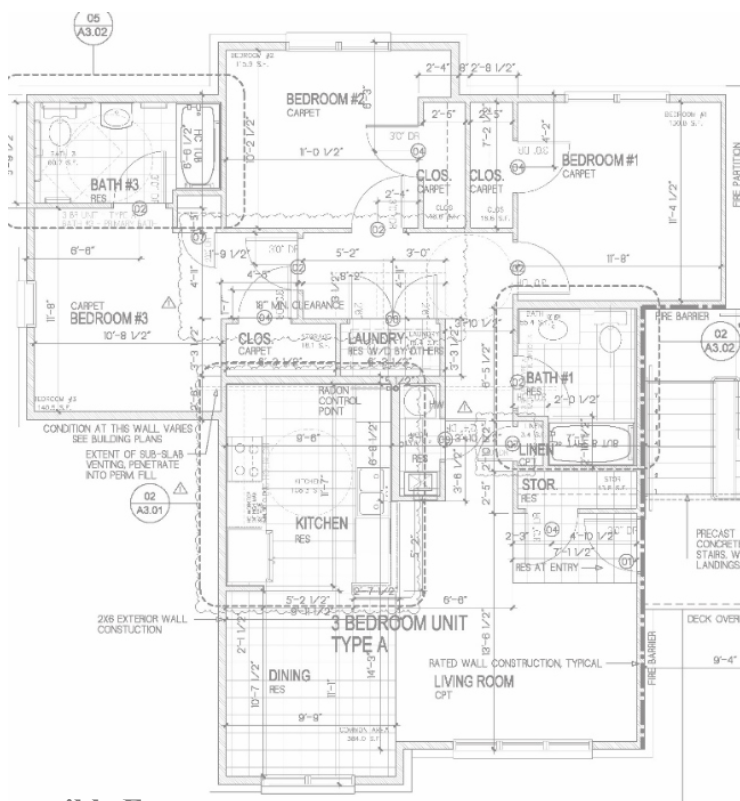
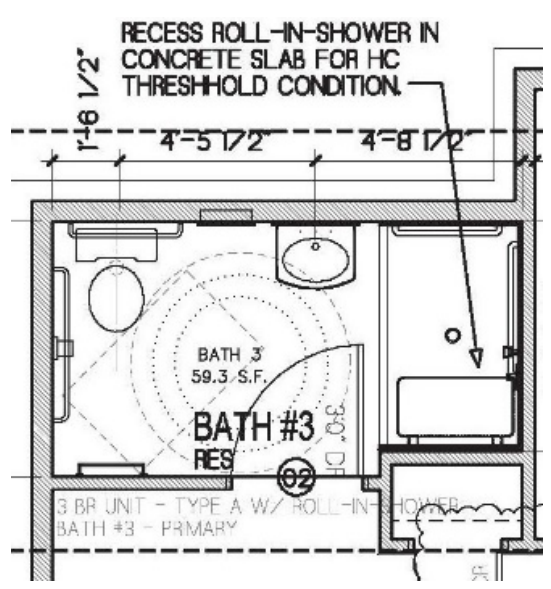




Numbers	Photos	Deficiency	Required Retrofit
<b>UNIT TYPE: 3 Bedroom, 2 Bathroom (Type A)</b> Surveyed Unit 4133-101 and Unit 4125-101 – Typical for 2 total units <i>Unit Plan. (A2.02/02).</i>			
<b>Inaccessible Features:</b>			



Numbers	Photos	Deficiency	Required Retrofit				
22	 <p><i>Outlet over countertop in Unit 101, Building 4.</i></p>	<p>Outlets over obstructions are more than 46 inches above the floor (maximum 46 inches allowed).</p> <table> <tr> <th>Location</th> <th>Height (inches)</th> </tr> <tr> <td>Unit 4125-101 hall bath</td> <td>47-1/4</td> </tr> </table>	Location	Height (inches)	Unit 4125-101 hall bath	47-1/4	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
Location	Height (inches)						
Unit 4125-101 hall bath	47-1/4						

Numbers	Photos	Deficiency	Required Retrofit
23	 <p data-bbox="281 545 709 610"><i>Counter area right of range in Unit 4133-101.</i></p> <p data-bbox="281 902 653 935"><i>Measurement of counter width.</i></p> <p data-bbox="281 1243 678 1276"><i>Range extension from countertop</i></p>	<p>Outlets above kitchen countertops lack the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).</p>	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>

<b>Numbers</b>	<b>Photos</b>	<b>Deficiency</b>	<b>Required Retrofit</b>
24		Extent of blocking in hall bathrooms cannot be determined without destructive testing.	Provide an affidavit to confirm reinforcements are installed to comply with Requirement 6.

Numbers	Photos	Deficiency	Required Retrofit
<b>UNIT TYPE: 3 Bedroom, 2 Bathroom (Accessible Roll-in Shower)</b> Surveyed Unit 4121-104 – Typical for 2 total units  <i>Unit Plan. (A2.02/02).</i>   <b>Inaccessible Features:</b>			
		<i>Bath #3 with Roll-in Shower. (A2.02/03).</i>  	

