

Pathways Asset Management – Reasonable Accommodations Policy

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***Note:** For purposes of this policy document, reference to “owner/agent” refers to the Housing Authority of the City of Austin and its property management staff as appropriate.*



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INTRODUCTION

The owner/agent (the Housing Authority of the City of Austin) is committed to complying with the Fair Housing Act and Section 504 of the 1973 Rehabilitation Act. Policies and services may have a different effect on persons with disabilities, therefore, the owner/agent will work to ensure that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

DEFINITIONS

- **Disability:** A “disability” is defined as a physical or mental condition or impairment that is medically cognizable, diagnosable, and substantially limits one or more of a person’s major life activities. HUD’s definition specifically is as follows: For reasonable accommodation and modification purposes, HUD defines a person as disabled if he or she has at least **one** of the following:
 - A physical or mental condition that “*substantially limits*” one or more “*major life activities*”; or
 - A record of such a condition; or
 - Is regarded as having such a condition

- **Reasonable Accommodation:** A reasonable accommodation is a change, exception, or adjustment to a program, service, building, or dwelling unit that will allow a qualified person with a disability to:
 - Participate fully in a program;
 - Take advantage of a service;
 - Live in a dwelling

To show that a requested accommodation may be necessary, there must be an identifiable relationship, or nexus, between the requested accommodation and the individual’s disability.

When a family member requires an accessible feature(s), policy modification, or other reasonable accommodation, the owner/agent must provide the requested accommodation unless doing so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden. A fundamental alteration is a modification that is so significant that it alters the essential nature of the provider’s operations. In such a case, if possible, the owner/agent will offer an alternative solution that would not result in fundamental alteration of the program or a financial or administrative burden.

TYPES OF REASONABLE ACCOMMODATIONS

When it is reasonable, the owner/agent will accommodate the needs of a person with disabilities.

Examples may include but are not limited to:

- Permitting applications and reexaminations to be completed by mail.
- Conducting home visits.
- Permitting a higher utility allowance for the unit if a person with disabilities requires the use of specialized equipment related to the disability.
- Modifying or altering a unit or physical system if such a modification or alteration is necessary to



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provide equal access to a person with a disability.

- Installing a ramp into a dwelling or building.
- Installing grab bars in a bathroom.
- Installing visual fire alarms for hearing impaired persons.
- Allowing an owner/agent-approved live-in aide to reside in the unit if that person is determined to be essential to the care of a person with disabilities, is not obligated for the support of the person with disabilities and would not be otherwise living in the unit.
- Providing a designated handicapped-accessible parking space.
- Allowing an assistance animal.
- Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with staff.
- Displaying posters and other housing information in locations throughout the office in such a manner as to be easily readable from a wheelchair.

REQUESTING A REASONABLE ACCOMMODATION

The owner/agent will inform all residents that, at any time, the resident or a person acting on behalf of the resident may make a request for reasonable accommodation or modification for an individual with a disability.

Property staff will provide a Reasonable Accommodation/Modification Request Form upon request. The Request Form will be provided in an equally effective format if requested by the applicant/resident or a representative of the applicant/resident.

A resident or applicant may submit a request in writing, orally, or use another equally effective means of communication to request an accommodation or modification. The property staff will encourage the family to make the request in writing. However, the owner/agent will consider the accommodation request any time the family indicates that an accommodation is needed whether or not a formal written request is submitted.

Residents and applicants may contact the management office located within their property for information about requests.

VERIFICATION OF THE DISABILITY

Before providing an accommodation, the owner/agent must determine that the person meets the definition of a person with a disability as defined in the Definition Section above, and that the accommodation will allow the family to participate fully in a program, take advantage of a service, live in a dwelling, or use and enjoy a dwelling.

If a person's disability is obvious or otherwise known, and if the need for the requested accommodation is also readily apparent or known, no further verification will be required [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

If a family indicates that an accommodation is required for a disability that is not obvious or otherwise known to the owner/agent, the owner/agent must verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation.



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RESPONDING TO REASONABLE ACCOMMODATION REQUESTS

The owner/agent will consent to or deny a request as quickly as possible. The applicant/resident will be notified of the decision to grant the request, deny the request, offer alternatives to the request, or request additional information to clarify the Reasonable Accommodation request within 14 calendar (14) calendar days after the request is made.

All decisions to grant or deny reasonable accommodations will be communicated in writing or, if requested, in an alternative format. Exceptions to the fourteen (14) calendar day period for notification of HACA's decision on the request will be provided to the resident setting forth the reasons for the delay.

Response may include, but is not limited to:

- Request Approval
- Request Denial
- Offer Alternatives to the Request
- Request for Additional Information or Verification of Need

If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within ten (10) business days of the date of the written notification of denial. For further details, please see the Grievance Policy in the House Rules.

The person named below has been designated as the Section 504 Coordinator to review compliance with the nondiscrimination requirements and can be contacted to discuss any provisions of the Reasonable Accommodation Policy.

If you are disabled and wish to request a reasonable accommodation or if you have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs.

Si usted está incapacitado y desea solicitar un acomodo razonable o si tiene dificultad para entender Inglés, por favor solicite nuestra asistencia y nos aseguraremos de que se le proporciona un acceso significativo basado en sus necesidades individuales.

The Housing Authority of the City of Austin does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

The position named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504.

Position:	Compliance Analyst, Low Income Housing Department
Address:	1124 S IH 35 Austin, TX 78704
Telephone:	(512) 477-4488
Telephone – TTY:	1-800-735-2989 Or 711

