
Disability Access and Education Revolving Fund (DAERF) Local Access Compliance Fund

03.26.25

Ida A. Clair, FAIA, CASp
State Architect

SB 1186 (Steinberg, 2012)

Establishes Government Code 4467

- \$1.00 fee on business license or equivalent
- 70% retained by jurisdiction (city, county, or city and county)
 - Up to 5% for administrative costs
- 30% to Disability Access and Education Revolving Fund (DAERF)

Permissible Use of Moneys for Local Jurisdiction:

- Highest priority: Increased certified access specialist (CASp) services in the jurisdiction for the public
- Facilitate the public's compliance with construction-related accessibility requirements



Disability Access Education and Revolving Fund (DAERF)

Government Code 4465

- Purpose is to increase disability access and compliance with construction-related accessibility requirements by the following means:
 - Increasing the number of CASps by using funds to moderate costs of certification and testing
 - Maintaining oversight of CASp program, including adopting best practices, providing continuing education, and performing audit and discipline functions
- Working with the Department of Rehabilitation and the CCDA to:
 - Increasing outreach efforts
 - Developing educational resources for businesses to facilitate compliance with construction-related accessibility standards

Additional Requirements

HOME » DIVISION OF THE STATE ARCHITECT » RESOURCES » AB 3002 BUSINESS LICENSE, BUILDING PERMIT MODEL NOTICE

AB 3002 Business License, Building Permit Model Notice

City and county offices can locate the model informational notice provided by Division of the State Architect (DSA) that is required to be distributed to business license and commercial building permit applicants.

The Model Notice has been made available in the following languages:

- [AB 3002 Model Notice English \(PDF\) | \(DOCX\)](#)
- [AB 3002 Model Notice Spanish \(PDF\) | \(DOCX\)](#)
- [AB 3002 Model Notice Tagalog \(PDF\) | \(DOCX\)](#)
- [AB 3002 Model Notice Korean \(PDF\) | \(DOCX\)](#)
- [AB 3002 Model Notice Vietnamese \(PDF\) | \(DOCX\)](#)
- [AB 3002 Model Notice Traditional Chinese \(PDF\) | \(DOCX\)](#)
- [AB 3002 Model Notice Simplified Chinese \(PDF\) | \(DOCX\)](#)

DISABILITY ACCESS REQUIREMENTS AND RESOURCES

NOTICE TO APPLICANTS FOR BUSINESS LICENSES AND COMMERCIAL BUILDING PERMITS:

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

DEPARTMENT OF
GENERAL SERVICES,
Division of the State
Architect, CASp Program
www.dgs.ca.gov/dsa
www.dgs.ca.gov/casp

DEPARTMENT OF
REHABILITATION
Disability Access Services
www.dor.ca.gov
[www.dor.ca.gov/home/
disabilityaccessservices](http://www.dor.ca.gov/home/disabilityaccessservices)

DEPARTMENT OF
GENERAL SERVICES,
California Commission on
Disability Access
www.dgs.ca.gov/ccda
[www.ccda.ca.gov/
resources](http://www.ccda.ca.gov/resources)

CERTIFIED ACCESS SPECIALIST INSPECTION SERVICES

Compliance with state and federal construction-related accessibility standards ensures that public places are accessible and available to individuals with disabilities. Whether your business is moving into a newly constructed facility or you are planning an alteration to your current facility, by engaging the services of a Certified Access Specialist (CASp) early in this process you will benefit from the advantages of compliance and under the Construction-Related Accessibility Standards Compliance Act (CRASCA, Civil Code 55.51-55.545), also benefit from legal protections.

Although your new facility may have already been permitted and approved by the building department, it is important to obtain CASp inspection services after your move-in because unintended access barriers and violations can be created, for example, placing your furniture and equipment in areas required to be maintained clear of obstructions. For planned alterations, a CASp can provide plan review of your improvement plans and an access compliance evaluation of the public accommodation areas of your facility that may not be part of the alteration.

