

ROYSTON HOUSING AUTHORITY

REASONABLE ACCOMMODATION POLICY AND PROCEDURES

POLICY STATEMENT

RHA is committed to ensuring that its policies and procedures do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities, on the basis of disability, in connection with the operations of RHA's programs, services and activities. Therefore, if an individual with a disability requires an accommodation such as an accessible feature or modification to a RHA policy, RHA will provide such accommodation unless doing so would result in a fundamental alteration in the nature of the program; or an undue financial and administrative burden. In such a case, the RHA will make another accommodation that would not result in a financial or administrative burden.

A reasonable accommodation is a change, modification, alteration or adaption in policy, procedure, practice, program, or facility that provides a qualified individual with a disability the opportunity to participate in, or benefit from, a program (housing or non-housing) or activity.

RHA will post a copy of this Reasonable Accommodation Policy and Procedures in the Central Administrative Office located at 216 Hartwell Street, Royston, Georgia and the management office in each public housing development. In addition, individuals may obtain a copy of this Reasonable Accommodation Policy and Procedures, upon request, from the RHA.

LEGAL AUTHORITY

The RHA is subject to Federal civil rights laws and regulations. This Reasonable Accommodation Policy is based on the following statutes or regulations. See Section 504 of the Rehabilitation Act of 1973 (Section 504); Title II of the Americans with Disabilities Act of 1990 (ADA); the Fair Housing Act of 1968, as amended (Fair Housing Act); the Architectural Barriers Act of 1968, and the respective implementing regulations for each Act.

MONITORING AND ENFORCEMENT

The Executive Director of RHA is responsible for monitoring RHA's compliance with this Policy. Individuals who have questions regarding this Policy, its interpretation or implementation should contact RHA in writing, by telephone, or by appointment, as follows:

RHA Executive Director, Charity B. Hallford
216 Hartwell St., P.O. Box 86
Royston, GA 30662
Telephone Number: 706-245-7277
TDD/TTY Number 706-245-9390
Facsimile Number: 706-245-9399

STAFF TRAINING

The Executive Director or his or her designee will ensure that all appropriate RHA staff receive annual training on the Reasonable Accommodation Policy and Procedures, including all applicable Federal, state and local requirements regarding reasonable accommodation.

REASONABLE ACCOMMODATION

A person with a disability may request a reasonable accommodation at any time during the application process or during residency. The individual, RHA staff or any person identified by the individual, must reduce all requests to writing.

Reasonable accommodation methods or actions that may be appropriate for a particular program and individual may be found to be inappropriate for another program or individual. The decision to approve or deny a request for a reasonable accommodation is made on a case-by-case basis and takes into consideration the disability and the needs of the individual as well as the nature of the program or activity in which the individual seeks to participate.

APPLICATION OF REASONABLE ACCOMMODATION POLICY

The Reasonable Accommodation Policy applies to individuals with disabilities in the following programs provided by the RHA:

- a. application for housing;
- b. residents of RHA;
- c. participants in all programs or activities receiving Federal financial assistance that are conducted or sponsored by the RHA, its agents or contractors including all non-housing facilities and common areas owned or operated by the RHA.

PERSON WITH A DISABILITY

A person with a disability means an individual who has a physical or mental impairment that substantially limits one or more major life activities. As used in this definition, the phrase "physical or mental impairment" includes:

- a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
- b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

“Major life activities” means functions such as caring for ones self, performing manual tasks, walking, seeing, hearing, speaking, breathing and learning.

The definition of disability does not include any individual who is an alcoholic whose current use of alcohol prevents the individual from participating in the public housing program or activities; or whose participation, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others.

EXAMPLES OF REASONABLE ACCOMMODATIONS

Examples of reasonable accommodations may include, but are not limited to:

- a. Making a unit, part of a unit or public and common use element accessible for the head of household or a household member with a disability who is on the lease;
- b. Permitting a family to have a service or assistance animal necessary to assist a family member with a disability;
- c. Allowing a live-in aid to reside in an appropriately sized RHA unit;
- d. Transferring a resident to a larger size unit to provide a separate bedroom for a person with a disability;
- e. Transferring a resident to a unit on a lower level or a unit that is completely on one level;
- f. Making documents available in large type, computer disc or Braille;
- g. Providing qualified sign language interpreters for applicant or resident meetings with RHA staff; or at resident meetings;
- h. Installing strobe type flashing lights and other such equipment for a family member with a hearing impairment;
- i. Permitting an outside agency or family member to assist a resident or an applicant in meeting screening criteria or meeting essential lease obligations;

PROCESSING OF REASONABLE ACCOMMODATION REQUESTS

The RHA will provide the “Request for Reasonable Accommodation”, (“Request Form”), attached hereto, to all applicants, residents or individuals with disabilities who request a reasonable accommodation. The Reasonable Accommodation Request Form includes various forms of reasonable accommodations as well as the general principles of reasonable accommodation.

Individuals may submit their reasonable accommodation request(s) in writing, orally, or by any other equally effective means of communication. However, the RHA will ensure that all reasonable accommodation requests will be reduced to writing. If needed as a reasonable accommodation, the RHA will assist the individual in completing the Request Form.