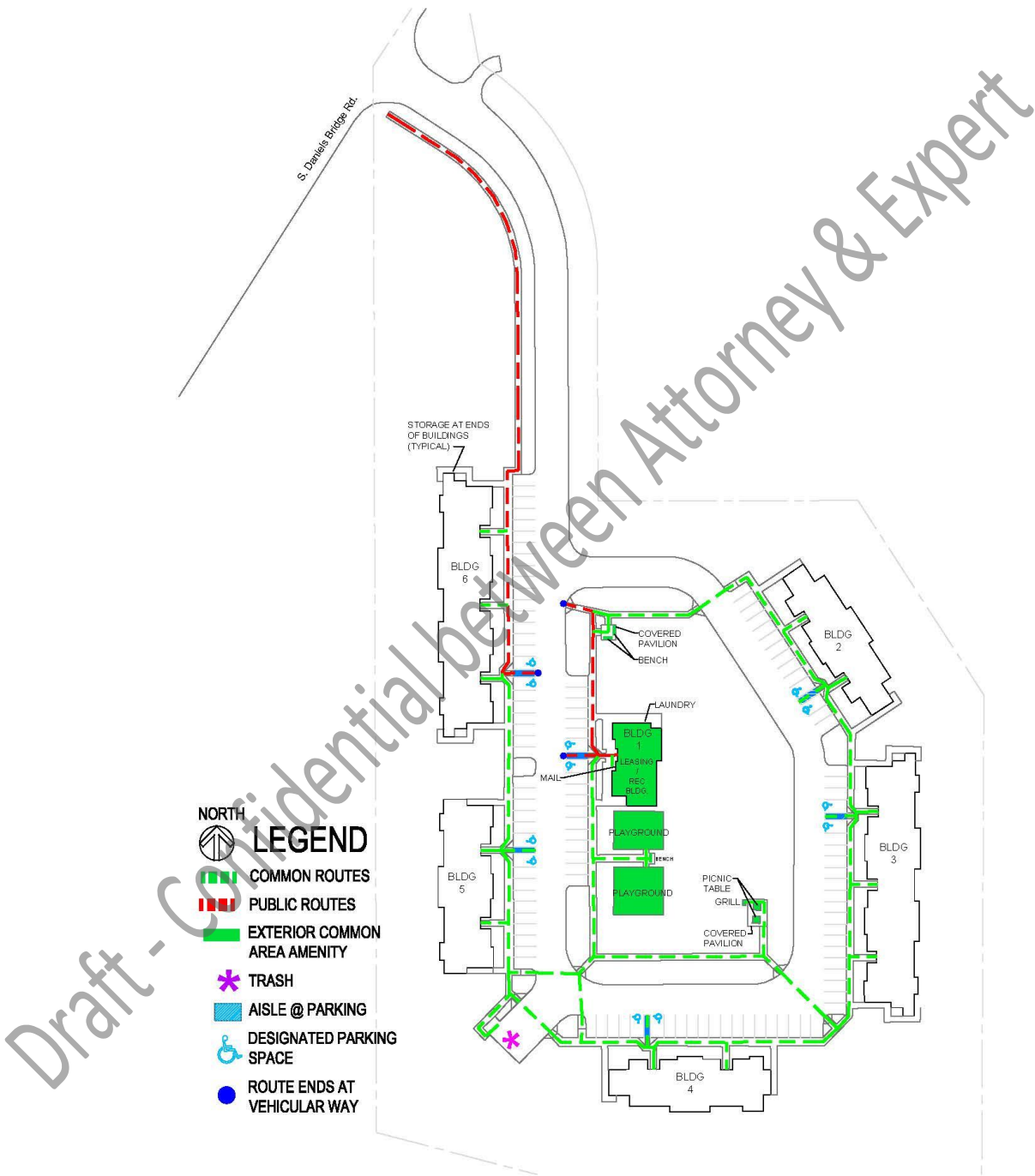
Numbers	Photos	Deficiency	Required Retrofit						
25	<div></div> <p><i>Outlet over vanity in Unit 4121-104.</i></p>	<p>Outlets over obstructions are more than 46 inches above the floor (maximum 46 inches allowed).</p> <table><tr><td></td><td>Height</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td>Unit 4121-104 hall bath</td><td>47-3/8</td></tr></table>		Height	<u>Location</u>	<u>(inches)</u>	Unit 4121-104 hall bath	47-3/8	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>
	Height								
<u>Location</u>	<u>(inches)</u>								
Unit 4121-104 hall bath	47-3/8								
26	<div></div> <p><i>Counter area left of range in Unit 4121-104.</i></p>	<p>Outlet above kitchen countertop lacks the required clear floor space for approach (at least 1 outlet in each counter area must have clear floor space for approach).</p>	<p>In accordance with agreed-upon tolerances, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation.</p>						

Numbers	Photos	Deficiency	Required Retrofit
	 <p><i>Measurement of counter width.</i></p>  <p><i>Range extension from countertop.</i></p>		
27		Extent of blocking in the hall bathroom cannot be determined without destructive testing.	Provide an affidavit to confirm reinforcements are installed to comply with Requirement 6.

# **EXHIBIT 6.1**

## **Enfield Pointe Accessible Route**



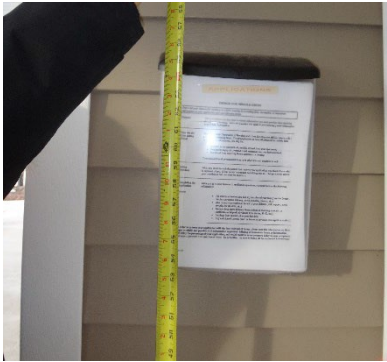






## Exhibit 6.2



Enfield Pointe Matrix of Required Retrofits to Public and Common Use Areas



## ENFIELD POINTE APARTMENTS: PUBLIC AND COMMON USE AREAS



### A. INACCESSIBLE FEATURES PUBLIC AND COMMON AREAS

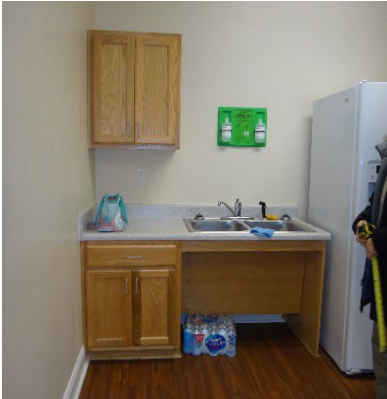

Numbers	Inaccessible Brochure Holder	Deficiency	Required Retrofit
1	 <p><i>Brochure holder.</i></p>	The brochure holder is 55-1/2 inches above the floor (maximum 54 inches allowed).	Relocate brochure holder to comply with ANSI 4.2.6.
<b>Inaccessible Restroom Features</b>			
2	 <p><i>Height of coat hook in women's restroom.</i></p>	The women's restroom coat hook is more than 56-1/2 inches above the floor (maximum 54 inches allowed).	Modify coat hook to comply with ANSI 4.2.6.

Numbers	Inaccessible Brochure Holder	Deficiency	Required Retrofit
3	 <p><i>Toilet in men's restroom.</i></p>  <p><i>Dimension from wall to toilet centerline.</i></p>	<p>The men's restroom toilet centerline is approximately 19-1/2 inches from the side wall (maximum 18 inches required).</p>	<p>Modify toilet by installing offset toilet flange to comply with ANSI 4.16.2.</p>
4	 <p><i>Toilet in women's restroom.</i></p>	<p>The toilet paper dispensers are not in front of the nose of the toilets, are less than 7 inches from the nose of the toilet, and are less than 36 inches from the back wall (minimum 7 inches and maximum 9 inches required from nose of toilet).</p>	<p>Modify toilet paper dispenser to comply with ANSI 4.16.6.</p>

Numbers	Inaccessible Brochure Holder	Deficiency	Required Retrofit
	 <p><i>Dimension from rear wall to nose of toilet.</i></p>  <p><i>Dimension from rear wall to toilet paper dispenser.</i></p>		

Numbers	Inaccessible Brochure Holder	Deficiency	Required Retrofit										
B. ROUTES TO COMMON AREAS & COVERED DWELLING UNITS													
	Protruding Objects												
5	<div><p><i>Light fixture at unit 102 breezeway.</i></p><p><i>Protruding height</i></p></div>	<p>Typical breezeway lights and fire extinguisher cabinets protrude more than 4 inches into the circulation path (maximum 4 inches allowed). Each breezeway has two lights and one fire extinguisher cabinet at the first floor.</p> <table><tr><td>Breezeway</td><td>Protrusion</td></tr><tr><td><u>Location</u></td><td><u>(inches)</u></td></tr><tr><td>Unit 102 light fixture</td><td></td></tr><tr><td>Depth of protrusion</td><td>6-1/2</td></tr><tr><td>Height to bottom</td><td>77-3/4</td></tr></table>	Breezeway	Protrusion	<u>Location</u>	<u>(inches)</u>	Unit 102 light fixture		Depth of protrusion	6-1/2	Height to bottom	77-3/4	<p>Modify protruding objects that project more than 5" into the circulation path to comply with ANSI 4.4.1.</p>
Breezeway	Protrusion												
<u>Location</u>	<u>(inches)</u>												
Unit 102 light fixture													
Depth of protrusion	6-1/2												
Height to bottom	77-3/4												

Numbers	Inaccessible Brochure Holder	Deficiency	Required Retrofit
	 <p><i>Protruding depth.</i></p>  <p><i>Typical breezeway</i></p>		
	<b>Other Inaccessible Common Area Features</b>		

Numbers	Inaccessible Brochure Holder	Deficiency	Required Retrofit
6	 <p><i>Sink at kitchenette.</i></p>  <p><i>Measurement of toe space.</i></p>	Toe space at kitchenette is 7-1/2 inches high (minimum 9 inches required).	Modify toe space to comply with ANSI 4.19.3.