A CASp is a professional who has been certified by the State of California to have specialized knowledge regarding the applicability of accessibility standards. CASp inspection reports prepared according to CRASCA entitle business and facility owners to specific legal benefits, in the event that a construction-related accessibility claim is filed against them.

To find a CASp, visit www.apcs2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx.

(Revised 11-09-21)

DAERF Annual Report to the Legislature



Report on the

Disability Access and Education Revolving Fund 2023



State of California
Gavin Newsom, Governor

Government Operations Agency
Amy Tong, Secretary

Department of General Services
Ana M. Lasso, Director

Division of the State Architect
Ida A. Clair, AIA, State Architect

AB 1379 (Thurmond, 2017)

Amends Government Code 4467

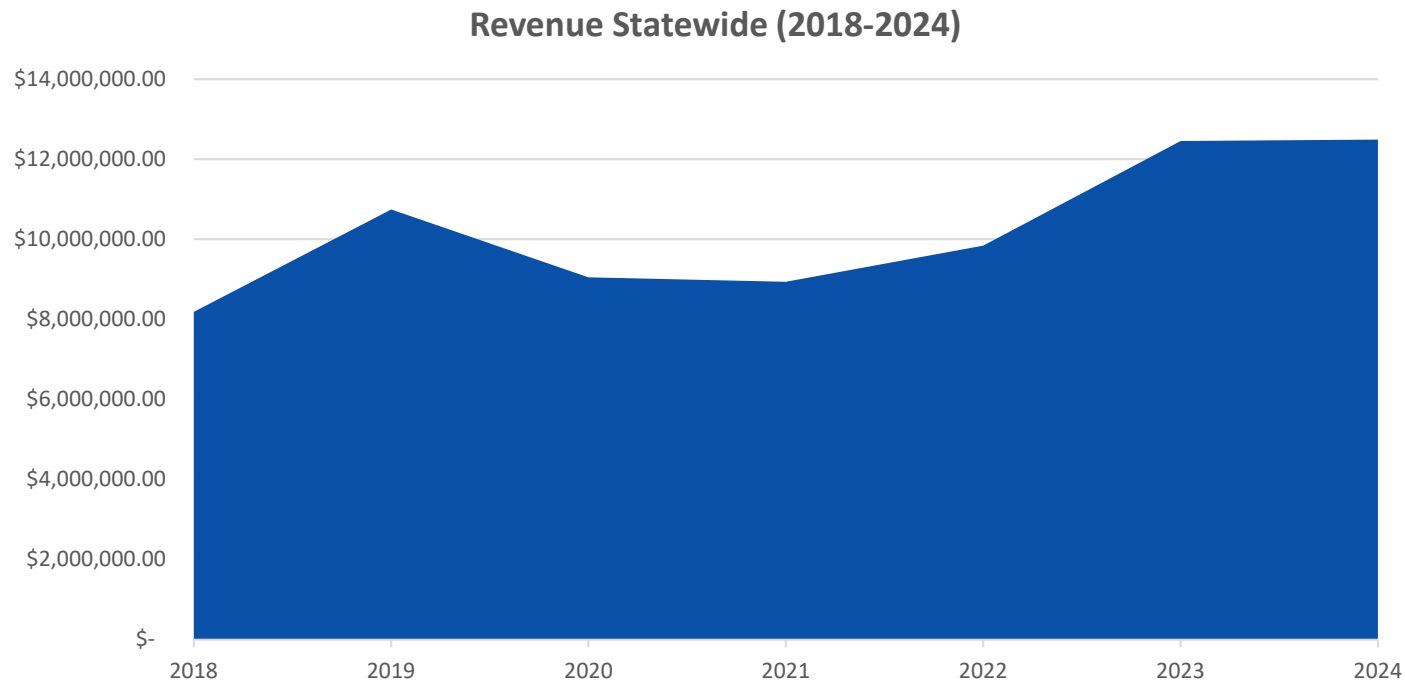
- \$4.00 fee on business license or equivalent, or if jurisdiction does not issue business license or equivalent, then \$4.00 on building permit
- 90% retention by jurisdiction, 10% to DAERF
- *Sunset provision* in 2024 to revert to \$1.00 fee and 70% retention by jurisdiction, 30% to DAERF
- Names fund: “CASp Certification and Training Fund” (CTFund)
- Permissible use of moneys in the CTFund unchanged