- a. The RHA will provide all applicants with the Request Form as an attachment to the RHA application. The Request for Reasonable Accommodation Form must be provided in an alternative format, upon request.

- b. Reasonable Accommodations will be made for applicants during the application process. All applications must be taken in an accessible location. Applications will be made available in accessible formats. RHA will provide applicants with appropriate auxiliary aids and services, including qualified sign language interpreters and readers, upon request.
- c. RHA will provide all residents with the Request form during the annual re-certification and upon request. The RHA will provide the Request Form in an alternate form, upon request.
- d. Residents seeking accommodation(s) may contact the housing management office, including office of private management companies acting on behalf of the RHA, within their housing development or the regional management office
- e. Within seven (7) business days of receipt, the housing management office, private management company or regional management office will respond to the Residents Request.
- f. Within twenty (20) business days or receipt, the Office of the Executive Director of RHA, or the resident's regional or management office will respond to the Resident's Request.
- g. If additional information or documentation is required, the Office of the Executive Director of RHA, will notify the resident, in writing, of the need for the additional information or documentation. The Office of the Executive Director of RHA, will provide the resident with the "Request for Information or Verification Form" ["Request for Information"], a copy of which is attached. The written notification should provide the resident with a reply date for submission of the outstanding information or documentation.
- h. Within thirty (30) business days of receipt of the request and, if necessary, all supporting documentation, RHA will provide written notification to the resident of its decision to approve or deny the residents request(s). Upon request, the written notification will be provided in alternate format. A copy of the "Letter Denying Request for Reasonable Accommodation(s) and "Letter Approving Request for Reasonable Accommodation(s)" are attached.
- i. If RHA approves the accommodation request(s), the resident will be notified of the projected date for implementation.
- j. If the accommodation is denied, the resident will be notified of the reasons for denial. In addition, the notification of the denial will also provide the resident with information regarding RHA's HUD-FHEO-approved Grievance Procedures.
- k. All recommendation that have been approved by the Office of the Executive Director of RHA, will be forwarded to the housing manager for implementation. All requests for reasonable accommodation that are approved by the housing manager will promptly be implemented or begin the process of implementation.

VERIFICATION OF REASONABLE ACCOMMODATION REQUEST

RHA may request documentation of the need for a Reasonable Accommodation as identified on the Request for Reasonable Accommodation Form. In addition, RHA may request that the individual provide suggested reasonable accommodations.

The RHA may verify a person's disability only to the extent necessary to ensure that individuals who have requested a reasonable accommodation have a disability-based need for the requested accommodation.

However, the RHA may not require individuals to disclose confidential medical records in order to verify a disability. In addition, the RHA may not require specific details regarding the individual's disability. The RHA may only request documentation to confirm the disability-related need(s) for the requested reasonable accommodation(s). The RHA may not require the individual to disclose the specific disability(ies); or the nature or extent of the individual's disability(ies).

The following may provide verification of a resident's disability and the need for the requested accommodation(s):

- a. Physician;
- b. Licensed health professional;
- c. Professional representing a social service agency; or
- d. Disability agency or clinic.

Upon receipt, the resident's Property Manager, including private management companies operating on behalf of RHA, will forward the recommendation, including all supporting documentation, to the RHA within seven (7) days of receipt.

DENIAL OF REASONABLE ACCOMMODATION REQUEST(S)

- a. Requested accommodations will not be approved if one of the following would occur as a result:
- b. A violation of State and/or federal law;
- c. A fundamental alteration in the nature of the RHA housing program;
- d. An undue financial and administrative burden on RHA;
- e. A structurally infeasible alternation; or
- f. An alteration requiring the removal or alteration of a load-bearing structural member.

TRANSFER AS REASONABLE ACCOMMODATION

RHA shall not require a resident with a disability to accept a transfer in lieu of providing a reasonable accommodation. However, if a resident with a disability requests an accommodation that is a modifications which involves structural changes, including, but not limited to widening entrances, rooms, or hallways, and there is a vacant comparable, appropriately sized UFAS-compliant unit in that resident's project or an adjacent project, RHA may offer to transfer the resident to the vacant unit in his/her project or adjacent project in lieu of providing structural modifications.

If the resident accepts the transfer, RHA will work with the resident to obtain moving expenses from social service agencies or other similar sources. If that effort to obtain moving expenses is

unsuccessful within thirty (30) days of the assignment of the dwelling unit, RHA shall pay the reasonable moving expenses, including utilities fees and deposits.

SERVICE OR ASSISTANCE ANIMALS

Residents of RHA with disabilities are permitted to have assistance animals, if such animals are necessary as a reasonable accommodation for their disabilities. RHA residents or potential residents who need an assistance animal as a reasonable accommodation must request the accommodation in accordance with the reasonable accommodation policy. Assistance animals are not subject to the requirement of RHA's Pet Policy.

RIGHT TO APPEAL/GRIEVANCE PROCESS

The public housing resident may file a complaint in accordance with RHA's HUD-FHEO-approved Grievance Procedure following a formal determination by Office of the Executive Director of RHA.

A resident may, at any time, exercise their right to appeal an RHA decision through the local HUD-FHEO Office of the U.S. Department of Justice. Individuals may contact the local HUD-FHEO office.