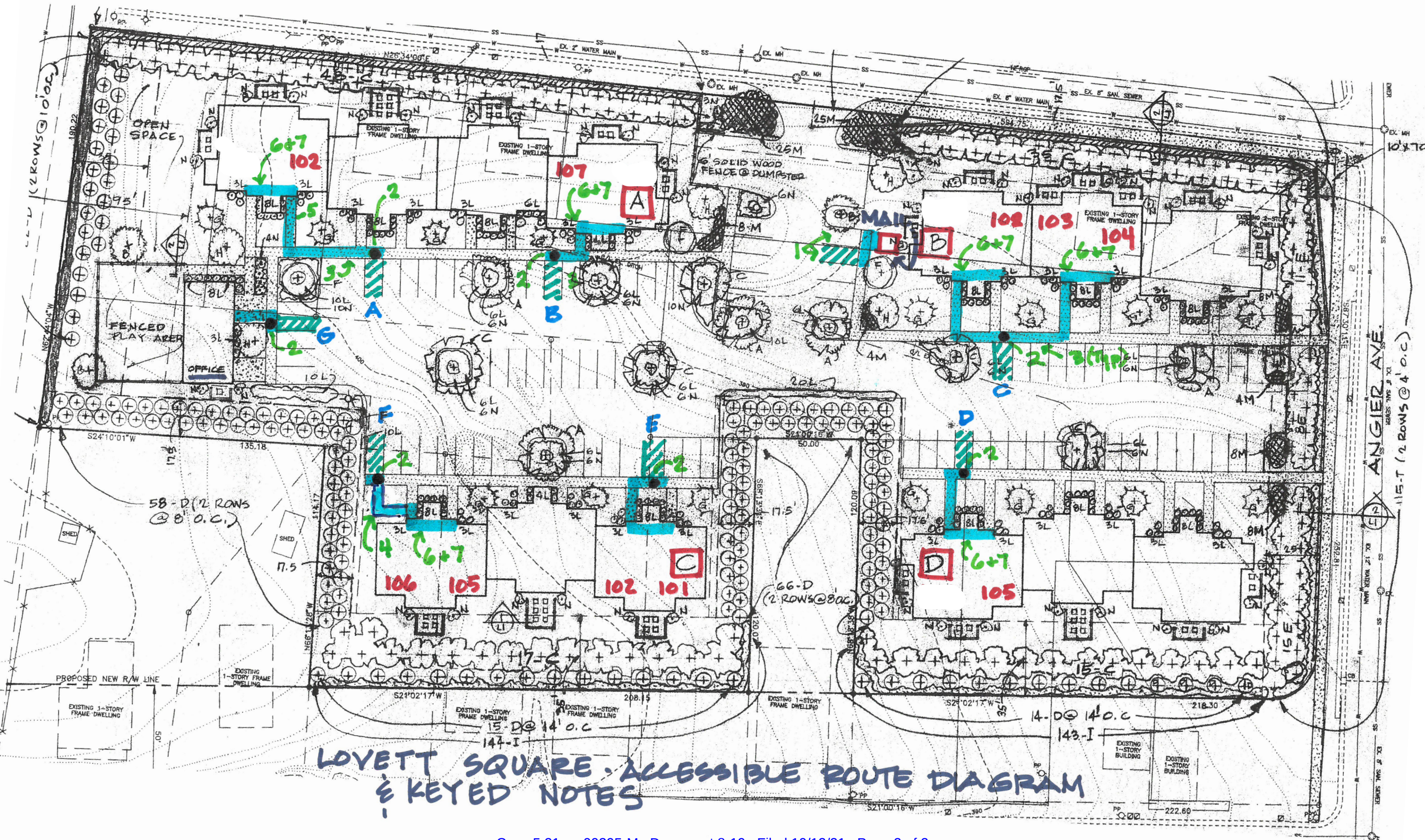


Numbers	Inaccessible Brochure Holder	Deficiency	Required Retrofit
7	 <p><i>Outlet and microwave at kitchenette.</i></p>  <p><i>Clear width at countertop.</i></p>	<p>The countertop outlet and microwave do not have the minimum clear floor space required. Refrigerator blocks parallel approach. The clear space is 27-1/2 inches wide (minimum 48 inches required for parallel approach).</p>	<p>Subject to tolerances contained in the agreed-upon remediation protocols, modify existing outlet or install a GFI-rated, molded, multi-plug outlet with commercial grade components to bring outlet into compliance with Requirement #5. Any such outlet must be approved by the United States prior to installation. In addition, relocate microwave to comply with 4.2.6.</p>

# **EXHIBIT 7.1**

## **Lovett Square Accessible Route and Keyed Notes**







## **Exhibit 7.2**

### **Lovett Square Matrix of Required Retrofits to Public and Common Use Areas**

**LOVETT SQUARE APARTMENTS: PUBLIC AND COMMON USE AREAS**

<b>Numbers</b>	<b>Inaccessible Features at Public and Common Use Areas</b>	<b>Deficiency</b>	<b>Required Retrofit</b>
1	See Accessible Route Plan and Keyed Notes Item 1.	There is a lack of accessible parking.	Install a new designated accessible parking space adjacent to the existing access aisle at the mail center. Include posted sign, stripping and ISA on the pavement to comply with ANSI 4.6.2.
2	See Accessible Route Plan and Keyed Notes Item 2.	<p>The following curb ramps have running slopes of more than 8.33% and/or cross slopes of more than 2%:</p> <ul style="list-style-type: none"> <li>• Access Aisle A (Building A, Units 102)</li> <li>• Access Aisle B (Building A, Units 107)</li> <li>• Access Aisle C (Building B, Units 102, 103, and 104)</li> <li>• Access Aisle D (Building D, Units 105)</li> <li>• Access Aisle E (Building C, Units 101 and 102)</li> <li>• Access Aisle F (Building C, Units 105 and 106)</li> <li>• Access Aisle G (Leasing/Clubhouse)</li> </ul>	Install curb ramps with running slopes no more than 8.33% and cross slopes of no more than 2% to comply with ANSI 4.7.2 and 4.8.2.
3	See Accessible Route Plan and Keyed Notes Item 3.	Parked vehicles overhang and reduce the width of an accessible route to less than 36" wide maximum.	Install wheel-stops at parking spaces which adjoin the accessible route as indicated on the Accessible Route Diagram to comply with ANSI 4.3.3 and 4.6.2.