AB 2164 (Lee, 2017)

Amends Government Code 4467

- \$4.00 fee on business license or equivalent, or if jurisdiction does not issue business license or equivalent, then \$4.00 on building permit
- 90% retention by jurisdiction, 10% to DAERF
- ~~Sunset provision in 2024 to revert to \$1.00 fee and 70% retention by jurisdiction, 30% to DAERF~~ Removes sunset provision
- Renames fund: ~~“CASp Certification and Training Fund”~~ “Access Compliance Fund”
- Permissible use of moneys in the Fund adds:
 - Providing financial assistance to small businesses for construction of physical accessibility improvements.
 - Defines “small business” as a business that has employed 50 or fewer employees on average over the past three years, evidenced by wage report forms filed with the Employment Development Department

Statewide Collection of Funds 2018-2024

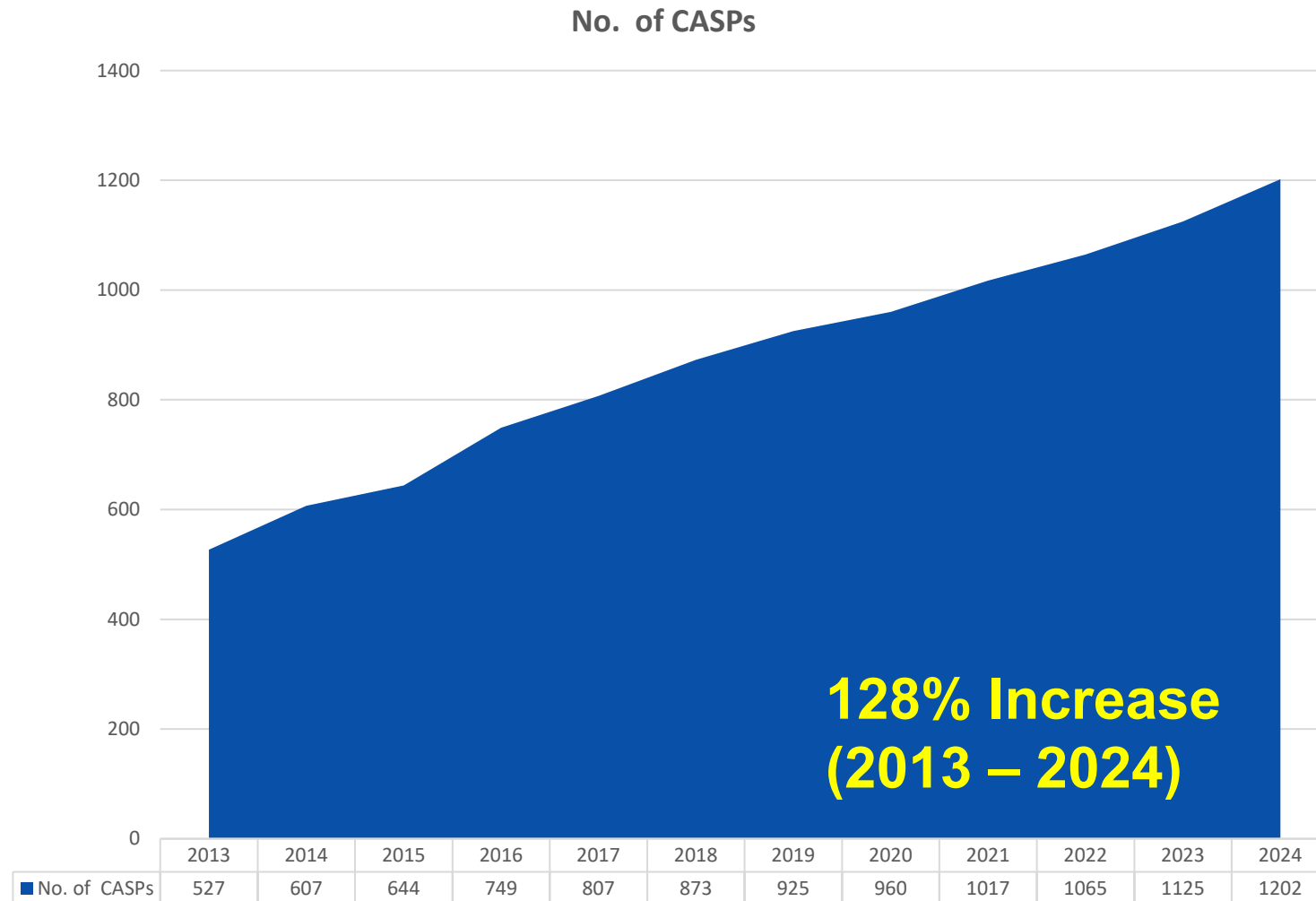


Calendar Year	Statewide Revenue	Year-Over-Year Growth
2018	\$8.18M	n/a
2019	\$10.74M	31%
2020	\$9.05M	-16%
2021	\$8.94M	-2%
2022	\$9.84M	10%
2023	\$12.45M	26%
2024	\$12.49M	0.2%

90% retained in local
Access Compliance Fund
10% sent to DAERF



Number of CASp since SB 1186 (2013 - 2024)



DSA DAERF Funded Resources: Public

DISABILITY ACCESS REQUIREMENTS AND RESOURCES

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DEPARTMENT OF GENERALSERVICES, Division of the State Architect, CASp Program www.dgs.ca.gov/dsa www.dgs.ca.gov/casp	DEPARTMENT OF REHABILITATION Disability Access Services www.dor.ca.gov/home/ disabilityaccessservices	DEPARTMENT OF GENERALSERVICES, California Commission on Disability Access www.dgs.ca.gov/ccda www.ccda.ca.gov/ resources
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(Revised 11-09-21)

