

# Receiving Your CASp Inspection Report & Certificate: What Should I do Now?



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**Webinar #3 out of our 3 Part CASp Series  
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# Who are John & Matt?



**John Pentecost** is the managing partner at Hart King with over 30 years of significant experience representing mobilehome communities. He has litigated numerous trials and has had extensive involvement in defending mobilehome communities—ranging from ground lease dispute issues, state and federal discrimination issues, failure to maintain actions, and Americans with Disabilities Act (ADA) matters.



**Matt Steele** is a certified access specialist who is a professional with over 20 years of comprehensive construction and inspection experience. Mr. Steele has worked with many government agencies and businesses nationwide. He has extensive knowledge and experience in the fields of ADA design and the implementation of accessible elements to guide clients through the construction and access projects.

# I Have a CASp Inspection Report and Certificate. What Should I do Now?

- If your CASp Inspection Report has a determination of "meets applicable standards," the CASp has determined your facility meets applicable construction-related accessibility standards. Keep the Report in your records and maintain the accessible features of your facility. If your CASp Inspection Report has a determination of "inspected by a CASp" you should strive to adhere to your schedule for improvements to come into compliance with applicable construction-related standards. Keep the Report in your records. You do not need to obtain a final inspection of the improvements from a CASp in order to obtain "qualified defendant" status, but to do so may offer you peace of mind that the improvements have been inspected for compliance. Most important, as a public accommodation you are required to maintain the accessible features of your facility. Other than improvements to correct the violations stipulated in your report, if you alter or modify those areas of the facility that were inspected, you will need to once again seek the services of a CASp to obtain a new CASp Inspection Report and Disability Access Inspection Certificate.

# Utilizing the CASp Report for ADA Compliance

- **Attorney/CASp:** The report should be reviewed with your attorney and CASp first. They will analyze your findings and guide you through this process if you have any pending litigation.
- **Contractor:** The manager/community owner can work w/ a contractor to get the costs associated with each item in your report that needs to be changed at your Park.
- **Accountant:** The person within your organization who can tell you what changes are feasible right now vs. what can be done at a later date due to the budget. You may have 10 different findings from your Site Accessibility Evaluation, but only 5 can be changed this year, and 5 at a later date due to the repair costs and your Park's budget.
- **Manager/Community Owner:** Based on the information from your attorney, CASp, contractor and accountant, the manager/community owner will be able to determine what changes should be implemented. It is always best for the manager/community owners to be proactive in making these changes before any frivolous ADA lawsuits can occur.

## Will The Legal Benefits Provided With a CASp Inspection go Into Effect After I Remove Barriers to Accessibility?

- NO. Regardless of the inspection results, your facility is granted all of the legal benefits the moment the inspector issues the state certificate. After you receive your report, you will be required to fill in the "estimated timeline for barrier removal" and make a good faith effort to adhere to that timeline.

## If I Have Been Served a Lawsuit Regarding an Access Violation, can a CASp Still Help me?

- In order to be offered a "qualified defendant" status, a CASp must perform the inspection and provide the CASp Inspection Report to you prior to a construction-related claim being filed against you. However, a CASp can inspect for compliance issues regarding your property at any time.

# Are CASp Reports Disclosed to Anyone Other Than The Client That Orders The Report?

- NO, If you purchase a CASp report, it is YOUR property. We will not distribute the report to anyone unless you give permission or ordered to do so with court order. Every 3 year upon your inspector's certification renewal, the CASp is required to disclose a list of all of the properties that the CASp has inspected to the DSA. The list will include the certificate number, business/property name and address. The contents of the report including the CASp's determination and barriers found (if any) are NOT disclosed to the Division of the State Architect. DSA does not disclose any information in the log of inspections.

## Where Does the Actual Certification go?

- To prevent your business from frivolous ADA lawsuits, many hang their CASp certificate on their entry way window or somewhere noticeable in the lobby or front office.



All or part of this facility located at

has been inspected by a Certified Access Specialist (CASP).

# ACCESS INSPECTED

THIS CERTIFICATE DOES NOT IMPLY THAT THIS FACILITY MEETS DESIGN AND CONSTRUCTION REQUIREMENTS FOR ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.

Inspection Date:

CASP Signature:

CASP Certificate #:

CASP Name:

*(Please Print)*

Inspection Certificate #:



*Pursuant to Civil Code 55.53 (e), this certificate shall accompany a CASp inspection report completed in accordance with Construction-Related Accessibility Standards Compliance Act.*

[www.dgs.ca.gov/dsa/Programs/programCert/casp.aspx](http://www.dgs.ca.gov/dsa/Programs/programCert/casp.aspx)



# Questions?



# *Thank you!*



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