**LOVETT SQUARE APARTMENTS: PUBLIC AND COMMON USE AREAS**

<b>Numbers</b>	<b>Inaccessible Features at Public and Common Use Areas</b>	<b>Deficiency</b>	<b>Required Retrofit</b>
4	See Accessible Route Plan and Keyed Notes Item 4.	There is no permanent accessible route from the sidewalk in front of Building C (Units 105 and 106) to the breezeway.	Replace the ramp from the sidewalk in front of Building C. Ramp to have running slopes of no more than 8.33% and cross slopes of no more than 2%. The landings are to slope no more than 2% in both directions. Ramp to include handrails, handrail extensions, and edge protection at both sides of the ramp runs to comply with ANSI 4.3.2 and 4.8.
5	See Accessible Route Plan and Keyed Notes Item 5.	There is no accessible route to Building A, Unit 102.	Install a permanent and compliant accessible route in compliance with ANSI 4.3.7.
6	See Accessible Route Plan and Keyed Notes Item 6.	At all the breezeways, fire extinguishers protrude into the accessible route.	Relocate or Install permanent cane detectable barrier to comply with ANSI 4.4.1.
7	See Accessible Route Plan and Keyed Notes Item 7.	At all breezeways, wall sconces protrude more than 4" into the accessible route.	Replace wall sconces with a compliant fixture that will not protrude more than 4" from the wall to comply with ANSI 4.4.1. Alternatively, install cane detection to comply with ANSI.
8		The mailboxes are inaccessible--the top row is 62 inches above the slab and the second row is 56.75 inches above the slab.	Lower mailboxes so that the top most lock is no more than 54 inches about the adjacent concrete to comply with ANSI 4.2.6. Alternatively, provide written confirmation that all ground-floor units are assigned mailboxes with locks no more than 54" above the ground level.

**LOVETT SQUARE APARTMENTS: PUBLIC AND COMMON USE AREAS**

<b>Numbers</b>	<b>Inaccessible Features at Public and Common Use Areas</b>	<b>Deficiency</b>	<b>Required Retrofit</b>
9		The drinking fountain is inaccessible.	Remove the inaccessible drinking fountain.
10		The leasing office/clubhouse entry and all the interior clubhouse doors have inaccessible knob type hardware that requires tight grasping, pinching, and/or turning.	Install accessible lever door hardware where the existing hardware is knob style to comply with ANSI 4.13.9.
11		Restroom mirror in the clubhouse/leasing office is inaccessible.	Lower restroom mirror so that the bottom edge of the reflecting surface is no more than 40" above the floor to comply with ANSI 4.19.6.
12		The rear grab bar in the restroom in the clubhouse/leasing office is inaccessible.	Replace rear grab bar with a 36" long bar that is 6" from side wall to the centerline of the first escutcheon to comply with ANSI 4.17.6.
13		The pipes in the restrooms in the accessible toilet room of the leasing office/clubhouse and the pipes in the restroom in the multipurpose room are not insulated.	Install pipe protection in these restrooms to comply with ANSI 4.19.4.

# **EXHIBIT 8.1**

## **Sherwood Park Accessible Route and Keyed Notes**









## Exhibit 8.2

Sherwood Park Matrix of Required Retrofits to Public and Common Use Areas

**SHERWOOD PARK APARTMENTS: PUBLIC AND COMMON USE AREAS**

	<b>Inaccessible Features at Public and Common Areas</b>		
<b>Numbers</b>		<b>Deficiency</b>	<b>Required Retrofit</b>
1	See Keyed Plan Item 1.	There is a lack of accessible parking at the play area and Building 200 on Tobler Court.	Install a new designated accessible parking space and access aisle serving play area and building 200. Replace existing curb ramp or install new curb ramp connecting the parking access aisle to the accessible route to play area and Building 200. Include signage and stripping to comply with ANSI 4.6.2.

**SHERWOOD PARK APARTMENTS: PUBLIC AND COMMON USE AREAS**

<b>Numbers</b>		<b>Deficiency</b>	<b>Required Retrofit</b>
2	See Accessible Route Plan and Keyed Notes Item 2.	There is a lack of an accessible route throughout the property.	Install a new curb ramp and adjacent sidewalk flag(s) as required to provide an accessible route indicated on the Keyed Notes at 7 locations: Andover Drive, Building 100 (Tobler) Leasing Office, mail center, Building 200 parking access aisle, trash area, and Building 700 to comply with ANSI 4.7.2 and 4.8.2.

**SHERWOOD PARK APARTMENTS: PUBLIC AND COMMON USE AREAS**


<b>Numbers</b>		<b>Deficiency</b>	<b>Required Retrofit</b>
3	See Keyed Notes Item 3.	At two locations, the leasing office and the mail center, the accessible parking spaces and access aisles had cross and running slopes exceeding the maximum percentages allowed.	Repave/grind or top asphalt as required to flatten (to 2% slopes in both running and cross directions) the designated accessible parking spaces and aisles at two locations: the leasing office and the mail center to comply with ANSI 4.3.7.
4	See Keyed Notes Item 4.	At all the breezeways, fire extinguishers are mounted higher than 27" above the ground level and protruded more than 4" into an accessible route.	Relocate or install a permanent cane detectable barrier at each unit to comply with ANSI 4.4.1.

**SHERWOOD PARK APARTMENTS: PUBLIC AND COMMON USE AREAS**

<b>Numbers</b>		<b>Deficiency</b>	<b>Required Retrofit</b>
5	See Keyed Notes Item 5.	At all ground-floor covered unit entrances, light fixtures protrude more than 4" into the accessible route and are mounted between 27" to less than 80" above the ground level; measured at approximately 6" from adjacent wall.	Relocate the light fixtures to no less than 80" above the ground level or replace with a compliant fixture that will not protrude more than 4" from adjacent wall to comply with ANSI 4.4.1. Alternatively, install cane detection.
6	See Keyed Notes Item 6.	Parked vehicles overhang and reduce the width of an accessible route to less than 36" wide maximum.	Install wheel-stops at parking spaces which adjoin the accessible route as indicated on the Keyed Notes to comply with ANSI 4.3.



**SHERWOOD PARK APARTMENTS: PUBLIC AND COMMON USE AREAS**

Numbers		Deficiency	Required Retrofit
7		<p>The mailboxes are inaccessible--the two top rows are 58.75 and 64 inches above the slab.</p>	<p>Lower mailboxes so that the topmost lock is no more than 54 inches about the adjacent concrete to comply with ANSI 4.2.6. Alternatively, provide written confirmation that all ground-floor units are assigned mailboxes with locks no more than 54" above the ground level.</p>
8		<p>The leasing office/clubhouse entry and all the interior clubhouse doors have inaccessible knob type hardware that requires tight grasping, pinching, and/or turning.</p>	<p>Install accessible lever door hardware where the existing hardware is knob style to comply with ANSI 4.13.9.</p>



**SHERWOOD PARK APARTMENTS: PUBLIC AND COMMON USE AREAS**

<b>Numbers</b>		<b>Deficiency</b>	<b>Required Retrofit</b>
9		The clubhouse sink is inaccessible.	Replace clubhouse sink base cabinet and portion of the counter to provide compliant knee clearance to comply with ANSI 4.19.2.2. New sink base/counter to be at 34" maximum above the floor and have clear knee space for forward approach to the fixture. Note: doors that fold back may be installed, but knee space and pipe protection and floor finishes must be provided.
10		In the clubhouse kitchen, the door maneuvering clearance is less than 18" on pull side; measured at 16".	Remove clubhouse kitchen door to comply with ANSI 4.13.6. Alternatively, reverse the swing of kitchen door outwards.