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Division of the State Architect

For example, how to sell to the state? **SEARCH**

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HOME > DIVISION OF THE STATE ARCHITECT > RESOURCES > CASP PROPERTY INSPECTION

CASp Property Inspection

The public can learn the benefits of hiring a Certified Access Specialist (CASp) through the Division of the State Architect (DSA) to inspect buildings and sites for compliance with applicable state and federal construction-related accessibility standards.

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- [BUSINESS OWNERS FREQUENTLY ASKED QUESTIONS](#) +
- [LIST OF CERTIFIED ACCESS SPECIALISTS](#) +
- [CASp INSPECTED BUSINESSES](#) +
- [CASp INSPECTED, 120-DAY GRACE PERIOD NOTICE](#) +
- [DISABILITY ACCESS INSPECTION BY A CASp](#) +
- [ASSISTANCE FROM A CASp FOLLOWING A LAWSUIT ON YOUR BUSINESS](#) +
- [FILE A COMPLAINT](#) +
- [ADA IMPROVEMENTS FINANCING](#) +

DSA DAERF Funded Resources: Public



✓ **Mi empresa es accesible. ¿Y la suya?**

OCCUPE A UN CASp. OBTENGA BENEFICIOS LEGALES.

¿ESTÁ SU EMPRESA EN CONFORMIDAD CON LAS NORMAS FEDERALES DEL ACTA DE AMERICANOS CON DISCAPACIDADES (ADA) Y LA LEY EN CALIFORNIA?

Un Especialista Certificado en Acceso (CASp) en conformidad con acceso.

CON UNA INSPECCIÓN DE CASp, PUEDE OBTENER...
Una revisión por un profesional que sabe cuáles normas de accesibilidad aplican a su establecimiento. Un plan de acción necesario para que su negocio esté en conformidad con la ley.

Para más información y para encontrar un CASp, visite www.dgs.ca.gov/casp



✓ **My business is accessible. Is yours?**

HIRE A CASp. GET LEGAL BENEFITS.

