

VIDEOS



Window to the Law: ADA Basics

JANUARY 9, 2015



This month's Window to the Law discusses the Americans with Disability Act and covers some of the frequently asked questions about the ADA received by NAR.

Related

Law and Policy

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Commercial Vacancies Declining, Rents Rising

Two-Income Couples Fuel Home Buying, Selling

Steady Home Price Growth in Third Quarter

PHS Down in December but Remain on Uptrend

November Pending Home Sales Rise Again

<http://www.realtor.org/videos/window-to-the-law-ada-basics>

Department of justice position:

Websites are places of accommodation, and therefore subject to the ADA's accessibility obligations.

DEPARTMENT OF JUSTICE

28 CFR Parts 35 and 36

CRT Docket No. 110; AG Order No.

RIN 1190-AA61

Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities and Public Accommodations

AGENCY:

Department of Justice, Civil Rights Division

ACTION:

Advance Notice of Proposed Rulemaking.

SUMMARY:

The Department of Justice (Department) is considering revising the regulations implementing title III of the Americans with Disabilities Act (ADA or Act) in order to establish requirements for making the goods, services, facilities, privileges, accommodations, or advantages offered by public accommodations via the Internet, specifically at sites on the World Wide Web (Web), accessible to individuals with disabilities. The Department is also considering revising the ADA's title II regulation to establish requirements for making the services, programs, or activities offered by State and local governments to the public via the Web accessible. The Department is issuing this advance notice of proposed rulemaking (ANPRM) in order to solicit public comment on various issues relating to the potential application of such requirements and to obtain background information for the regulatory assessment the Department must prepare if it were to adopt requirements that are economically significant according to Executive Order 12866.

DATES:

The Department invites written comments from members of the public. Written comments must be postmarked and electronic comments must be submitted on or before [INSERT DATE 180 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after Midnight Eastern Time on the last day of the comment period.

ADDRESSES:

You may submit comments, identified by RIN 1190-AA61 (or Docket ID No. 110), by any one of the following methods:



Resulting case law
is divided about if and when
a website is a place of public
accommodation
under the ADA.

Action Items:

- ✓ Consult a technical specialist to conduct a compliance audit of your website.
 - “Web Content Accessibility Guidelines 2.0”
 - <https://www.w3.org/WAI/WCAG20/glance/>
- ✓ Create a timeline for implementation of necessary changes.
 - DOJ settlements typically allow up to 18 months.
- ✓ Conduct ongoing monitoring of website accessibility.
- ✓ Add contact information for person at your business to address user accessibility issues.
 - <http://www.realtor.org/accessibility>

NAR Resources

- **“Is Your Website ADA Compliant?” REALTOR®Mag article:**
realtormag.org/ADAwebsite
- **Video overview of ADA basics through the Legal Affairs “Window to the Law” video series:** <http://www.realtor.org/videos/window-to-the-law-ada-basics>
- **“Accessibility Is a Broker’s Responsibility” REALTOR®Mag article:**
<http://realtormag.realtor.org/for-brokers/network/article/2015/01/accessibility-broker-s-responsibility>
- **“Head Off Web Site Accessibility Issues” REALTOR®Mag article:**
<http://realtormag.realtor.org/law-and-ethics/feature/article/2014/07/head-website-accessibility-issues>
- **“Websites: Public Accommodations?” REALTOR®Mag article:**
<http://realtormag.realtor.org/law-and-ethics/feature/article/2014/09/websites-public-accommodations>