**SHERWOOD PARK APARTMENTS: PUBLIC AND COMMON USE AREAS**

<b>Numbers</b>		<b>Deficiency</b>	<b>Required Retrofit</b>
11		The clubhouse paper towel dispenser is inaccessible.	Relocate clubhouse kitchen paper towel dispenser to a location within reach range (54" maximum above the floor for side approach) to comply with ANSI 4.2.6. If dispenser is moved to circulation space, provide a permanently installed cane detectable barrier.


## Exhibit 8.3

Sherwood Park Matrix of Required Retrofits to Covered Unit Interiors


**SHERWOOD PARK APARTMENTS: COVERED UNIT INTERIORS**

	Inaccessible Features at Covered Dwelling Units		
Numbers	Photos	Deficiency	Required Retrofit
	Required retrofits associated with the below line items shall be performed at all first floor units (2BR+1BA and 3BR+2BA) in Buildings 100 and 200 on Tobler Court, and in Buildings 200, 400, 600 and 700 on Wittenberg Way. See Accessible Route Plan & Keyed Notes.		
1		Covered dwelling units have inaccessible knob type hardware that requires tight grasping, pinching, and/or turning.	Install accessible lever door hardware at all covered ground floor dwelling units where the existing hardware is knob style on the exterior side to comply with ANSI 4.13.9.
3		Thermostats are mounted higher than 48" above finished floor.	Lower thermostats to comply with Requirement 5.

**SHERWOOD PARK APARTMENTS: COVERED UNIT INTERIORS**

4		Sliding door tracks to the patio are higher than 3/4" maximum and not beveled on the interior side.	Provide bevel strips at interior side of sliding door track to comply with Requirement 4(4).
5		In the hall bathroom, 30"x48" clear floor space outside of the door swing is not provided.	Reverse the hall bathroom door swing (door to swing into the hallway) to comply with Requirement 7(2)(a)(i).
6		In the hall bathroom, the centerline of the lavatory is less than 24" from adjacent wall; measured at 14 1/2.	Replace lavatory base cabinet and install offset sink such that lavatory is aligned with clear floor space. Include removable cabinet that is no less than 30" wide. Removal of the cabinet must provide finished clear knee space centered on the lavatory and insulated pipes to comply with Requirement (7)(2)(a)(ii).
<p><b>Required retrofits associated with the below line items shall be performed at all two-bedroom first floor units in Buildings 100 and 200 on Tobler Court, and in Buildings 200, 400, 600 and 700 on Wittenberg Way. See Accessible Route Plan &amp; Keyed Notes.</b></p>			

**SHERWOOD PARK APARTMENTS: COVERED UNIT INTERIORS**

7		The door clear openings for the hall bathroom and Bedrooms 1 and 2 are less than 31 5/8" (minimum 31 5/8" required).	Widen the hall bathroom door and doors to Bedroom 1 and Bedroom 2 to provide 31 5/8" minimum to comply with Requirement 3(2).
	<p><b>Required retrofits associated with the below line items shall be performed at all three-bedroom first floor units in Buildings 100 and 200 on Tobler Court, and in Buildings 200, 400, 600 and 700 on Wittenberg Way. See Accessible Route Plan &amp; Keyed Notes.</b></p>		
8		The door clear openings all bedrooms are less than 31 5/8" (minimum 31 5/8" required).	Widen the doors to all bedrooms to provide 31 5/8" minimum to comply with Requirement 3(2).

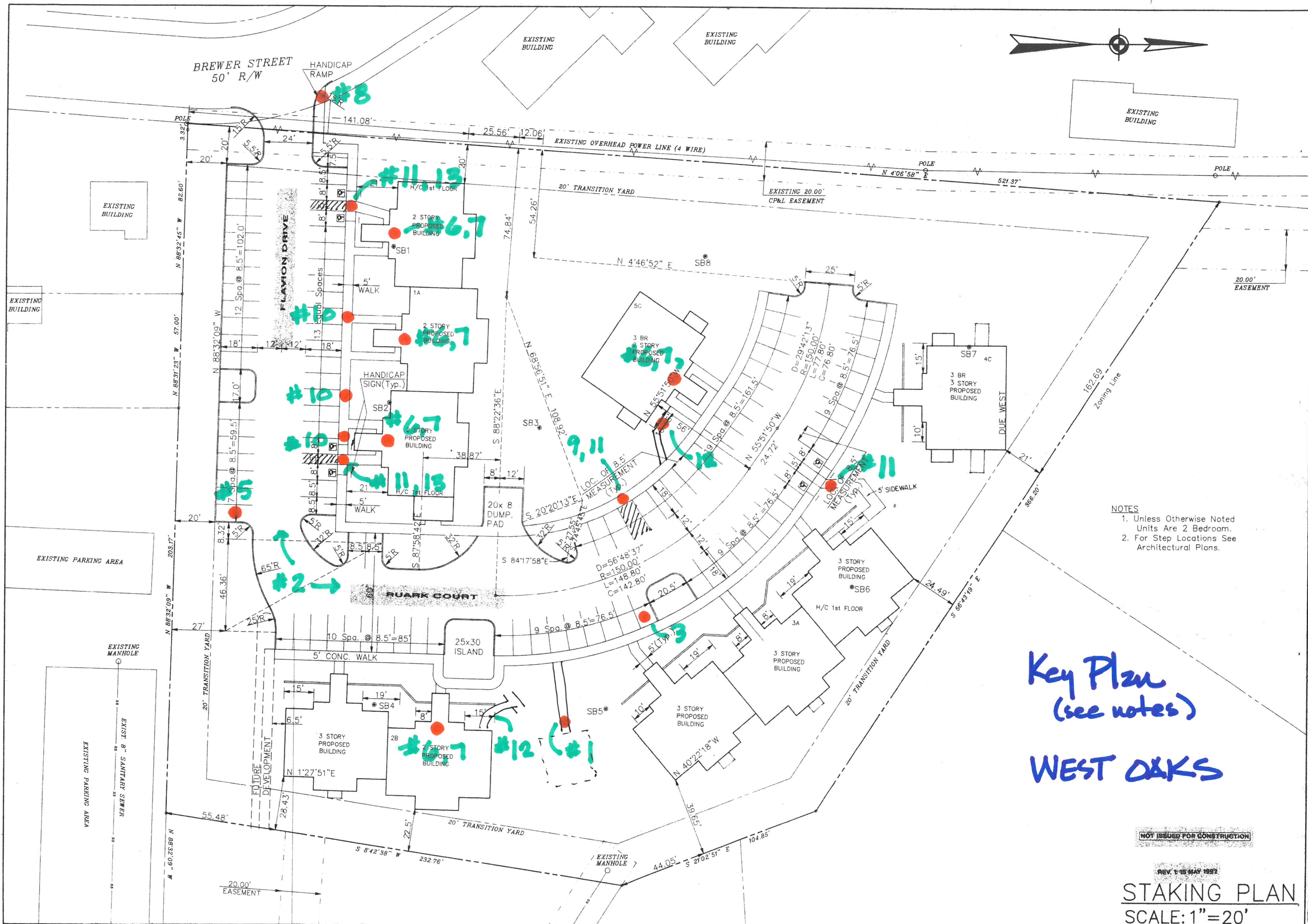
# **EXHIBIT 9.1**

## **West Oaks Accessible Route and Key Plan**









- NOTES
1. Unless Otherwise Noted Units Are 2 Bedroom.
  2. For Step Locations See Architectural Plans.