IS YOUR BUSINESS ACCESS COMPLIANT UNDER FEDERAL ADA STANDARDS & CALIFORNIA LAW?

A Certified Access Specialist (CASp) can help determine if your facility is access compliant.

WITH A CASp INSPECTION, YOU GET ...

A review by a professional who knows which accessibility standards apply to your facility.

An action plan for changes needed for your facility to become compliant.

Legal benefits that may reduce your financial liability in a lawsuit.

For more information and to find a CASp in your area, visit www.dgs.ca.gov/casp



GET LISTED!

Voluntary Listing of CASp Inspected Businesses

Businesses holding a valid disability access inspection certificate (DAIC) may choose to be listed on the Division of the State Architect's (DSA) CASp webpage. To be listed on the "Businesses Inspected by a CASp" list offered by DSA, please complete and submit the "GET LISTED" form.

Your business qualifies for inclusion on this list if:

- ✓ It was inspected by a CASp on or after January 1, 2017
- ✓ The CASp provided to you a report completed in accordance with Construction Related Accessibility Standards Compliance Act (CRASCA, Civil Code section 55.53)

If you have any questions, please contact your CASp to confirm your eligibility for inclusion on this list.

Take this opportunity to Get Listed! It's similar to displaying the DAIC at your place of business, but with statewide reach. Because you have had a CASp inspection, your facility is eligible for the list whether or not it is compliant to applicable construction-related accessibility standards. If your facility does not yet meet applicable design and construction accessibility requirements, listing your facility can signify that you are being proactive and making strides towards achieving accessibility.

What will be included on this list?

- ✓ Name of your Business, and the facility's city and zip code
- ✓ Date of Inspection

To submit your request to be listed, please visit www.dgs.ca.gov/casp, the "DSA 608: Voluntary Listing of CASp Inspected Businesses" form under the "CASp Inspected Businesses" section. Complete the online form and click on the "SUBMIT" button. See your business name listed on the DSA 608 report with your submission.

If you have any questions with regard to your listing, please email CASpgram@dsa.ca.gov or at (916) 322-1912.



DISPELLING THE MYTHS

If your business facility is open to the public, then it must be accessible to individuals with disabilities. Misconceptions about these standards may leave you unsure about the compliance of your facility. Let's set the record straight:

THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) is a federal civil rights law that prohibits discrimination against individuals with disabilities, and requires all public accommodations and commercial facilities to be accessible to individuals with disabilities.

THE CALIFORNIA BUILDING CODE contains the construction-related accessibility provisions that are the standards for compliant construction. A facility's compliance is based on the California Building Code version in place at the time of construction or alteration.

MYTH	FACT
My business doesn't need to be compliant because the building is old.	There are no "safe harbor" provisions. "Safe harbor" is the notion that ADA requirements do not apply to buildings constructed prior to the establishment of the ADA. This, however, is not true. Regardless of the age or historical importance of a building, if it is open to the public, you must provide access to the goods and services you offer. A Certified Access Specialist (CASp) can tell you what changes, if any, are needed for your facility to be compliant.
The building is owned by someone else, so I'm not liable for violations.	Compliance is not only the landlord's responsibility. Both the lessor and lessee are responsible and liable for the accessibility of a facility's public areas. If you lease or rent a facility, it is advisable to have an agreement with your landlord about who is responsible for providing and maintaining the facility's accessible features. Lease and rental agreements must stipulate whether the property was inspected by a CASp, and if so, whether or not the property is compliant with all applicable construction-related accessibility standards.

The standards are always changing, making it hard to stay in compliance.

Construction standards for your facility do not change.
The ADA has only been updated once in more than twenty years. Although the California Building Code is amended regularly, your facility's compliance is determined by the building code in place when your facility was originally constructed or last altered. A once-compliant facility isn't made noncompliant because the accessibility regulations and guidelines are updated, however, accessible features must be maintained. A CASp can determine your status of compliance according to the applicable standards (ADA and California Building Code).

