

## ARCH COMMUNITY HOUSING TRUST

### REASONABLE ACCOMODATION POLICY AND PROCEDURES FOR RENTAL HOUSING

#### POLICY

It is the policy of ARCH Community Housing Trust to provide reasonable accommodations to applicants and residents who have disabilities, and to permit residents with disabilities to make reasonable modifications.

We will advise all applicants and residents of our willingness to provide accommodations by noting on application forms, rental agreements, and rules or regulations that “reasonable accommodations for people with disabilities will be provided upon request.”

#### DEFINITIONS

**Disability** is defined to mean the presence of a sensory, mental, or physical impairment that:

- Is medically cognizable or diagnosable, or
- Exists as a record of history, or
- Is perceived to exist, whether or not it exists in fact.

Under fair housing laws, the definition of disability does not apply to sex offenders or current illegal drug users (however fair housing laws do protect people who are recovering from substance abuse)

**Reasonable accommodation** is a change, exception or adjustment to a rule, policy, practice, or service that allows a person with a disability to use and enjoy a dwelling, including public and common use areas. Examples include:

- Providing rental forms in large print
- Providing reserved accessible parking near a residents unit
- Allowing residents to have pets in a “no pets” unit
- Permitting a resident with limited mobility to move to the ground floor

**Reasonable modification** is a structural change made to a residents living space or to the common areas of a community which are necessary to enable a resident with a disability to have full use of and enjoyment of the housing. Examples include:

- Widening a doorway for a wheelchair user
- Installing grab bars in a bathroom
- Lowering kitchen cabinets to a height suitable for a wheelchair user
- Adding a ramp and handrails to make a primary entrance accessible

## **Consideration of Requests**

Requests will be considered whenever they are made by a person with a disability or by a representative making the request on behalf of and with the approval of the person with a disability. We encourage written requests but accept verbal requests. If the person with a disability is unable to complete a request form, management staff should document the request on one of the forms and give a copy to the person making the request.

- The accommodation or modification must be for a person with a disability. We may request verification of a disability but will not require the details of the disability.
- The accommodation or modification must be related to the disability.
- The requested accommodation or modification must be reasonable.

## **Alternative Accommodations**

If the accommodation initially requested is determined not to be feasible or if more than one reasonable accommodation would fulfill the needs of the person with the disability, we will engage in a dialog to discuss alternatives.

We can offer to move a resident to a different apartment in lieu of allowing the resident to make a modification but we can not insist on a move.

We can request that the modification be done to our design (provided that it is not more costly) and using licensed contractors but we can not insist on a specific contractor.

## **Who Pays**

Accommodations. We will bear the costs of accommodations which do not amount to undue financial or administrative burden. We will not require fees or downpayments as a condition of receiving a reasonable accommodation.

Modifications. Generally, the resident will bear the cost of modifications. If there are federal funds associated with the accommodation, we may be responsible for the cost of the modification.

## **Denying a Request**

A request may be denied only if the request will cause:

Undue financial or administrative burden – to be determined on a case by case basis considering the following:

- Cost in comparison with the cost of regular operation
- Limits of our resources
- Benefits provided by the request relative to burden
- Availability of other less costly solutions

## Fundamental Alteration in the Nature of our Business Operations

- Example: A resident with a disability requests housekeeping assistance

## Direct Threat

Requests will be denied if a modification or alteration would constitute a direct threat to others or would result in substantial physical damage to the property of others.

- Example: A resident with a disability who is considered a direct threat requests a modification to the eviction policy.

All requests will be evaluated within 10 days of the request being made. All denials will be made in writing with appropriate explanation. If an individual with a disability believes that the request is denied unlawfully or that the response is delayed unreasonably, they may file a complaint with:

US Department of Housing and Urban Development

Office of Fair Housing and Equal Opportunity

909 First Ave., Suite 205

Seattle, WA 98104-1000

800-877-0246

Things to Consider with BCHA

When to request verification

Forms

Need to put this on the applications and rental forms