Key Plan  
(see notes)  
WEST OAKS

NOT ISSUED FOR CONSTRUCTION

REV 1-15 MAY 1992

STAKING PLAN  
SCALE: 1"=20'

CONSULTANT  
KONETZ ENGINEERING  
704 DALLAS ST  
KINGS MOUNTAIN, NC

SEAL  
8024  
KONETZ ENGINEERING  
KINGS MOUNTAIN, NC

J.W. MCGINNIS, ARCHITECT  
2652 S. LAFAYETTE STREET  
SHELBY, N.C.  
(704) 482-8908

BREWER STREET APARTMENTS  
BREWER STREET  
BREWER STREET APTS. LTD PARTNERSHIP

COMM. #  
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## Exhibit 9.2

West Oaks Matrix of Required Retrofits to Public and Common Use Areas


**WEST OAKS APARTMENTS: PUBLIC AND COMMON USE AREAS**

	Inaccessible Features at Public and Common Areas		
Numbers	Photos	Deficiency	Required Retrofit
1		Running slopes of the route/sidewalk to the playground are more than 5% maximum allowed; measured at 10%.	Modify running slopes to comply with ANSI 4.3.7 by creating 5% maximum running slopes or 8.33% maximum running slopes with compliant handrails and edge protections.
1a		There is no accessible route from the sidewalk to the entry point of the playground area.	Install compliant walkway from the entry of the playground and connect to the existing accessible route to comply with ANSI 4.3.

**WEST OAKS APARTMENTS: PUBLIC AND COMMON USE AREAS**



<b>Numbers</b>	<b>Photos</b>	<b>Deficiency</b>	<b>Required Retrofit</b>
2		Parked vehicles overhang and reduce the width of an accessible route to less than 36" wide maximum.	Install wheel-stops at parking spaces which adjoin the accessible route as indicated on the Accessible Route Plan to comply with ANSI 4.3.
3	See Accessible Route Plan and Key Plan.	There is a lack of accessible parking along the accessible route on the east side of the property.	Provide one new parking space on the east side of the complex. Space must be on the accessible route serving Building 2100 and the play area. See Key Plan #3 for proposed, not mandatory, location. Stripe a crossing to the accessible parking.

**WEST OAKS APARTMENTS: PUBLIC AND COMMON USE AREAS**


Numbers	Photos	Deficiency	Required Retrofit
4		There is no permanent accessible route to Building 2117.	Install a permanent and compliant accessible route to Building 2117. See Accessible Route Plan for location.
5	See Accessible Route Plan and Key Plan.	There is a lack of accessible parking at the recycling center.	Install an accessible parking space at the recycling center. See Key Plan #5 for location. Alternatively, relocate the recycling center to a compliant location.




**WEST OAKS APARTMENTS: PUBLIC AND COMMON USE AREAS**

Numbers	Photos	Deficiency	Required Retrofit
6		<p>At all the breezeways, fire extinguishers protrude more than 4" into the accessible route and are mounted higher than 27" above the ground level; measured at 5 3/4" from adjacent wall.</p>	<p>Relocate fire extinguishers in all the breezeways to a compliant location or install permanent cane detectable barrier to comply with ANSI 4.4.1.</p>
7		<p>At all ground-floor covered unit entrances, light fixtures protrude more than 4" into the accessible route and are mounted between 27" to less than 80" above the ground level; measured at approximately 6" from adjacent wall.</p>	<p>Relocate the light fixtures to no less than 80" above the ground level or replace with a compliant fixture that will not protrude more than 4" from adjacent wall to comply with ANSI 4.4.1. Alternatively, install cane detection.</p>

**WEST OAKS APARTMENTS: PUBLIC AND COMMON USE AREAS**



<b>Numbers</b>	<b>Photos</b>	<b>Deficiency</b>	<b>Required Retrofit</b>
8		At the entrance to West Oaks at Brewer Street, the curb ramp has cross slopes exceeded 2% maximum.	Modify curb ramp to comply with ANSI 4.7.2 and 4.8.2 contingent upon approval from the City of Raleigh.
9	See Accessible Route Plan and Key Plan.	At between the dumpster pad and Building 2117/unit 101, the in-line curb ramp has cross slopes greater than 2% maximum.	Modify curb ramp to comply with ANSI 4.7.2 and 4.8.2.

**WEST OAKS APARTMENTS: PUBLIC AND COMMON USE AREAS**


Numbers	Photos	Deficiency	Required Retrofit
10		<p>The cross slopes of the sidewalk are more than 2% maximum at the following three locations: 1. Along the accessible route parallel to Flavion Drive at the sidewalk parallel to, and in between, Units 105 and 106; 2. At the sidewalk parallel to, and to the west of, Unit 105; and 3. At the sidewalk parallel to, at the intersection with the sidewalk to, Unit 103.</p>	<p>Modify cross slopes to comply with ANSI 4.3.7.</p>



**WEST OAKS APARTMENTS: PUBLIC AND COMMON USE AREAS**

Numbers	Photos	Deficiency	Required Retrofit
11		<p>The parking signs at designated accessible spaces were mounted too low with the bottom of the sign less than 60" above the ground level. This condition was occurred at the following three locations: 1. At the leasing office; 2. At building 2120; and 3. Along Flavion Drive and Ruark Court.</p>	<p>Reinstall parking signs at designated accessible spaces such that the bottom of the sign is 60" above the ground level to comply with ANSI 4.6.2.</p>
12		<p>At building 2100, the ramp to the lower level has severe running slopes without required handrails on both sides.</p>	<p>Install compliant handrails at both sides of the ramp to comply with ANSI 4.8.5.</p>


**WEST OAKS APARTMENTS: PUBLIC AND COMMON USE AREAS**

Numbers	Photos	Deficiency	Required Retrofit
13		<p>At the Flavion Drive building, the in-line curb ramps have cross slopes greater than 2% maximum at the following two locations: 1. Across from the entry sidewalk to Unit 106; and 2. Across from the entry sidewalk to Unit 101.</p>	<p>Modify curb ramp to comply with ANSI 4.7.2 and 4.8.2.</p>


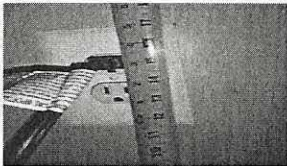
## Exhibit 9.3

### West Oaks Matrix of Retrofits to Covered Unit Interiors

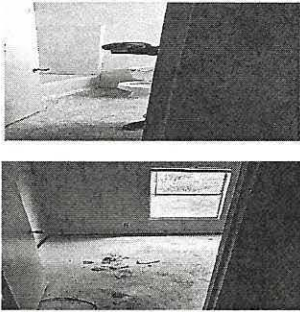
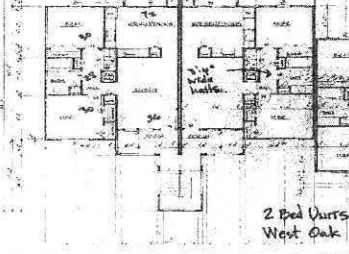
## West Oaks Apartments: Covered Unit Interiors

Inaccessible Features at Covered Dwelling Units			
Numbers	Photos	Deficiency	Required Retrofit
1		Covered dwelling units have inaccessible knob type hardware that requires tight grasping, pinching, and/or turning.	Install accessible lever door hardware at all covered ground floor dwelling units where the existing hardware is knob style to comply with ANSI 4.13.9.
	Required retrofits associated with the below line items shall be performed at 10 first floor units, eight two-bedroom units and two three-bedroom units. The units are as follows: Flavion Drive Building Units 101, 102, 103, 104, 105 and 106; Building 2100, Units 101 and 102; and Building 2117, Units 101 and 102. See Accessible Route Plan.		
2		Thermostats are mounted higher than 48" above finished floor.	Lower thermostats to comply with Requirement 5.