For more information and to find a CASp in your area, visit www.dgs.ca.gov/casp.



HOW TO FIND A CASp

To find a CASp, go to DSA's website at www.dgs.ca.gov/casp and click on the List of Certified Access Specialists link. CASp listed with a "Yes" in the "Do Inspections" column are available for hire.

WHAT TO REMEMBER AFTER THE INSPECTION

- 1. KEEP THE CASp INSPECTION REPORT IN YOUR FILES.**
The report is confidential and should only be shared under the direction of legal counsel, or unless otherwise required by law. You may, however, share this report with the construction professionals you hire to achieve compliance.
- 2. ADHERE TO YOUR SCHEDULE OF IMPROVEMENTS.**
This is important in that it demonstrates your intent to follow the law and be in compliance.
- 3. MAINTAIN THE ACCESSIBLE FEATURES OF YOUR FACILITY.**
Establish a plan to stay in compliance. Ask your CASp which construction-related accessibility standards require periodic maintenance, and establish a policy to check maintenance items regularly. Review operational policies that may intermittently affect compliance, and establish procedures to ensure access is provided. Inform your employees about maintenance and operational policies that affect access to your facility.
- 4. YOUR LEGAL BENEFITS DO NOT "EXPIRE."**
Once your facility has been inspected by a CASp, there is no reason for a repeat inspection unless you make improvements or alterations to your facility. If you do make improvements to your facility that require a permit, ask the local building department to have your final inspection performed by their CASp on staff so that your legal benefits for the inspected area remain intact.



HIRING A CASp

For Business and Property Owners To Ensure Their Facilities are Accessible to Individuals With Disabilities

www.dgs.ca.gov/casp



HIRE A CERTIFIED ACCESS SPECIALIST TO HELP DETERMINE YOUR FACILITY'S COMPLIANCE.

WHAT TO KNOW ABOUT CASp INSPECTIONS

Certified Access Specialists (CASps) have been tested on their knowledge of state and federal accessibility standards. With a CASp inspection and report, in addition to learning your facility's accessibility status, you can receive legal benefits.

LEGAL BENEFITS

- Request an early evaluation conference.
- Receive a 90-day stay of court proceedings.
- Reduce minimum statutory damages to \$1,000 from \$4,000, if you are found in violation of a construction-related accessibility requirement and correct the violation within 60 days.
- Additional benefits for qualified small businesses.

The facility inspected does not need to comply with all applicable construction-related accessibility standards in order for you to receive legal benefits – but the property must be inspected by a CASp before a claim is filed. Making progress on correcting violations according to your schedule of improvements will reduce or eliminate your liability.

WHAT THE CASp WILL ASK YOU

1. Date of Construction: _____
2. Areas and Dates of Past Improvements/Renovations: _____

3. Areas Available to the Public (Customers):
☐ Retail/Dining/Meeting Space
☐ Parking Lot
☐ Restroom(s)
☐ Other: _____

If you are unsure of the answers, your CASp may be able to perform the research, or give you guidance on finding the information.

DSA DAERF Funded Resources: CASp

CERTIFIED ACCESS SPECIALIST PROGRAM BEST PRACTICES MANUAL

STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES
DIVISION OF THE STATE ARCHITECT



Division of the State Architect

For example, how to sell to the state? SEARCH

HOME DIVISION OF THE STATE ARCHITECT RESOURCES CCDG

CASp Code Discussion Group

The CASp Code Discussion Group (CCDG) meets monthly for Certified Access Specialists, design professionals, and code enforcers to discuss various aspects of the California Building Code and federal accessibility standards.

Division of the State Architect

For example, how to sell to the state? SEARCH

HOME DIVISION OF THE STATE ARCHITECT RESOURCES DSA ACADEMY

DSA Academy

The public and Division of the State Architect (DSA) staff can register for trainings on school construction plan review for public K-12 schools, community colleges, and essential services buildings; building code; accessibility; and, other related topics.

