



UNITED STATES  
DEPARTMENT OF  
AGRICULTURE

RURAL  
DEVELOPMENT

101 SOUTH MAIN STREET  
SUITE 102, FEDERAL BUILDING  
TEMPLE, TX 76501

Voice: (254) 742-9720

Fax: (254) 742-9753

TDD: (254) 742-9712

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USDA Rural Development Texas AN 530 (1901)

**SUBJECT:** Section 504 of the Rehabilitation Act of 1973 and Self-Evaluations for Rural Utilities Service (RUS), Community Facility/ Multi-Family (CF/MFH), and Rural Business Service (RBS) Borrowers

**TO:** All Offices  
USDA Rural Development, Texas

**PURPOSE/INTENDED OUTCOME:** To provide guidance to RUS, CF/MFH, and RBS borrowers so that they are made fully aware of their responsibility to conduct self-evaluations.

**COMPARISON WITH PREVIOUS AN:** This AN replaces AN No. 483 and 484, which expired on January 31, 1998.

**IMPLEMENTATION RESPONSIBILITIES:** Section 504 of the Rehabilitation Act of 1973, as amended, applies to **all** federally financed programs and activities. The U. S. Department of Agriculture's regulation (7 CFR Part 15b) implementing this Act states:

**"A recipient shall operate each assisted program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by qualified persons with disabilities."**

In order for programs and activities within the USDA Rural Development Mission Area to be accessible to and usable by qualified persons with disabilities, alterations may be necessary. This is true regardless of the project/facility's age or which program provides funding (i.e., RUS, CF/MFH, RBS etc.).

**EXPIRATION DATE:**  
March 31, 2001

**FILING INSTRUCTIONS:**  
Following Instruction 1901-E

**USDA Rural Development is an Equal Opportunity Lender,  
Provider and Employer. Complaints of discrimination should be  
sent to:USDA, Director, Office of Civil Rights, Washington, DC 20250-9410**

Self-evaluations were to be conducted within one year of the Department's June 11, 1982 regulation. Structural changes were to be completed, as outlined by a transition plan, within three years of that date and as expeditiously as possible. By now, borrowers should have completed their self-evaluation and have submitted transition plans to the USDA Rural Development Local Servicing Office.

The servicing official should be monitoring the transition plans for each borrower to be assured the plans have been, or are being properly and timely implemented. Transition plans are to be filed in the servicing file.

To the extent possible, barriers to common use areas that prevent any mobility-impaired person from having full access will be removed. Examples of common use areas are rental/business offices, community rooms, laundry areas, public toilets, recreation areas, mail boxes, club houses, community buildings, parking lots, public sidewalks, etc. These design features must conform to the American with Disabilities Act Accessibility Guidelines (ADAAG). Priority must be given to making accessible the places where public access is required, such as for the payment of bills or for inquires regarding services, employment or rental units.

As required by Departmental Regulation (7 CFR Part 15b), once the self evaluation is complete, the borrower must maintain self evaluation records consisting of the following:

- a list of persons consulted
- a description of the areas examined and any problems identified
- a description of any modifications made

Borrowers are to be reminded that the self-evaluation must be readily available for public inspection, and be provided to USDA Rural Development upon request (e.g., during a compliance review, State Internal Reviews, etc).

The Uniform Federal Accessibility Standards (UFAS) will be the guide for structural modifications needed to meet the requirements of Section 504. Depending on the type of facility, borrowers may have an additional responsibility to meet the accessibility guidelines of both the Fair Housing Act and the ADAAG.

Unfortunately, there is no one checklist available to conduct self-evaluations for all types of facilities. Even with a single loan program, factors, such as the type of ownership, the date of the facility was built, and whether there has been substantial alterations, must be considered to determine which laws and regulatory requirements apply.

If you have any questions, please contact Esther Gonzalez, Civil Rights Manager at 254-742-9707, or Quincy Berlin, Architect at 254-742-9794.

/s/ STEVEN A. CARRIKER

STEVEN A. CARRIKER  
State Director