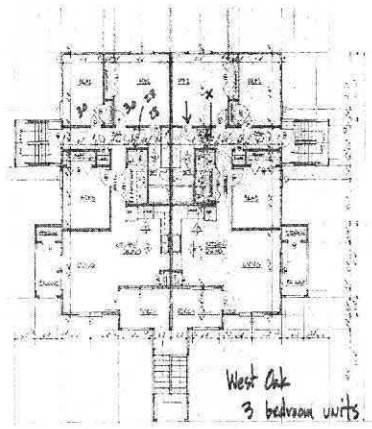
### West Oaks Apartments: Covered Unit Interiors

Numbers	Photos	Deficiency	Required Retrofit
3		Sliding door tracks to the patio are higher than 3/4" maximum and not beveled on the interior side.	Provide bevel strips at interior side of sliding door track to comply with Requirement 4(4).
4		Typical outlets are lower than the minimum 15" above the finished floor; measured at 13 1/2".	Raise one outlet per wall in the living room and each bedroom to comply with Requirement 5.
	<b>Required retrofits associated with the below line item shall be performed at eight two-bedroom first floor units. See Accessible Route Plan.</b>		

## West Oaks Apartments: Covered Unit Interiors

Numbers	Photos	Deficiency	Required Retrofit
5	 	<p>The door clear openings for the bathrooms and Bedrooms 1 and 2 are less than 31 5/8" (minimum 31 5/8" required). See attached plan for measurements.</p>	<p>Widen the bathroom doors and doors to Bedroom 1 and Bedroom 2 to provide 31 5/8" minimum to comply with Requirement 3(2).</p>
	<p>Required retrofits associated with the below line items shall be performed at two three-bedroom first floor units. See Accessible Route Plan.</p>		

## West Oaks Apartments: Covered Unit Interiors

Numbers	Photos	Deficiency	Required Retrofit
6	 A detailed floor plan of a three-bedroom apartment unit. The plan shows the layout of the bedrooms, bathroom, kitchen, and living areas. Arrows and numbers are used to indicate specific door clearances. A handwritten note at the bottom of the plan reads "West Oaks 3 bedroom units".	The door clear openings for Bedrooms 1, 2, and 3 are less than 31 5/8" (minimum 31 5/8" required). See attached plan for measurements.	Widen the doors to Bedrooms 1, 2, and 3 to provide 31 5/8" minimum to comply with Requirement 3(2).
7	See plan in line item #6 for measurements.	The door clear opening for the hall bathroom is less than 31 5/8" (minimum 31 5/8" required).	Widen the hall bathroom door to provide 31 5/8" minimum to comply with Requirement 3(2).
7a	See plan in line item #6 for measurements.	The clear floor space outside of door swing in the hall bathroom is less than 30"x48".	Reverse the swing of door out into the hallway to provide a clear floor space to comply with Requirement 7(2)(b)(i).

### West Oaks Apartments: Covered Unit Interiors

Numbers	Photos	Deficiency	Required Retrofit
8	See plan in line item #6 for measurements.		Replace lavatory base cabinet such that lavatory is aligned with the clear floor space. Include removable cabinet that is no less than 30" wide. The removal of the cabinet must provide finished clear knee space centered on the lavatory. Insulate pipes.



## Exhibit 10

### Notice to Residents of Surveyed Properties

## **EXHIBIT 10**

### **NOTICE TO RESIDENTS OF SURVEYED PROPERTIES**

Dear Resident(s):

This is to advise you that, as a result of a settlement in a lawsuit brought by the United States against the developer of this apartment community alleging, among other things, that the covered dwelling units, the exterior routes, and public and common use areas here at [NAME OF PROPERTY] may not meet the requirements of the federal Fair Housing Act, its guidelines, and the Americans with Disabilities Act, we have agreed to retrofit the ground floor units [ALL UNITS IF ELEVATOR BUILDING] at [NAME OF SURVEYED PROPERTY] to provide greater accessibility for people with disabilities. We have also agreed to retrofit the exterior routes and public and common use areas to provide greater accessibility for persons with disabilities. [IF A TENANT IN A GROUND FLOOR UNIT OR ANY UNIT IN AN ELEVATOR BUILDING INSERT: Your unit will be retrofitted to potentially provide greater accessibility.]

[IF A TENANT IN A GROUND FLOOR UNIT OR ANY UNIT IN AN ELEVATOR BUILDING INSERT: Although your apartment unit will be retrofitted automatically within twenty-four (24) months, we want you to know that you may request to have your apartment modified now at no cost to you. If your temporary relocation for more than twenty-four (24) consecutive hours is required, which is not anticipated, we will pay you \$[AMOUNT,] the equivalent of the United States General Services Administration rate for temporary relocation expenses, prior to the temporary relocation. In scheduling when the repairs will take place, we will take into account your preferences and convenience, to the extent practical.]

[IF A TENANT IN A GROUND FLOOR UNIT OR ANY UNIT IN AN ELEVATOR BUILDING INSERT: You should be aware that this work must be completed within the next twenty-four (24) months, regardless of your intention to stay in your apartment for a longer duration. Please let us know if you are interested in having the work done sooner and we will provide you with additional information.]

Should you have any questions about any of the retrofit work that is being or will be performed, please call us at [NUMBER].

# Exhibit 11

Notice to Residents of Unsurveyed Properties

## **EXHIBIT 11**

### **NOTICE TO RESIDENTS OF UNSURVEYED PROPERTIES**

Dear Resident(s):

This is to advise you that, as a result of a settlement in a lawsuit brought by the United States against the developer of this property, alleging, among other things, that the covered dwelling units, the exterior routes, and public and common use areas here at [NAME OF PROPERTY] may not meet the requirements of the federal Fair Housing Act, its guidelines, and the Americans with Disabilities Act, we have agreed to retrofit the ground floor units [ALL UNITS IF ELEVATOR BUILDING] at [NAME OF PROPERTY] to provide greater accessibility for people with disabilities. We have also agreed to retrofit the exterior routes and public and common use areas to provide greater accessibility for persons with disabilities. This notice is being sent, and all retrofits will be made, with permission from the current owner(s) of [NAME OF PROPERTY] and property management. If you are a resident in a ground floor unit [OR ANY UNIT IN AN ELEVATOR BUILDING], your unit will be retrofitted to potentially provide greater accessibility.]

[IF A TENANT IN A GROUND FLOOR UNIT OR ANY UNIT IN AN ELEVATOR BUILDING INSERT: Although your apartment unit will be retrofitted automatically within two and a half (2.5) years from [DATE], we want you to know that you may request to have your apartment modified now at no cost to you. If your relocation for more than twenty-four (24) consecutive hours is required, which is not anticipated, we will pay you \$[AMOUNT,] the equivalent of the United States General Services Administration rate for temporary relocation expenses, prior to the temporary relocation. In scheduling when the repairs will take place, we will take into account your preferences and convenience.]