Curriculum
California EVCS
Accessibility:

CASp Inspection Reports Requirements			
Type of Report	CRASCA		Non-CRASCA
	CRASCA 'Meets Applicable Standards'	CRASCA 'Inspected by a CASp'	
Perform Inspection to 'Applicable Standards'	Yes, unless consent of property owner/tenant prevents CASp use; never version of CBC rather than applicable CBC.	Yes, unless consent of property owner/tenant prevents CASp use; never version of CBC rather than applicable CBC.	Not governed by statute
Description of Area Inspected	Required	Required	Not governed by statute
Sign Report	Required	Required	Not governed by statute
Date of Inspection	Not required by statute	Required	Not governed by statute
Date Report	Required	Required	Not governed by statute
Statement of Findings	Statement that: In the opinion of the CASp, the inspected area <u>meets</u> (specification related accessibility standards).	Statement that: In the opinion of the CASp, the inspected area <u>meets</u> (specification related accessibility standards).	Not governed by statute
Barrier Removal	Clearly state whether the determination of the CASp includes an assessment of 'readily achievable barrier removal'.	Clearly state whether the determination of the CASp includes an assessment of 'readily achievable barrier removal'.	Not governed by statute
Corrective Actions	If corrections were made as a result of the inspection, provide an itemized list of corrections and dates of correction.	An identification and description of the situations or areas that need correction and the correction needed.	Not governed by statute
Schedule of Corrections	N/A	A schedule of completion for each of the corrections within a reasonable timeframe.	Not governed by statute
Time to Complete Report	No	Compliance Path B: Time not specified. Compliance Path B: If owner has less than 50 employees over past three years and elects to achieve compliance in 120 days, CASp meets the notice within 30 days.	Not governed by statute
Issue DMAC Inspection Certificate	Yes. Owner option to post.	Yes. Owner option to post.	No
Issue Notice to Property Owner/Tenant	Yes	Yes	No
CASp Must Record in Record Book	Yes	Yes	No
File Notice with DSA	No	Compliance Path A: No notice required. Compliance Path B: If owner has less than 50 employees over past three years and elects to achieve compliance in 120 days, CASp meets the notice within 30 days.	No
Legal Benefits to Property Owner/Tenant	90-day stay, early evaluation conference	90-day stay, early evaluation conference	None
Reduction of Statutory Damages	Reduced to \$1000 per violation if corrected within 90 days.	Compliance Path A: Reduced to \$1000 per violation if violation is corrected within 90 days and if defendant has implemented reasonable measures to correct violation or was in the process to correct violation prior to plaintiff being denied access. Compliance Path B: If owner has less than 50 employees over past three years and elects to achieve compliance in 120 days, the owner receives a grace period of 120 days in which there is no liability for statutory damages, which can be extended to 180 days with an active permit. After grace period expires, owner's liability for statutory damages is reduced to \$1000 per violation if violation is corrected within 90 days.	None

Credit: Certified Access Specialist Institute (CASI) Edition 2018

CRASCA
(CASp Inspection Reports
According to the
Construction-Related
Accessibility Standards
Compliance Act)

