



## INFORMATION SHEET

**DRAFT**

**NO.**

**DATE**

:

**CATEGORY**

: **Disabled Access**

**SUBJECT**

: **Scoring Rubric for Evaluating Unreasonable Hardship Requests for Compliance with the Accessible Business Entrance Program**

**PURPOSE:**

: To create an objective scoring rubric as a guide for evaluating requests for unreasonable hardship for the Accessible Business Entrance (ABE) program. The decision by Department of Building Inspection (DBI) shall be ratified or overturned on appeal by the Access Appeals Commission (AAC).

**DEFINITIONS**

: Unreasonable Hardship: when the enforcing agency finds that compliance with the building standard would make specific work of the project affected by the building standard infeasible, based on an overall evaluation of the following factors:

1. The cost of providing access.
2. The cost of all construction contemplated.
3. The impact of proposed improvements on financial feasibility of the project
4. The nature of the accessibility which would be gained or lost.
5. The nature of the use of the facility under construction and its availability to persons with disabilities.

**CONSIDERATIONS**

: Compliance with the Accessible Business Entrance (ABE) program is legislatively mandated and may not necessarily be associated with a renovation or alteration permit. Thus, this accessibility upgrade may not be triggered as it ordinarily would be under CBC section 11B-202.4 for existing commercial facilities.

**REFERENCE**

: Current edition of California Building Code (CBC)  
Current edition of San Francisco Building Code (SFBC) Chapter 11D

**Discussion:** The Department of Building Inspection (DBI) enforces the California Building Code (CBC) Chapter 11B and the San Francisco Building Code (SFBC) including Chapter 11D Mandatory Accessibility Improvements for Buildings with a Place of Public Accommodation, commonly known as the Accessible Business Entrance (ABE).

When addressing compliance to the Accessible Business Entrance program, the property owner/tenant may request an unreasonable hardship exemption be evaluated by the Department of Building Inspection due to site conditions and cost. All requests require an application form, fully dimensioned site plan, floor plan, and exterior elevation(s) illustrating the compliance hardship issues. In order to create a consistent process of justification and evaluation of unreasonable hardship requests, the Department of Building Inspection has created this scoring rubric.

Using this rubric, the design professional shall provide sufficient details and associated narrative, on the plans, for the categories in the rubric table. Categories that are not applicable to the subject business, shall not be included in the averaging for the final score. Department of Building Inspection staff have the authority to make the final determination of score values. If the applicant disagrees with the staff determination, they can appeal the decision to the Access Appeals Commission. When staff approves the Unreasonable Hardship request, ratification is required by the Access Appeals Commission.

**Scoring Rubric for Evaluating Unreasonable Hardship Requests for Compliance of the Accessible Business Entrance Program**

SCORE CATEGORY	1	2	3	4	5	Total Score
Net floor area serving the public	More than 4000 sf	1001 to 4000 sf	501 to 1000 sf	201 to 500 sf	Less than 200 sf	
Percentage of tenant space lost by accessible entrance	Less than 6%	6% to 9%	9% to 12%	12% to 15%	More than 15%	
Ratio of cost of accessible entrance to annual revenue	0 to 19%	20% to 39%	40% to 59%	60% to 79%	80% to 100%	
Ability to provide partial service without entering the building	0 to 19%	20% to 39%	40% to 59%	60% to 79%	80% to 100%	
				Total Score		
				Average Score		

An average score of greater than 3 is likely to have the request for unreasonable hardship approved.

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Patrick O’Riordan, C.B.O., Director  
Department of Building Inspection

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Date

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