[IF A TENANT IN A GROUND FLOOR UNIT OR ANY UNIT IN AN ELEVATOR BUILDING INSERT: You should be aware that this work must be completed within two and a half (2.5) years from [DATE] , regardless of your intention to stay in your apartment for a longer duration. Please let us know if you are interested in having the work done now and we will provide you with additional information.]

Should you have any questions about any of the retrofit work that is being or will be performed, please call us at [NUMBER].

## Exhibit 12

Notice to Potential Victims of Alleged Discrimination Against Persons with  
Disabilities at Mills Construction Company, Inc. Apartment Complexes

**EXHIBIT 12**

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MILLS CONSTRUCTION COMPANY, INC.,  
et al.

Defendants.

**NOTICE TO POTENTIAL VICTIMS OF ALLEGED DISCRIMINATION AGAINST  
PERSONS WITH DISABILITIES AT MILLS CONSTRUCTION COMPANY, INC.  
APARTMENT COMPLEXES**

On \_\_\_\_\_, 2020, the United States District Court for the Eastern District of North Carolina entered a Consent Order resolving a housing discrimination matter initiated by the United States against Mills Construction Company, Inc. and related apartment complex owners involving complexes throughout North Carolina. The United States alleges that certain units and many common use areas (for example, rental offices, routes to amenities, etc.) are not accessible to persons with certain physical disabilities. As part of the consent order, Defendants have agreed to retrofits of the units and common use areas to comply with the Fair Housing Act and the Americans with Disabilities Act at the following apartment complexes:

1. Milburnie Road Apartments, Raleigh, Wake County;
2. Marsh Creek Apartments, Raleigh, Wake County;
3. Hodges Creek Apartments, Raleigh, Wake County;
4. Rollinwood Manor Apartments, Rocky Mount, Edgecombe County;
5. Kittrell Place Apartments, Greenville, Pitt County;
6. Enfield Pointe Apartments, Enfield, Halifax County;
7. Lovett Square Apartments, Durham, Durham County;
8. Sherwood Park Apartments, Durham, Durham County;
9. West Oaks Apartments, Raleigh, Wake County;
10. Best Village I Apartments, Kinston, Lenoir County;
11. Best Village II Apartments, Kinston, Lenoir County;
12. Chapel Ridge Apartments, Roanoke Rapids, Halifax County;
13. Chapel Ridge Manor Apartments, Roanoke Rapids, Halifax County;

14. Chestnut Hills Apartments, Raleigh, Wake County;
15. Dunbar Place Apartments, Asheville, Buncombe County;
16. Emerald Forest Apartments, Biscoe, Montgomery County;
17. Fairview Pointe Apartments, Lillington, Harnett County;
18. Fairview Manor Apartments, Lillington, Harnett County;
19. Filbert's Creek Apartments, Edenton, Chowan County;
20. Firetower Crossing Apartments, Sanford, Lee County;
21. Forest Hill Apartments, Lexington, Davidson County;
22. Lakeside Apartments, Elizabeth City, Pasquotank County;
23. Long Creek Apartments, Dallas, Gaston County;
24. Long Creek II, Dallas, Gaston County;
25. Mocksville Pointe Apartments, Mocksville, Davie County;
26. Myrtle Place Apartments, Goldsboro, Wayne County;
27. Northeast Pointe Apartments, Lumberton, Robeson County;
28. Perry Lane Apartments, Arden, Columbus County;
29. River Run Apartments, Chocowinity, Beaufort County;
30. Sampson Square Apartments, Clinton, Sampson County;
31. Sandhill Manor Apartments, Sanford, Lee County;
32. Sandy Ridge Apartments, Raeford, Hoke County;
33. Savannah Place Apartments, Durham, Durham County;
34. Smith Creek Apartments, Bermuda Run, Davie County;
35. Soco Creek Village Apartments, Cherokee, Swain/Jackson Counties;
36. Tabor Landing Apartments, Tabor City, Columbus County;
37. Willow Oak Run Apartments, Charlotte, Mecklenburg County; and
38. Woodlane Street Apartments, Granite Falls, Caldwell County.

The Consent Order also establishes a process for the compensation of persons who may have been harmed as a result of this alleged discrimination at any of the above-named complexes. You or members of your family may be qualified to recover through this process if you or members of your family believe that you or they:

- were discouraged from living at any of the above-named complexes because of the lack of accessible features of the apartment or the complex;
- rented an apartment but were unable to use, or had difficulties using portions of your apartment or the complex because they were not accessible (including the inability to have visitors who have disabilities);
- paid to have any portion of your apartment or the complex modified to be more accessible;
- were not informed about, or offered, all available apartment units because of your physical disability or the physical disability of someone who would be living with you; or

- requested and were denied a reasonable accommodation for your physical disability or the disability of someone who was living with you.

*If you believe you have been harmed because of your physical disability at any of the above-named apartment complexes, or if you have information about someone else who may have been harmed, please contact the United States Department of Justice at: 1-800-XXX-XXXX, ext. XX.*

*You also may write to: Housing and Civil Enforcement Section, Civil Rights Division, U.S. Department of Justice, 4 Constitution Square, 150 M Street, Northeast, Washington, DC 20002, Attn: DJ 175-54-166.*

**You must call or write no later than 365 days from [DATE] to be eligible for compensation, and your telephone message or letter must include your name, address, and, if possible, at least two telephone numbers where you may be reached.**

[Property Developer]



## Exhibit 13

Release of All Claims

### **EXHIBIT 13**

#### **RELEASE OF ALL CLAIMS**

In consideration of and contingent upon the payment of the sum of (\$ \_\_\_\_\_), pursuant to the Consent Order entered in *United States v. Mills Construction Co., Inc., et al.* (E.D.N.C.), by the United States District Court, Eastern District of North Carolina, I hereby release and forever discharge the Defendants named in this action, and their respective affiliates, owners, successors, and assigns from any and all liability for any claims, legal or equitable, I may have against them arising out of the issues alleged in this action as of the date of the entry of that Consent Order. I fully acknowledge and agree that this release of Defendants will be binding on my heirs, representatives, executors, successors, administrators, and assigns. I hereby acknowledge that I have read and understand this release and have executed it voluntarily and with full knowledge of its legal consequences.

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_

## Exhibit 14

### Acknowledgement of Receipt of Consent Order

**EXHIBIT 14**

**ACKNOWLEDGMENT OF RECEIPT OF CONSENT ORDER**

On [DATE], I received a copy of, and I have read, the Consent Order entered by the federal district court in [CASE NAME AND NUMBER]. I have had all of my questions concerning the Consent Order and the Fair Housing Act answered to my satisfaction.

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

## Exhibit 15

### Certification of Fair Housing Training

**EXHIBIT 15**

**CERTIFICATION OF FAIR HOUSING TRAINING**

On [DATE], I attended training on the federal Fair Housing Act and Americans with Disabilities Act, including its requirements concerning physical accessibility for people with disabilities. I have had all of my questions concerning the Fair Housing Act and Americans with Disabilities Act answered to my satisfaction.

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_