Curriculum
CASp Inspection
Reports According to
2 hours, 10 minutes

CIRCULATION PATHS
Accessible Routes & the
California Building Code

Curriculum
Circulation Paths:
Accessible Routes and
2 hours

Curriculum
Housing at a Place of
Public Education
1 hour, 35 minutes

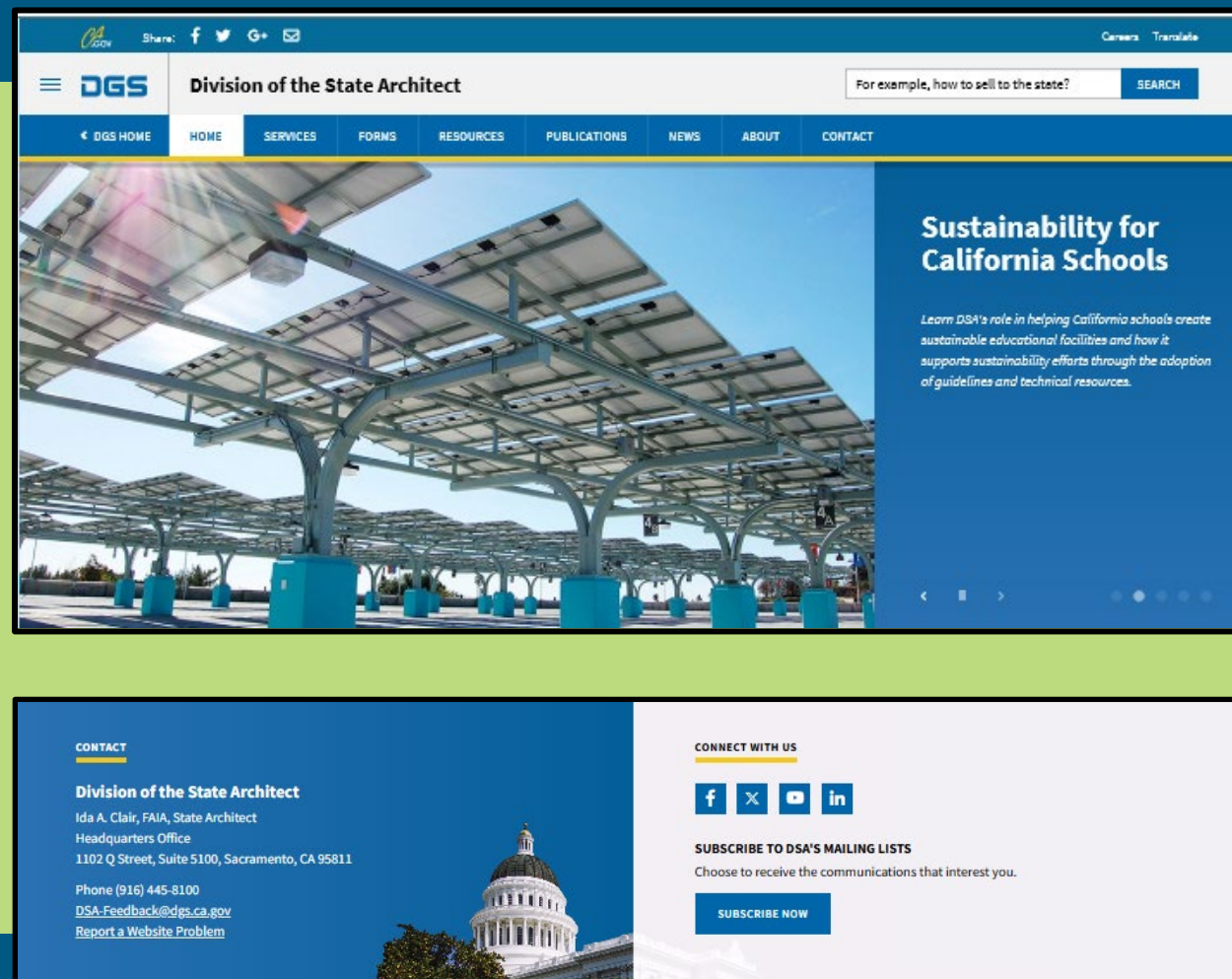
Event
CA Sp 101: Certification
and Practice
5 hours

- Examination fees to take the CASp examination and CASp renewal fees
- Funding DSA Academy and other trainings for staff in process of certification
- City offers CASp inspections at no cost to business/property owner (BPO)
- City CASp will meet with public to address accessibility questions
- City works with local chamber of commerce to promote ADA workshops
- City hosts meetings with BPO to demystify accessibility standards
- City hosts seminar and provides free accessibility consultations

Other than CASp training and certification, fees cannot be used for plan review operations or for the jurisdiction to meet its compliance obligations under ADA Title II

Examples: Accessibility Compliance Fund Uses by Local Jurisdictions

SUBSCRIBE TO OUR MAILING LIST!



DSA