



Informal Interpretation Report Number 8382



Date March 20, 2020

Edition 2017

Section 203.8, 233

Question:

Question 1- A Private Developer is using its own funds to build a Multifamily Condominium with Common Use Areas. The Building and Common Use Areas will not be open to the public. Is the Facility (condominium building and common use areas) required to comply with Section 233 and provide the Mobility Features in the Dwelling Units as required in Section 233.3.1.1?

QUESTION 2- If the Developer is pre-selling the Dwelling Units during construction, before the building is occupied, and a buyer purchases a Dwelling Unit with funds provided or insured through a governmental entity, is the facility required to comply with Section 233.3. In this case would the facility be required to comply with Section 233.2?

Answer

Yes. 233 would apply, see below Need to follow HUD Guidelines

Commentary:

Almost all types of housing with four or more units in one building that have been designed and constructed since March 13, 1991 are covered. This includes condominiums, apartment buildings, vacation or other time share units, assisted living projects, public housing authorities, HOPE VI projects, projects funded with HOME or other federal funds, transitional housing, and SROs (single room occupancy units) designed for more than overnight stays, dormitory rooms, homeless shelters used as a residence, cooperatives, hospices, and more.

If there is at least one elevator in the building, all units must comply. If there is no elevator, all of the ground floor units must comply.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.